

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – April 1, 2003 - 6:00 p.m.
Linda N. Gilstrap, Clerk to Council
AMENDED
(PAGE 3 & 6)
MINUTES

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

PRESENT

Chairman William C. Dees – District #6, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Larry E. Greer – District #3
Clint Wright – District #4
Mike Holden – District #5
M. Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Gilstrap – Clerk to Council
Tammie Shealy - Deputy Clerk to Council

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

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, April 1, 2003 at 6:00 p.m.

Chairman William C. Dees called the meeting to order, read the quote, and welcomed everyone in attendance. Mr. Clint Wright gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Clint Wright moved to approve the minutes from the March 18, 2003 meeting and Mr. Mike Holden seconded. Mr. Larry Greer said that he had called the clerk's attention to several corrections and Ms. Cindy Wilson said she had also. Vote on the minutes with changes was unanimous.

Mr. Larry Greer said that the yellow ribbons were to be presented to Anderson County to be placed on County buildings in honor of servicemen from Anderson County who are serving from Anderson County. One is from Ms. Elizabeth Peace, Mr. Greer and his wife, Nature's Corner's Florist, and one is placed in memory of William A. Floyd. All members of Council purchased the yellow ribbons for the County buildings. Chairman Dees stated that the ribbons were personally purchased, and no county funds were expended.

Chairman Dees recognized Patrick Windsor, Boy Scout from Troop 205.

Citizens Agenda: Agenda Matters: Mr. Ronnie Cole referred to Land Use section 38-178 (guns and gun ranges) and asked Council to consider tabling or removing until a committee can be formed to study the proposed section. Mr. Richard Childers of Piedmont said that they couldn't enjoy their homes because someone abuses the rights to shoot guns. With the present ordinance, there is nothing that can be done to help with their problem. He said they have been complaining about this for years and the neighborhood has been deteriorating for years because of constant gunfire and stray bullets. He asked Council to please pass regulations that will protect peoples' safety and investment. Mr. James Kernells from Greenville County said that he is on the receiving end of Mr. Bilicki's gun range and his bullets. He said that Mr. Bilicki has violated their rights because they cannot fish, swim or anything. He said that after several calls, they were told that the County only has a noise ordinance and that starts after 12 a.m. He said someone was going to get

killed. He asked Council to please do something about it. Ms. Lillian Kernells also asked Council to do something about the shooting near their property. They cannot enjoy their property. She asked Council to please help them get something done. Mr. Gary See said that he thought Mr. Cole's remarks about tabling the proposed amendments until Council has time to study further was a good idea and he would also ask Council to do the same. Mr. R.T. Moore said he also has concerns for the community in Piedmont. He said that he noticed that the time for firing on gun/rifle ranges had been changed from 8 a.m. to 8 p.m. He said that following the sun rising and sun setting situation would make more sense. He said that tabling was a good idea. He said he would recommend pulling the ordinance and making it a separate issue. He said that gun safety was the most important part of the National Rifle Association's efforts for gun owners along with the Second Amendment. There are ways to baffle the ranges, establish safety measures and sound restrictions to make the ranges operative and safe. He said he understood that most of the restrictions were written against one individual who has acted in a manner that is not neighborly. Being a good neighbor is good for any business, club, or any range. Mr. Dave Napier representing Bucks and Bass said he was also in agreement with Mr. Ronnie Cole and recommended that Council table the issue. Mr. Lester Brock, Chairman of the Upstate Friends of the NRA, appeared before Council stating that they raise money for youth education and hunter safety. Over the last 10 years they have raised over one-half million dollars to go towards hunter education and hunter safety. They also donated about \$2,000 to Westside High School for them to start an indoor air rifle shooting range at the school. He asked would the ordinance affect the shooting sport for the ROTC groups. Ms. Wanda Williams from Piedmont said that they did not have problems with people who own guns. She said that indoors would be the way to go. It could be controlled and they would not have a problem. She said the problem they have is not having any regulations and people just starting a gun range. She asked Council to pass the proposed ordinance for regulations on shooting. Mr. Robert Knudsen agreed with Mr. Cole that the restrictions should be tabled and revised to cover all ranges. He said that the restrictions might be in violation of the Range Protection Act that grandfathered existing ranges. He asked Council to consider tabling the ordinance and adopt one that will meet the needs of Anderson County for decades to come. Ms. Celesta Childers of Piedmont said that sometimes she is surrounded by gunfire. She has to stay in her house and she said she hoped that Council would do something about the problem. Ms. Donna Childers said that she resides in Piedmont; however, she used to live there. Her home and yard has been violated by loud gunfire for years; her peaceful and quiet retreat after work has been stolen from her. Presently there are no regulations in place to protect her investment. She asked Council to please pass this ordinance or an ordinance to protect her Second Amendment. She said that recreational shooting should not take place in a residential area only in a permitted gun range. This is a problem that she and her neighbors have faced for the last three years. Ms. Cherie Wyatt asked for a better ordinance in Anderson County that would regulate large number of people shooting guns in a populated area. Mr. Bill Holder said that the Land Use is a limitation and Council must be careful on what they limit people on. One of the great things founded upon was the ability to leave Virginia, which was over-regulated on their land, to come here to have land freedoms. He said he agreed with the residents that there should not be recreational shooting by a large number of people inside a residential area. He suggested that Council separate the gun provisions and come up with a separate comprehensive ordinance that covers everyone. Mr. Gregory Sears a paramedic from the Belton Rescue Squad said that in the upcoming weeks the County would be facing new proposals that directly effect emergency services. He said that last September he addressed Council about Council options involvement in the Emergency Medical Services. He said that they've seen opportunities that needed to be addressed collectively on a County level. Mr. Michael James an EMT for the Belton Rescue Squad he voiced his support for a County ran EMS system. He said that there are 8 different services, 8 different standards of care, and 8 different chiefs serving the citizens of this County. Putting quick response vehicles in areas that cannot be "hit" in the 8 minutes 59 seconds response time would reduce response time. The squads cannot provide the staffing and in some cases provide the vehicles for those units. He said that it would be more cost effective to include the units in a County ran EMS system where they can be monitored using in conjunction with transport units and placed at strategic points to better serve the residents. He said that on the insurance that now there are 8 different insurance companies and only one offers a retirement plan. The other squads cannot afford it. If their squad employees were county employees they would be able to participate under the County's insurance plan, he said. Ms. Lea Davis a former employee of the Belton Rescue Squad said that rescue squad employees need benefits and asked that Council consider some solutions. Mr. R.T. Moore said that

the Friends of the NRA raised money and the largest recipient was the Belton Gun Club and there is money to build an indoor range. He said support of an indoor range would be one of the best things Council could do. Ms. Lea Easley-Harris representing Hospice of the Upstate thanked Mr. Tolly and Council for paving of Rogers Road, which greatly helps with the center and the patients. Mr. Mike Freeman asked Council to consider a County run EMS system in Anderson County. Mr. Brooks Brown asked Council to pull the section on gun regulations and place under a committee for further study. He also complained about what he considers as a County "slush fund".

Item #6 was moved up to #2. On the motion of Ms. Cindy Wilson, seconded by Mr. Dees, Council voted unanimously to approve Resolution #R2003-026 – a resolution recognizing and honoring Anderson County native Anna Hanks for bringing recognition to Anderson County by representing South Carolina in the "MISS USA" Contest; and other matters related thereto. Ms. Wilson read the resolution and presented a framed copy to Ms. Hanks. Ms. Wilson and Council commended Ms. Hanks for great achievement.

Mr. Dees read a Proclamation proclaiming April 13-19, 2003 as Telecommunications week in Anderson County. Mr. Wright moved to approve and Ms. Wilson seconded. Vote was unanimous. A framed copy of the proclamation was presented to Mr. Josh Briggs of the 9-1-1 Communications Department.

Mr. Tom Martin reported that the sealed bid process for the 2003-equipment lease purchase resulted in a 1.940% interest rate out of 8 bids. The low interest rate bid was from Wachovia Bank, National Association. Council received as information. This bid was accepted and signed.

Chairman Dees read the title of Ordinance #2003-011 for third and final reading. It is an ordinance authorizing the assignment and transfer to Honeywell Nylon, In., a wholly owned subsidiary of Honeywell International, Inc. of that certain lease agreement between Anderson County, South Carolina, and BASF Corporation dated as of December 1, 1997, and the certain indenture between Anderson County, South Carolina, and BASF Corporation dated as of December 1, 1997, and certain property, other rights, and other matters related thereto; including the release of BASF Corporation from its Obligations under the lease agreement, the assumption of those obligations by the assignee and transferee of BASF Corporation, and the continuation of a fee in lieu of tax pertaining to such lease agreement. Ms. Floyd moved to approve on third reading and Mr. Wright seconded. Vote was unanimous.

Council recessed at 7:05 p.m. Chairman Dees called the meeting back to order at 7:20 p.m.

Chairman Dees read second reading of Ordinance #2003-007 – an ordinance amending Chapter 38 of the Anderson County Code pertaining to Land Use and Development Standards; canceling tabled Ordinance #2000-068; and other matters related thereto. Chairman Dees opened a public hearing concerning the ordinance. Mr. R.T. Moore of Iva said he chose South Carolina because of the property rights, property ownership and freedom to hunt, freedom to keep and bear arms. He said that he understood that the ordinance was written because of "someone a bad neighbor." He said that he had a set of proposals and asked Council to consider in re-writing the ordinance and to consider that most of the ordinance is discriminatory against gun ranges, gun owners, and shooters, ranges of all sort, and property owners. He said that shooting ranges have the greatest safety record of all recreation in America, these regulations would put them out of business, he said. Mr. Moore read a prepared statement that is included suggested changes. This document is on file in the Clerk to Council's office. Mr. Gary See of Clemson said that Mr. Moore mentioned something regarding a state statute that was specifically mentioning the responsibilities of endangerment. He said that maybe that he could provide County Council with this information in case the Sheriff's department of Anderson and Greenville can be made aware of it so that they can prosecute anyone not meeting those regulations. He referenced the parking regulations in the ordinance. Ms. Wanda Williams of Piedmont said that they have no problem with a qualified, certified gun range. She said that their problem was 8 acres and the berm that he is shooting into is not even owned by him. She suggested that Council adopt the NRA standards. Mr. Richard Childers said he knew that it was a complicated issue and he thought that Mr. Moore had a lot to add to the subject and what he said and suggested made a lot of sense. He said there was a Gun Range Protection Act, and a Gun Owners Protection Act – what about a Residential

Homeowners' protection Act? He said there was absolutely nothing to protect them. He asked Council to do something that will respect the average citizen in Anderson County. Mr. James Kernells said that he lives on the Saluda River near the shooting range. He said that they cannot enjoy their property or the river and they have no rights. Even on Sundays it sounds like a war zone and he shoots at all hours of the nights. He asked how one man can violate citizens of Anderson and Greenville Counties and nothing be done. Mr. Frank Allen, who has interest in Mr. Bilicki's shooting said he helps maintain it and he shoots down there. He said that he first knew it was a problem was when the zoning officials came and put a "Cease and Desist" Order. He said it was a shooting range, a private range by invitation only. Not for Commercial venture. He said that two-three years ago there was two competition clubs who were paying to shoot on it. When they found out there was a problem, Mr. Bilicki stopped it. There is no night shooting to his knowledge or to Mr. Bilicki's knowledge. He said that if the residents would come to them they would try to work with them to correct the problem. Mr. Bill Holder said that there is a need to get something done. The section 38-178 is extremely liberal, extremely interpretive, and it sets a bad precedent. The main issue "paints" everybody with the same stroke of the brush. Mr. Brooks Brown said that the regulations were trying to make "a one size fits all." It says that no gun range shall be operated in the county unless it is in compliance and requires a million dollars general liability insurance (minimum). The law enforcement has a gun range out in the County and he said that he assumed that they must also have a million dollar liability insurance coverage. It also tells people how many times a week they can shoot on their own property. The hours are not appropriate. He asked Council to "throw out what they have" and start over from scratch. Ms. Donna Childers confirmed that the property is indeed a gun range and it was mentioned earlier. She said that it was a restricted covenant in their development, which states on the deed that mobile homes and homes only. Mr. Robert Knudsen said that the ordinance would prohibit Anderson County from setting up a range. He urged Council to take section 38-178 out and come back with one that will allow Anderson County to build a public range that will be available for all citizens of the County. Mr. Frank Allen clarified said that there had been confusion over what is a gun range. The reason that they did clarify that it was a gun range was because of the Gun Range Owners Protection Act says that a piece of property that is used primarily for shooting can be designated as a range and fails under protection of the act. It doesn't have to be a commercial range. Mr. Wright said that he had a problem with Mr. Allen's analogy. Mr. Dees said that he was personally an advocate of our Second Amendment Rights and he is also a staunch believer in the right to pursue happiness. He said that he had a telephone call one night some time ago, and the caller held the phone so that gunfire was heard over the phone, Mr. Dees then went to the area and heard gunfire coming from the area discussed on the phone. Hugh Durham said several years ago he helped write the Land Use Ordinance and at that time it was decided that if a landowner saw fit to cut up at least 9 tracts on an existing road that they would have to go through the entire Planning Department's process. The local staff could approve the summary plat and you could cut up 9 tracts on existing tract (the ordinance actually says 10). A lot of people tried to use this issue to stop mobile homes. He said now that has been cut to five and all that does is causes "red tape." He asked council to leave it at 9. At the last meeting, Mr. Greer offered an amendment to leave at nine and the motion was tabled. He asked council to leave it at 9. Ms. Dino Hicks suggested that Council form a meeting to study and recommend the gun range regulations. Ms. Hicks recommended that Council make strong considerations of the experts that are available. Ms. Edna Bagwell of Piedmont said that she had attempted to talk with her neighbor regarding the gun range and he came by but wouldn't even get out of the car. So attempts have been made to resolve the issue with the owner. She said there is night shooting as recently as the past weekend and they would like to have their rights upheld too. Ms. Wilson asked if the neighbors had considered taking legal action as to their deed restrictions. She said that they took him to Magistrate Court and he was fined. Mr. Richard Childers said that in 2000, Mr. Bilicki applied for a permit for the gun range that he had been running for a couple years; him and several others stated that there was no commercial activity there. He said that it was stated a few minutes ago that there was two clubs paying to shoot there. He said that it was hard to deal with this type situation. Mr. Mark Bilicki of Piedmont said that Mr. Childers said that at the time the hearing was held their two paying customers had stopped. He said he had no idea where the night shooting was coming from. If you follow the river about ¼ mile someone has a makeshift range, he said. He said if the night shooting was coming from his property he would see that it is stopped. Mr. Dees asked if there had ever been night shooting and Mr. Bilicki responded not to his knowledge. He said he has never been approached by a neighbor, he said he would entertain something and he was not opposed of putting baffles up and noise barriers. Mr. Dan

Harvell of the High Point community said that we are dealing with people's land and taxes people get very involved and emotional. He commended Council for allowing public citizen input into these regulations. Ms. Elizabeth M. Peace said that she called Mr. Greer and offered to donate a yellow ribbon and gave him the idea to support the troops in the Mid East. She said that everyone must come to a "meeting of the minds." She said that the Land Use Ordinance protected her when Ingles built right beside her property. Mr. Charles Crowe of the Five Forks Community echoes Mr. Harvell's remarks for the way that the workshop was held and allowed citizen input. Ms. Donna Childers read from a newspaper article, which said that Mr. Bilicki would be happy to discuss the issue with his neighbors, had they approached him sooner but now he has no intentions of allowing the County or his neighbors to infringe upon his rights to bear arms. Mr. Bruce Allen of Powdersville said that he was a retired Greenville police officer and echoed some of the comments said to consider a public assess gun range and he encouraged Council to rethink the proposal. No further comments were heard; therefore the public hearing was declared closed.

Council recessed for five minutes at this time. Chairman Dees called the meeting back to order.

Mr. Wright moved to approve on second reading of Ordinance #2003-007 and Ms. Wilson seconded. Mr. Greer said that he considers the right to keep and bear arms a very BIG right. He said that he thinks the gun section of the ordinance needs more work. Mr. Greer said that he would never support an ordinance that contains a section that will erode a person's right to use their weapons and guns in a legal responsible manner on private property with permission of the owner or by the owner. Mr. Greer offered an amendment (#1) to delete the definition of a Gun club, gun range or skeet range in Section 38-37, and deletion of Section 38-178 entirely. Mr. Holden seconded. Ms. Floyd moved to amend Mr. Greer's amendment to add that it be brought back after study and citizen input. Mr. Tolly seconded Ms. Floyd's amendment. Ms. Wilson suggested that there be two appointees per district. Council agreed on a committee of two from each district. Vote on Ms. Floyd's amendment to the amendment was unanimous. Vote on the amendment as amended was unanimous. Mr. Greer called Council's attention to Section 38-354 - Lot Lines "Excluding lots contained on summary plats, side lot lines shall be approximately at right angles to the right-of-way line of the road on which the lot fronts. The front lot line on any new lot shall be at the right-of-way line. If no right-of-way is available, then the front lot line will be established thirty-three (33) feet from the centerline of a county road, state road or state highway." He said that he has a problem with the last sentence: "If no right-of-way is available, then the front lot line will be established thirty-three (33) feet from the centerline of a county road, state road or state highway." He said it was the takings of a person's property without due process or compensation. These roads would have a 15' right-of-way (prescriptive right-of-way from the centerline to the back side of the ditch). This means that the net affect would be the taking of 18' of a person's property in order to establish the front lot line 33' from the centerline of the road. Mr. Greer called Council's attention to a proposed amendment to strike the last sentence and add: **"Excluding lots contained on summary plats, side lot lines shall be approximately at right angle at right-of-way line of the road on which the lot fronts. The front lot line on any new lot shall be at the right-of-way line."** This would provide the needed space for the Public Works Department to make improvements if development takes place. This would be the amendment to Section 38-120 Paragraph (c) by adding on page 16 after note (5) insert the following new note 6: **"(6) On existing local and collector roads for which no right of way is available, the front set back is increased to 45 feet from the centerline of the existing road for local roads and is increased to 73 feet for collector roads from the centerline of the existing road."**

	<u>Nonresidential Uses</u>		<u>Residential Uses</u>	
	Principal Use	Accessory Use	Principal Use	Accessory Use
Front yard setback				
Local Road	20 <u>Note 6</u>	Note 1 / <u>Note 6</u>	20 <u>Note 6</u>	20 <u>Note 6</u>
Collector road	40 <u>Note 6</u>	Note 1 / <u>Note 6</u>	40 <u>Note 6</u>	40 <u>Note 6</u>
Arterial Road	50	Note 1	50	50
Side Yard setback	10	Note 3	Note 4	Note 5
Rear Yard setback	10	Note 3	15	Note 5

Mr. Greer said that at the last meeting this amendment to change section 38-120 was tabled so he moved to remove from the table and Mr. Wright seconded. Vote was six in favor to remove from the table and one opposed (Tolly). Motion carried. (At the last meeting when the motion was tabled the motion on the floor was made by Mr. Greer and seconded by Mr. Tolly to delete the last line in reference to the 33' and to add Note 6 with additions to chart in 38-120.) Ms. Floyd said that since the last meeting she had talked with Mr. Hopkins and Mr. Ricketson on the amendment. She asked Mr. Hopkins to come up and explain the amendment. Mr. Hopkins showed a slide and explained. Council discussed further. Mr. Tolly moved to amend the amendment to retain the language that is presently on the books and Ms. Floyd seconded. (For clarification this would be retaining the language as presently on the books for the last sentence in section 38-354.) Mr. Greer said that he stands by his principal that this is taking the property owner's land without compensation. Mr. Holden asked for a brief recess to talk with Mr. Preston concerning a County Employee's action. Council recessed for 5 minutes. Mr. Tolly called for the question. Vote on Mr. Tolly's amendment was six in favor and one opposed (Mr. Greer). Motion carried. Back to Mr. Greer's amendment: Mr. Greer said since Mr. Tolly's motion carried to retain the original language he would move to amend his amendment to delete all references to change the set back requirements in Section 38-120. Mr. Greer said that if Council leaves the set backs in section 38-120 in his amendment in effect; he will not be responsible for this Council increasing those setback requirements-Council will. Motion died from lack of a second. Mr. Holden moved to table the entire ordinance and Mr. Greer seconded. Vote was three in favor to table (Holden, Wilson, Greer) and four opposed (Tolly, Dees, Wright, Floyd). Motion to table failed. Mr. Wright moved to table only the amendment (Section 38-120 and 38-354) presently on the floor and Mr. Greer seconded. Vote on the motion to table was three in favor (Greer, Wright, Wilson) and four opposed (Holden, Tolly, Dees, Floyd). Motion to table failed. Mr. Greer explained his present amendment was to take out what he tried to put in which includes additional setback requirements. Mr. Dees seconded. Mr. Wright called for the question. There was no second on the motion to call for the question. Vote on the motion to amend the amendment was unanimous. Mr. Wright called for the question on the amendment by Mr. Greer, as amended. Vote on the amendment, as amended, was five (Wilson, Holden, Dees, Wright, and Floyd) in favor, one abstention (Tolly) and one opposed. (Greer) Motion carried. Mr. Greer moved to amend Section 38-214 Paragraph (d) Proposed amended version would read as follows: (d) Surfacing and marking. All Commercial and residential development may be paved with concrete or asphalt or a pervious material, allowing percolation of water into the soil and provide required turning radius for public safety vehicles to enter and exit. The approved design shall be marked by lines or curbs, where appropriate, or any other Development Standards Manager approved means to indicate individual parking and drive spaces. However these requirements may be waived on an individual basis by the Development Standards Manager for churches. Ms. Wilson seconded the amendment. Ms. Floyd asked Mr. Ricketson to explain the section. Mr. Greer stated that his amendment did not mention any number of parking spaces. Vote on the amendment was unanimous. Mr. Greer moved to remove from the table an amendment to Section 38-314 Paragraph (a) (3) amend to change 5 to 9 dealing with number of lots permitted under summary plats in a 3 year period. Proposed amendment version would read as follows: Section 38-314(a) **(3) The division of a tract of land into nine (9) or less lots during any three year period where each lot fronts on an existing county or state road.** Mr. Dees seconded and vote was unanimous to remove from the table the amendment of Section 38-314(a). After much discussion, Mr. Greer called for the question. (No vote was taken on the call for the question). Vote was three in favor (Holden, Greer, Wright) and four opposed (Wilson, Tolly, Dees, Floyd). Motion on the amendment failed. Mr. Greer moved to amend Section 38-630 and Section 38-640 to Change 4" asphalt base to 3" asphalt base in appendix A and B. Mr. Holden seconded. Council discussed. Mr. Tolly moved to amend the amendment from 3" to 3-1/2" and Chairman Dees seconded. Vote on the motion to change from 3" to 3-1/2" was four in favor (Wilson, Tolly, Dees, Floyd) and three opposed (Wright, Holden, Greer). Motion carried. Vote on the amendment as amended (3-1/2" and 2") was unanimous. Mr. Greer stated for the record that he has problems with how things should be done for example he cannot agree with anything in county ordinances which takes a person's property by regulation without compensation. So he would oppose since that clause is in the ordinance. Vote on Ordinance #2003-007 as amended on second reading was six in favor and one opposed (Mr. Greer).

Chairman Dees read second reading of Ordinance #2003-008 - 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 to R-10 approximately 34.67(+/-) acres of property in the Edgewood B Precinct on the Western side of Concord Road. The property is identified by TMS # 146-00-13-003 and TMS #146-00-13-016 and is fully described by Plat Book Cp S1089, Page #003 and Plat Book CP 017/163, Deed Book 3631/33. Mr. Tolly moved to approve and Ms. Wilson seconded. Ms. Wilson said that she would like to support the ordinance; however, a very similar situation was required to go through a different process that was to do the planned development. Mr. Wright agreed with some of Ms. Wilson's comments and he was in favor of the project. He said that he intended to abstain because he sees the inconsistencies. He said that Council needed to look at how the smaller parcels are being handled/managed. Vote was four in favor (Tolly, Dees, Greer, Holden) and three abstentions (Wilson, Wright, Floyd). Motion carried.

Chairman Dees read second reading of Ordinance #2003-009 – 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 to C1-N (Neighborhood Commercial) one (1) parcel of land comprising approximately 1.00 (+/-) acres of property in the Hammond School Precinct on Sam McGee Road, near the intersection with Highway 81 North. The property is identified by TMS # 147-05-02-001 and is fully described by Plat Book CP0106, Page #347, and Deed Book 2572/318. Mr. Tolly moved to approve and Mr. Wright seconded. Vote was unanimous.

Council recessed for five minutes at this time. (11:00 p.m.) Chairman Dees called the meeting back to order at 11:05 p.m.

Chairman Dees read second reading Ordinance #2003-012 – an ordinance authorizing the transfer and sale of certain Anderson County real property to the Salvation Army of Anderson County; authorizing the execution and delivery of real property deeds related to the same; and other matters relating thereto. A public hearing was held and Captain Morton said he used to think that government was not necessarily for the people; however, after what he has seen at the last two meetings he does not think that. He has seen the public come forward and address issues and the Council who have addressed the issue in a way to represent their districts. He thanked Council for allowing him to come forward. The public hearing was closed. Ms. Floyd moved to approve and Ms. Wilson seconded. Vote was unanimous.

Chairman Dees read the title for second reading for Ordinance #2003-013 – an ordinance authorizing a limited fixed-base operator agreement with Eastern Jet Aerospace for operations to be conducted at the Anderson Regional Airport; and other matters related thereto. A public hearing was held and Mr. Brooks Brown urged Council to pass the ordinance that would be very beneficial to the county. The Public hearing was declared closed. Ms. Wilson moved to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Larry Greer read title for first reading of Ordinance #2003-014- an ordinance amending Section 50-96 of the Anderson Code of Ordinances pertaining to additional requirements for individual mobile home; and other matters relating thereto. Mr. Greer moved to approve and Mr. Wright seconded. Mr. Greer said that at a previous meeting he pointed out the inequities that exist in our County Ordinances pertaining to the citing of a mobile homes on a lot with a stick built mobile home. The Ordinance provides that a mobile some can be sited on a lot with a stick built mobile home or a site built mobile home but it prevents a second mobile home from being citing on a lot with another mobile home and that has created an inequity between home owners. This amendment would allow two mobile homes to occupy the same lot subject to DHEC approval if not restricted by deed. He urged council to pass. Ms. Wilson asked if this violated any zoning regulations and it was stated no. Council discussed further. Mr. Greer called for the question. Vote was unanimous.

Mr. Tolly moved to remove from the table an appointment to the CVB (Convention and Visitor's Bureau) Board. Mr. Holden seconded. Vote was unanimous. At the time the motion was tabled, Mr. Greer had been nominated to fill the appointment. Vote on the appointment of Mr. Greer was unanimous.

On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to accept Spring Meadows, Welborn Acres, and River Point Subdivisions into the County road system.

Chairman Dees presented second reading of Ordinance #2003-012 – an ordinance authorizing the transfer and sale of certain Anderson County real property to the Salvation army of Anderson County; authorizing the execution and delivery of real property deeds related to the same; and other matters relating thereto.

On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to accept the recommendations from the Pendleton District Workforce Investment Board for appointment of Nichole Boseman, Thomas V. Davis, Jim Grantham, and Dwayne Legrant to the Youth Council.

Ms. Floyd moved to reappoint Ms. Sheila Ford to the Human Relations Council. Mr. Wright seconded and vote was unanimous.

Mr. Greer moved to reappoint the following individuals: Ms. Cathy Stone to the Accommodations Tax Advisory Board, Mr. E.J. Wright to the Board of Assessment Appeals, Mr. Allan Thomas to the Economic Advisory Board, Mr. Marcus Campbell to the Museum Advisory Committee, and Mr. Barry Wood to the Airport Advisory committee. Ms. Wilson seconded and vote was unanimous.

Mr. Wright and Mr. Holden said they would bring their appointments up at the next meeting.

Chairman Dees said that he received a letter from Mr. Holden asking to be replaced on the ANATS Committee. He moved that Ms. Floyd replace Mr. Holden and Mr. Tolly seconded. Mr. Greer said that it was his understanding that the Belton community would be incorporated into the ANATS Committee and he asked Ms. Floyd if she would support some type of increase representation on the committee so the Belton Community could have some type of representation. Ms. Floyd said that she would like to have time to get on the committee and understand its vision and purpose. Vote was unanimous.

Mr. Holden moved to appropriate \$1,300 for the Westside High School Band from District #5's paving account. Mr. Tolly seconded. Since it was clarified that the funds would come from paving Mr. Tolly withdrew his second. Ms. Floyd seconded. Vote was five in favor, one opposed (Greer), and one abstention (Tolly). Motion carried.

Ms. Floyd moved to appropriate \$1,000 for the Free Clinic from District #2's Recreation Account. Mr. Holden seconded and vote was unanimous.

Mr. Wright moved to appropriate \$500 for the T.L. Hanna High School Band from District #4's Recreation funds to help provide music background in support for community efforts. Ms. Wilson seconded and vote was unanimous.

Mr. Wright moved to appropriate \$1,330 of the District #4's Paving account to do Road Maintenance improvements around the Townville Rescue Squad. Mr. Holden seconded and vote was unanimous.

Mr. Wright moved to appropriate \$1,225 from District #4's paving account to repair the bus ramp at the Pendleton Elementary School. Ms. Wilson seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$200 for the Belton/Honea Path High School with assistance with their fund raiser from District #7's Recreation Account. Mr. Holden seconded and vote was unanimous.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation: For: Mr. Jerry Cash's Crew (Mr. Randy Chambers, Mr. Sammy Moore, Mr. Michael Gregory, Mr. Matthew Wages, Mr. Ray Johnson, Mr. Gilberto Gonzalez, Mr. Carl Dutton, Mr. Barry Smith, and Mr. Russell Grant) From: Ms. Pat Vaughn
- b. Reports:
 - 1. Recreation Report District Paving Report

2. Detention Center Litter Reports – March 10-14, 2003, March 17-21, 2003
3. Anderson County Litter Report (February 2003)
- c. Property Tax Relief and Reassessment
- d. Approval of Cost Recovery application for the GIS Mapping & Addressing
- e. Councilwoman Gracie Floyd to Attend African American Leadership Summit
- f. Clemson Area Transit buses
- g. Letter from Billy O'Dell regarding salary cuts of Auditors and Treasurers
- h. Letter from Anna Marie Brock, Auditor
- i. Letter from Nancy Prince Mackey, Treasurer
- j. Senator Waldrep's Letter – Savannah River Basin-Water Compact Issue

Remarks from Council Members:

Ms. Wilson asked Mr. Preston for her copies of the GLR110 for the last two weeks. She said she received a phone call from West Pelzer regarding a \$10,000 appropriation that had been made for a project for helping repair and repaving for a waterline that was going through. She said that there has been restrictions been placed on that funding and now they have an emergency and they need the money. She asked why they have not received their check.

Mr. Holden – Good night!

Mr. Tolly said that the County Council hit a "mile stone" my approving second reading on the Land Use.

Mr. Wright thanked everyone for staying so late and asked everyone to say a little prayer for those in the "fox holes" tonight.

Ms. Floyd said to remember that Council speaks with one vote and once the majority makes a decision- Council should stand by it.

Mr. Greer said to take a look at the yellow ribbons and don't just say you're going to offer a prayer – OFFER ONE and then he said good night.

Chairman Dees said that this was a government in progress and he also appreciated all the comments. GOD BLESS AMERICA!!!

There being no further business, the meeting was adjourned at 11:30 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL