

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - August 15, 2000 - 6:00 p.m.

Linda N. Gilstrap, Clerk to Council

M I N U T E S

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

PRESENT

Gracie S. Floyd - District #2
Larry E. Greer - District #3
Vice Chairman Clint Wright - District #4
Chairman Mike Holden - District #5
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Gilstrap - Clerk to Council

ABSENT

G. Fred Tolly - District #1

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, August 15, 2000 at 6:00 p.m.

Chairman Holden announced that Mr. Fred Tolly was having minor surgery and was unable to attend the meeting.

Mr. Clint Wright gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve the minutes from the July 11, 2000, and July 18, 2000 meetings as mailed.

Mr. Holden rearranged the agenda because of individuals that needed to attend other meetings.

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Ms. Helen Rosette, Officer and Representative of the Starr Athletic Association, presented the County Council with a check in the amount of \$10,000 from the Association for the Starr Athletic park.

Ms. Cheryl Swift with FACE (Fighting Aids with Community Effort) extended to Council their appreciation for the use of the Anderson County Sports and Entertainment Center.

Public Comments: Agenda Matters: David Cooper said that he was concerned that Edgewood B (Forest Park) had changed zoning classification to C-2 which allows the opportunity of taverns, and car dealerships. He asked for this classification to be changed back to the C-1 (Commercial) class. Otto Haugland spoke on behalf of hundreds of homeowners in favor of the zoning proposal for Edgewood B as it is currently drawn by the Planning Department. Fritz Watson of 171 Towne Creek Trail explained that he was co-owner of approximately 55 acres of land that is included on the proposed zoning map for the Edgewood B voting precinct. This land fronts on Arcadia Drive, Brown Road, and Fritz Drive. On July 10 the owners of the property became aware of the already prepared zoning map for the area. He urged Council to make the right zoning classification for the property. Charles Morris also spoke of Edgewood B proposed zoning map. He said that he was there representing his mother-in-law, Ruth Watson who resides on Fritz Drive. He stated one of the purposes of zoning is to encourage the most appropriate use of land. He said that the property owners believe that commercial is the most appropriate use because this will maximize the value of the land. Baylis Maxwell owns property on Brown Road in which the Planning Commission has recommended for C-1. He purchased the property in 1998, since that time he has been proceeding with his plan to develop the property. In April, he received his plat approval from the County, which cost \$10,000 to have done. At this point he has \$37,000 per acre invested in the property. He said that the Osbornes have property between his and the church, which is zoned residential and should be zoned commercial. He requested that his property remain commercial. Sidney Osborne said he was completely surrounded by commercial and requested that his property also be zoned commercial. Other Matters: Jerry Lark said that his community had a meeting and the residents asked Council to help expedite the installation of a red light at Liberty Hwy. and Lebanon Road. He talked about Welpine Road and the new trucking company in the area. There is a curve at the end of Welpine

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Road before you get to Liberty Hwy. He said that it is very dangerous with the 18 wheel trucks coming around the curve. He asked for Council to look at the dangerous curve.

County Council recognized Miss Katie Bell, daughter of County Employee Tammie Shealy, for her role in getting Tasmania's Governor Jim Bacon to South Carolina. Miss Bell who was seeking information over the Internet for a school project about the Australian State known as Tasmania ended her e-mail message to Premier Jim Bacon with stop by and visit if you're ever in town. The Premier (equivalent to a U.S. Governor) replied back that he would be in Charlotte for a trade show and would visit Blacksburg High School. The Premier arrived at Blacksburg High School on July 14 and kits of Tasmanian goodies were given to students in Miss Bell's geography class who choose to come back to school during their summer vacation.

Mr. Michael Cunningham presented Ms. Jill Sanders as Employee of the Month of July, 2000. Ms. Sanders works in the Public Works Department. She was given an Employee of the Month T-shirt, coffee mug, plaque, and gift certificate to a local restaurant. Council commended Ms. Sanders for her outstanding job performance.

Mr. Jerry Shealy explained that the Williamston Fire Department is now among the Top 5 All-Volunteer Fire Departments in South Carolina, with an ISO (Insurance Services Organization) rating of Class 4. This determines what fire insurance premiums people in the Williamston area will pay. Council commended the Williamston Fire Department for this outstanding rating.

Mr. Derrick Singleton introduced the County's Men Softball team and presented Council with trophies for first place champions in the Anderson City League and also first place in the tournament. Council commended the team on their victory.

Chairman Holden stated that the next item on the agenda (EMS AGREEMENT-Mr. Danny Durham) would require an executive session and requested that this item be moved toward the end of the agenda.

Mr. Tom Martin presented third and final reading of Ordinance #2000-031 - an

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ordinance amending Ordinance #99-003, the Anderson County Comprehensive Plan - 1999, as adopted April 20, 1999, by amending Land Use Figure 1, Projected Future Land Use, to include Planning Area V, Future Land Use. A public hearing was held; no comments were received. On the motion of Ms Floyd, seconded by Mr. Greer, Council voted unanimous to approve Ordinance #2000-031.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve third and final reading of Ordinance #2000-035 - 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 I-2 to C-1 approximately 2 acres of property in the Five Forks Precinct on the northeast corner of SC Highway 178 and Harris Bridge Road as can be seen by reference to a plat of survey of "Property of Ann W. Martin" prepared by Terra-Meter Surveying dated December 10, 1997, and recorded in Plat Slide 918 at page 5-A, which plat of reference is incorporated herein and by reference made a part of this description, and being more fully described as follows: Being bound on the north and east by lands now or formerly of Ann W. Martin, on the south by Harris Bridge Road, and on the west by SC Highway 178 (Liberty Highway). (C.B. MART, INC.)

Mr. Martin presented third reading of Ordinance #2000-039 - an ordinance amending Ordinance #99-008, the Anderson County *Major Road Study* as adopted May 4, 1999, and appended to the Anderson County Comprehensive Plan - 1999, as amended. This amends the Anderson County Road Study by adding the Abbeville Hwy. project to the major road study. A public hearing was held; no comments were received. On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve the ordinance on third reading.

Mr. Martin presented third and final reading of Ordinance #2000-042 - an ordinance authorizing the transfer and sale of certain Anderson County Real Property located at the Anderson County *Airport Business Park*, authorizing the execution and delivery of a real property deed related to the same; and other matters related thereto. A public hearing was held; no comments were heard. On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve third reading of Ordinance #2000-042.

Mr. Martin presented Ordinance #2000-018 - an ordinance ratifying and acknowledging the creation of the *Keep America Beautiful* of Anderson County

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Advisory Committee; establishing and recognizing the Keep America Beautiful Advisory Committee as an official committee of the County; providing for the appointment, duties, and obligations of such advisory committee; and other matters pertaining thereto for a PUBLIC HEARING ONLY. A public hearing was held; no comments were received.

Mr. Martin presented second reading of Ordinance #2000-027 - an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County

Official Zoning Map to adopt a zoning map in the *Rock Spring Voting Precinct*. Mr. Greer asked Mr. Ricketson if the map incorporates the changes for the Rocky River Baptist Church, just outside the Belton City Limits. He replied yes. On the motion Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve second reading of Ordinance #2000-027.

Mr. Martin presented second reading of Ordinance #2000-028 - an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson county Official Zoning Map to adopt a zoning map in the *Mount Tabor Voting Precinct*. A public hearing was held; no comments were heard. On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve Ordinance #2000-028 on second reading.

Mr. Martin presented second reading of Ordinance #2000-036 - an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to adopt a zoning map in the *Edgewood-B Voting Precinct*. Mr. Wright moved to approve and Mr. Greer seconded. Discussion followed. Mr. Greer stated that he was concerned with a lack of consistency going from a commercial to a residential back to a commercial area. It should all be zoned commercial or residential. (Baylis Maxwell and Sidney Osborne own property in discussion). He said that he will resolve his concerns prior to vote on third reading. Ms. Floyd asked was the vote on a particular map. Mr. Martin stated that the ordinance does adopt a map. Ms. Floyd asked Mr. Martin to explain the process once again to the citizens present from Edgewood B. Ms. Floyd asked Mr. Ricketson to do whatever possible to correct the inconsistency on the map. Mr. Wright stated that before

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Council makes a commitment to a large parcel of commercial property along Brown Road Council needs to make a commitment to improving the road. Vote was unanimous.

Mr. Martin presented second reading of Ordinance #2000-038 - an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to adopt a zoning map in the *High Point Voting Precinct*. A public hearing was held and the following individuals spoke. Dan Harvel of 500 Trail Road, Anderson stated that he and a neighbor initiated the petition drive in the High Point voting precinct in an effort to try to curb the rampant proliferation of the mobile home development which is coming close to them. He said that the process used by the Planning Commission for the community bases meeting was one of the ways that the Planning Commission is going to meet the requirements of enabling act of 1994 requiring the County to submit a Comprehensive Land Development Plan. Obviously it was not done until the last minute, in his opinion. Mr. Harvel also complained of the process at the zoning meeting with his changes on his orange sheet. Mr. Rufus Gleason of 111 Trail Road, Belton told his story of what occurred during the Planning Commission meeting. The public hearing was declared closed. Mr. Greer moved to approve on second reading and Mr. Wright seconded. He asked Council why they give the "little guy" the opportunity to start up something and operate it in a way that they are compatible with their neighbors until the time comes when they are not compatible and they must move into an industrial complex. He requested that his property be zoned commercial and/or light industrial. Mr. Greer asked Mr. Harvel if a portion of his property would be zoned commercial inside his residential and agricultural property. He replied yes. He requested two acres to be zoned commercial. Mr. Greer amended the motion to zone 2 acres commercial inside Mr. Harvel's property with a RA classification. Mr. Wright seconded. Mr. Greer withdrew his amendment and reserved the right to amend on third if necessary. Mr. Greer asked Mr. Harvel to supply Council with a plat, which outlines his property and a brief description. Council voted unanimously to approve second reading of Ordinance #2000-038.

Mr. Martin presented second reading of Ordinance #2000-043 - 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 adopt a zoning map in the *Williamston Mill Voting Precinct*. A public hearing was held and

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Marsha Deboise of the Cedar Grove precinct stated that at the Planning Commission meeting last week the Williamston Mill map was tabled and put on hold pending further public input. She asked Council to consider also postponing the vote. Mr. Rufus Gleason also spoke during the public hearing. No further comments the public hearing was declared closed. Mr. Wright moved to approve on second reading and Ms. Floyd seconded. After discussion, Mr. Wright moved to table and Mr. Greer seconded. Vote was 4 and 0. Mr. Wright requested that another public hearing be advertised along with second reading for the Williamston Mill Voting precinct.

Mr. Martin presented second reading of Ordinance #2000-044 - an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to adopt a zoning map in the *Cedar Grove Voting precinct*. A public hearing was held. The following individuals spoke. Mr. Albert Sparrow, Attorney from Greenwood, representing the Cedar Grove Voting precinct asked that Council table second reading for further public input. Ms. Floyd moved to table the ordinance for further public input and Mr. Wright seconded. Mr. Greer at this time requested that the Planning Department explore some means of incorporating an amendment into our Zoning Ordinance, which would provide some relief for small businesses that operate in Anderson County. Vote was unanimous.

Mr. Greer moved that the Council schedule a public hearing on the two ordinances once the ordinances are removed from the table. Mr. Wright seconded and vote was unanimous.

Mr. Martin presented second reading of Ordinance #2000-045 - an ordinance to bring sections of the Subdivision Ordinance and the Development Standards Ordinance into compliance with State Planning Legislation (38-74 & #38-296); and other matters related thereto. A public hearing was held; no comments were received. On the motion of Ms. Floyd, seconded by Mr. Wright, Council voted unanimously to approve the ordinance on second reading.

Mr. Martin presented first reading of Ordinance #2000-047 - an ordinance amending Section 10:3.4 of Chapter 70, Zoning, of the Anderson County Code of Ordinances; and other matters relating thereto. On the motion of Mr. Greer, seconded by Ms. Floyd, Council voted unanimously to approve on first reading.

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(This ordinance requires a two thirds vote (by Council) to overturn any zoning denial by the Planning Commission.)

Mr. Martin presented first reading of Ordinance #2000-048 - an ordinance approving, adopting, and implementing the Anderson County Emergency Medical Services Plan; establishing the Anderson County Emergency Medical Services Commission and the Anderson County Emergency Medical Services Chiefs Advisory Board; approving and adopting procedures for the approval of by-laws, rules, regulations, and standards proposed by such commission and board; and other matters relating thereto. (Title only) On the motion of Mr. Greer, seconded by Ms. Floyd, Council voted unanimously to approve first reading as presented.

Mr. Martin presented first reading of Ordinance #2000-050 - an ordinance to amend the Anderson County Zoning Provisions of the Anderson County Code by amending the Zoning District Regulations of the R-A, Residential Agricultural District, adding "Child Care Center" as a special exception and other matters related thereto. On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve the ordinance as presented. Mr. Greer stated that this ordinance indicates that County Council is trying to listen to the desires of the citizens.

Mr. Greer moved to ratify Resolution #R2000-041 - a resolution recognizing Ms. Ora Dunn who recently celebrated her 100th birthday. The resolution was presented to Ms. Dunn at her church at a special party. Mr. Wright seconded and vote was unanimous.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve Resolution #R2000-042 - a resolution recognizing Mr. Andrew Michael Phillips - Boy Scouts of America.

On the motion of Mr. Holden, seconded by Mr. Wright, Council voted unanimously to allocate \$5,606.25 for paving of the Double Springs Fire Department's Parking Lot. The funds will come from District #5 paving account.

On the motion of Mr. Holden, seconded by Mr. Wright, Council voted unanimously to approve the paving of Pinetop Circle in the amount of \$17,560.00 from District #5 paving funds.

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On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to allocate \$10,000 from District #3 Paving Funds for the Iva Fire Department to help with the purchase of a tanker.

Mr. Preston presented a request for Mr. Tolly asking for consideration of paving of certain roads in Council District #1 for a total of \$114,002. On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve the roads in District #1 for paving.

On the motion of Ms. Floyd, seconded by Mr. Greer, Council voted unanimously to allocate \$1,200 out of District #2 Recreation funds for the Johnson/Broadview Community to help continue the work at the center.

Mr. Wright moved to appoint Mr. Kenneth Byrd of Sandi Circle, Pendleton to the EMS Commission to represent District #4. Mr. Greer seconded the appointment and vote was unanimous.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve the appointment of Mr. Scott Loftis to the Citizens Zoning Advisory committee (Green Pond B & Five Forks Community).

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to go into executive session at 8:15 p.m. to discuss contractual matters and to receive legal advice.

Council voted unanimously to come out of executive session back into regular session at 9:25 p.m.

Mr. Martin reported that during executive session, Council received legal advice concerning the EMS contract. No action was taken during the executive session.

ADMINISTRATOR'S REPORT:

(a) Certificates and Training:

1. Mr. George Brothers - Emergency Program Manager IS-001
2. Ms. Dollie Cunningham - Passion for Communications Professionals Course
3. Mr. Michael K. Shouse and Airport Staff - Phillips 66 Quality Control Seminar

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(b) Letters of Appreciation:

1. For: Mr. Jessie Robinson (T-Bone) From: Mr. Frank J. Miller, IV
2. For: Administrator and County Council From: The Senior Citizen and Retired Club
3. For: County Council, Administrator & Staff From: Mr. J.R. McClure

(c) Minutes:

1. Department of Public Works Safety Meeting - July 14, 2000
2. Department of Public Works Safety Meeting - July 28, 2000

(d) Reports:

1. Detention Center Litter Report - July 10-14, 2000
2. Detention Center Litter Report - July 17-21, 2000
3. Detention Center Litter Report - July 24-28, 2000
4. Detention Center Litter Report - July 31-August 4, 2000
5. Recreation Fund Account
6. County Accommodations Fee Report

(e) Appalachian Council of Governments' Quarterly Report

(f) Mr. Bob Daly appointed to Basic Jail Ad Hoc Committee

(g) Detention Center's Kitchen Inspection

(h) Sports & Entertainment schedule of events

(i) August 2000 Congressional Briefing

There being no further business, Council adjourned at 9:40 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL