

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - September 5, 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

G. Fred Tolly - District #1
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
Tammie Shealy - Assistant Clerk to Council

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, September 5, 2000 at 6:00 p.m.

Ms. Gracie Floyd gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve the August 15, 2000 minutes as mailed.

Mr. Clint Wright asked for Point of Personal Privilege. Mr. Wright said that it was brought to his attention that there were comments on a local radio station about the County's bond rating and how it had gone down. He said in reality the bond rating in Anderson County has improved. He said that there was only one county in the

State, Greenville County, which has a AAA bond rating and that's because of their size and tax base. The interest rates paid in this County on borrowed money has actually gone down through the improvement of the County's bond rating. Ms. Floyd asked that the County Attorney explained the importance of the bond rating and he did.

Citizens Agenda: David Cooper a resident of Forest Park Subdivision and speaking on behalf of his neighbors and residents of the Forest Park, Old Mill Road and Middleton Shores explained that he was there regarding the land currently zoned on the map for the Edgewood B Voting Precinct as C-2. This is the land between Clemson Boulevard and Old Mill Road. He expressed opposition to the C-2 classification on the Old Mill Road. He asked that Council change the map back to reflect a C-2 on the Clemson Boulevard side and C-1 on the Old Mill side. Wayne Mickey representing Forest Park Subdivision and Middleton Shores talked about the negative impact that the C-2 classification would have on the Old Mill Road area. Sandy Sloan a resident of Old Mill Road requested that Council amend the original map back to its original classification of C-2. Jim Culwell a resident of the High Point Community requested that Council reclassify the designated property which is not currently used as heavy industrial to a lesser category such as light industrial. The purpose of the request is to place control in the hands of the public. Eula Rhodes of 105 Hampton Road urged Council not to close Hampton Road. Otta Haugland complained about the Maxwell Property on the West Side of Brown Road and urged Council to amend the zoning map to classify the Maxwell Property (approximately 10 acres) as R-20 rather than C-1. Lou Rotola of Towne Creek Acres asked that no further commercial development be allowed on Brown Road and asked that the Maxwell Property be classified as R-20. John Mangum of 206 Pine Trail stated that he was against the abandonment of Hampton Road. He presented Council with a petition with signatures of people in opposition to the closing of the road. He also made two FOI requests. 1- when the traffic count was done the markers were taken up on the week-end- would like a copy of the traffic count 2-request all names of people who called in against and for the closing of the road based on the phone number on the sign. Dan Harvell of 500 Trail Road in the

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High Point Community asked to support an amendment that will be proposed by Council Member Greer concerning the zoning classifications in the High Point voting precinct. Cindy Wilson spoke in reference to the Hampton Road closing and stated that the issue should be tabled until the new council member representing that area is elected on "on board". Allan Ashley said that he visited the Hampton Road area on Wednesday and during his 45-minute visit 75 vehicles used the road. He asked Council to reconsider closing the road. Wayne Self stated that they were in favor of C-1 as opposed to C-2 on the Old Mill Road side and asked Council for consideration to make the change. Chuck Sitka spoke in opposition to the closing of Hampton Road. Mr. Sitka gave Mr. Preston an FOI request asking for the inspection and copying of all documents pertaining to the investigation, which led the Anderson County Council to the adoption of R2000-046. Mr. Martin explained that FOI requests need to be in writing. Sidney Osborne asked for Council to reconsider the C-2 zoning on Old Mill Road. Bill Werts of 210 Arcadia Drive extended an invitation to all Council members to come visit the neighborhood. Brantley Jordan explained the nice appearance of the Airport and all of the surrounded area. Richard Davis requested that his property be zoned commercial because of the mini-warehouses next to him has already reduced the value of his home.

Mr. Tom Martin presented third 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. Martin reminded Council that the referendum did not pass and staff would recommend voting the ordinance down. Mr. Wright moved to approve and Mr. Tolly seconded. Mr. Greer asked Mr. Ricketson the following questions: Mr. Greer said that he was looking at something that said "Voters be aware - Zoning is the first step in drastically increasing your property taxes." He asked Mr. Ricketson to explain this. Mr. Ricketson stated that he did not know exactly how property taxes are done; however he did know that it is based on the actual use of the property and the

sales of the surrounding property. Mr. Greer stated that citizens need to be sure that what they are reading and what they hear is actually factual and correct information. Vote was zero in favor and 5 opposed. Motion failed and the ordinance is dead.

On the motion of Mr. Greer, seconded by Ms. Floyd, Council voted unanimously to lift the moratorium in the Rock Spring Voting precinct.

On the motion of Mr. Wright, seconded by Ms. Floyd, Council voted unanimously to approve third and final 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.

On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to lift the moratorium in the Mount Tabor voting precinct.

Mr. Martin presented third and final 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. Greer moved to approve and Mr. Tolly seconded. Mr. Tolly offered an amendment to change the zoning classification from C-1 to R-20 on a piece of property facing on Brown Road of 10.19 acres (TM# 121-02-01-005) which is commonly known as the Maxwell Property. Mr. Greer seconded the amendment. Vote on the amendment was unanimous. Mr. Tolly moved to amend the zoning classification on a strip of land between the Clemson Hwy and Old Mill Road. He asked that the property be separated in half. The half facing Clemson Hwy. be zoned C-2 and the second half-facing Old Mill Road be zoned C-1. Ms. Floyd seconded the amendment and vote was unanimous. Vote on the original motion as amended was unanimous.

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On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to lift the building moratorium in the Edgewood B voting precinct.

Council took a short recess at 7:07 p.m. The meeting was called back to order at 7:20 p.m.

Mr. Martin presented third and final 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. Mr. Greer moved to approve the ordinance on third reading and Mr. Tolly seconded. Mr. Greer offered an amendment to change the zoning classification for the rear property owned by Mr. Dan Harvell as S-1 in the High Point Voting precinct. Mr. Tolly seconded the amendment. Vote on the amendment was unanimous. Mr. Greer stated that Mr. Culwell asked that council change the zoning classification for the industrial area from I-1 to I-2. Mr. Ricketson explained that the area is clearly an established industrial corridor with a number of major industries located there. Mr. Greer stated that District #2 was the second poorest in the County and for that reason he would not offer an amendment at this time. Vote on the amended ordinance was unanimous.

On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to lift the building moratorium in the High Point Voting precinct.

On the motion of Mr. Tolly, seconded by Ms. Floyd, Council voted unanimously to approve third and final 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 (#8-74 & #38-296); and other matters related thereto.

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

Anderson County 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. Ms. Floyd moved to approve and Mr. Wright seconded. Vote was unanimous.

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. Mr. Tolly moved to remove from the Table Ordinance #2000-043 and Mr. Greer seconded. Vote was unanimous. A public hearing was held and one citizen spoke. Mr. West Ellison with Cox Surveying stated that Mr. Richard McClellion and Mr. James Ellison have applied for rezoning for TM# 221-00-11-002 which is located outside of Williamston on Hwy 20 and Big Creek Road. He asked that the property be zoned C-2 instead of RA. Also he stated that Ridgecrest Subdivision which is partly conventional stick-built houses and manufactured housing. He said that there was one road, which has undeveloped lots in between the two sections of Ridgecrest Subdivision. The owner would like to build duplexes in that area and would request that the zoning on that property be changed from R-20 to RD. The public hearing was declared closed. Mr. Tolly moved to remove from the table and Mr. Greer seconded. Vote was unanimous. On the motion of Mr. Tolly, seconded by Ms. Floyd, Council voted unanimously to approve on second reading. Mr. Wright asked that he have until the next meeting to consider the amendments requested by Mr. Ellison.

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 in the Cedar Grove Voting precinct. Mr. Wright moved to remove from the Table and Mr. Greer seconded. Vote was unanimous. A public hearing was held and Mr. West Ellison asked that an amendment be considered to change the zoning classification for 18 acres owned by Willie Aiken from a RA to an R-20. Mr.

Albert Sparrow, Attorney for Cedar Grove and Cheddar communities, and Marsha Deboise spoke about rezoning. No further comments the public hearing was declared closed. On the motion of Ms. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve second reading of Ordinance #2000-044.

Mr. Martin presented second 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. A public hearing was held and Mr. Robert Gleason spoke regarding what a simple majority would require. Mr. Martin responded that a simple majority would be 4 with the 7-member council and a 2-3's vote would be 5. On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve the ordinance on second reading.

On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve second 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. Prior to the vote a public hearing was conducted; no citizens spoke during the hearing.

Mr. Martin presented second 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. A public hearing was held and Mr. Rufus Gleason asked if the RA-2 was attached to this on the first reading. Mr. Greer responded no. Mr. Dan Harvell asked for clarification on a zoning question not relative to the public hearing. The public hearing was declared closed. On the motion of Mr. Wright,

seconded by Mr. Greer, Council voted unanimously to approve Ordinance #2000-050 on second reading.

Mr. Martin presented first reading of Ordinance #2000-049 - an ordinance authorizing the execution and delivery of a lease agreement between Anderson County, as lessor, and Sargent Metal Fabricators, as lessee; and other matters relating thereto including, without limitation, payment of a fee-in-lieu-of-taxes. On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve on first reading Ordinance #2000-049.

On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve Ordinance #2000-051 - an ordinance authorizing the execution and delivery of a lease agreement between Anderson County, as lessor, and Electric City Printing Company, Inc. as lessee; and other matters relating thereto including, without limitation, payment of a fee-in-lieu-of-taxes on first reading.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve first reading of Ordinance #2000-052 - an ordinance authorizing the execution and delivery of a lease agreement between Anderson County, as lessor, and Mikron Corp. Anderson, as lessee; and other matters relating thereto including, without limitation, payment of a fee-in-lieu-of-taxes.

On the motion of Mr. Wright, seconded by Ms. Floyd, Council voted unanimously to approve first reading of Ordinance #2000-053 - an ordinance imposing a prohibition on certain vehicular traffic on Old Portman Road, designated as County Road C-9-163; and other matters related thereto.

On the motion of Ms. Floyd, seconded by Mr. Greer, Council voted unanimously to approve first reading of Ordinance #2000-054 - 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 Bowling Green Voting Precinct.

Mr. Martin presented first reading of Ordinance #2000-055 - an ordinance revising certain sections of the Anderson County Code of ordinances pertaining to zoning: general provisions, so as to allow for expansion of legally nonconforming uses; and other matters related thereto. Mr. Wright moved to approve on first reading and Mr. Greer seconded. Mr. Wright moved to amend the Section 6:11 Home Occupation - subsection G - change the following: STRIKE the word "Warehousing" and change 1,000-sq. ft. to 1300 sq. ft. at the bottom of page 3. Mr. Tolly seconded the amendment and vote was unanimous. Vote on the original motion as amended was unanimous.

Mr. Martin presented first reading of Ordinance #2000-040 - 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, to require a minimum rear yard of 25 feet and further creating an R-40, Single Family residential district; and other matters related thereto. On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve first reading of Ordinance #2000-040. On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve Ordinance #2000-04 on first reading.

Mr. Martin presented first reading of Ordinance #2000-056 - an ordinance to amend the Anderson County Zoning provisions of the Anderson County Code by creating an R-A2, residential Agricultural 2-acre District with appropriate zoning district regulations; and other matters related thereto. On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve on first reading Ordinance #2000-056.

Mr. Martin presented first reading of Ordinance #2000-057 - an ordinance to consider a re-zoning request for Mr. Mel Gerrard to rezone 25.32 +/- acres of property in the Five Forks Voting Precinct on Lebanon Road from R-A Residential Agricultural to R-20 Single Family Residential. A public hearing was held; no comments were heard. On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve the ordinance on first reading.

On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve Resolution #R2000-040 - a resolution to provide for the commissioning of certain named law enforcement officers, to provide for the proper security, general welfare, and convenience of Anderson County.

On the motion of Ms. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve Resolution #R2000-043 - a resolution recognizing and welcoming the Right Reverend Henry Allen Belin, Jr., the presiding Bishop of the Seventh Episcopal district of the African Methodist Episcopal Church and other delegates to Anderson County for the 90th session of the Piedmont Annual Conference of the African Methodist Episcopal Church, hosted locally by the Bethel African Methodist Episcopal Church; and other matters relating thereto.

On the motion of Ms. Floyd, seconded by Mr. Wright, Council voted unanimously to approve Resolution #R2000-044 - a resolution ratifying the submission by the Anderson County Regional Airport of a grant application to the South Carolina Department of Commerce/Division of Aeronautics for a development/improvement project; acknowledging the receipt of such grant; authorizing the acceptance of and committing previously budgeted matching funds as required by the grant; and other matters related thereto.

On the motion of Mr. Tolly, seconded by Ms. Floyd, Council voted unanimously to approve Resolution #R2000-045 - a resolution ratifying the submission by the Anderson Regional Airport of a Grant Application to the Federal Aviation Administration for an Airport Improvement Project; acknowledging the receipt of such grant; authorizing the acceptance of an committing previously budgeted matching funds as required by the grant; and other matters related thereto.

Mr. Tom Martin presented Resolution #R2000-046 - a resolution expressing intent to cease county maintenance and authorize County consent to the Judicial abandonment and closure of a portion of certain Anderson County Roads (Hampton Road); granting encroachment permits as to such roads; and other matters related

thereto. Mr. Jerry Howard stated that County Council requested two studies relating to the abandonment of Hampton Road. One study had to do with the potential economic impact and the other is a transportation impact study. Mr. Patrick Smeaton with Moreland Altobelli Associates presented the Transportation Impact Study results. Mr. Steve Pelisser with the Appalachian Council of Governments gave a presentation to Council on the Economic Impact. Mr. Greer asked Mr. Preston who would be financially responsible for the improvements of certain roads (Highview Road) that would be necessary to close Hampton Road. Mr. Preston responded that it was possible that the funding will come from ANATS funds. Mr. Howard reported that the developer will contribute \$500,000 for the resurfacing of Highview Road and also provide the cul-de-sacs. On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve the resolution (R2000-046). Mr. Holden stated that he would like to see the County gets cost estimates for an alternate route.

Mr. Martin presented Resolution #R2000-047 - a resolution imposing a building permit moratorium in the Bowling Green Voting Precinct, Anderson County, South Carolina. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve Resolution #R000-047.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve Resolution #R2000-048 - a resolution recognizing and honoring Katie Bell for her precociousness, initiative, politeness, and southern hospitality in personally contacting Jim Bacon, the Premier of Tasmania, and arranging to bring him to South Carolina for a visit this summer.

Ms. Floyd moved to appropriate \$13,500 for the Cheddar Fire Department for assistance with the purchase of a new tanker. The funds will come from District #2 paving account. Mr. Tolly seconded and vote was unanimous.

Ms. Floyd moved to appropriate an additional \$11,300 for the Johnson/Broadview Community. At the last meeting, Council approved \$1,200, which was an error. The

total should be \$12,500 from District #2 Parks & Recreation. Mr. Tolly seconded. Vote was unanimous.

Mr. Wright moved to appropriate from District #4 Parks and Recreation Fund \$10,000 for the Pendleton Recreation Association for help with programming, Mr. Greer seconded and vote was unanimous.

Mr. Wright moved to appropriate \$1,000 for the Pendleton Band Booster Club to help with their marching band contest. The funds to come from District #4 Parks & Recreation funds. Mr. Greer seconded and vote was unanimous.

Mr. Greer moved to pave the parking area and a short drive at the Flatrock Walking track estimated at \$1,500. The funds to come from District #3 paving funds. Mr. Wright seconded and vote was unanimous.

On the motion of Mr. Greer, seconded by Mr. Tolly, Council voted unanimously to approve \$1,200 from District #3 Paving Funds for paving of the Little League Park at the JC Ball park in Belton.

Mr. Greer moved to appropriate \$1,750.00 from District #3 Paving funds to help the Williford Fire Department to help with the purchase of a defribulator for the new recently organized First Responder Unit. Mr. Holden seconded the motion and added that he also would appropriate \$1,750.00 to help with the purchase also. These funds will come from District #5 paving funds. Vote was unanimous.

Mr. Holden moved to spend up to \$7,000 from District #5 paving funds to help provide cement pads on the playground at Varennes Elementary School. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved to spend \$2,000 from District #5 paving funds for upgrading of fire hydrants at Homeland Park Water and Sewer District. Mr. Greer seconded and vote was unanimous.

Mr. Holden moved to appropriate \$10,000 from District #5 paving funds for the Centerville Fire Department for assistance with a new fire department. Mr. Tolly seconded and vote was unanimous.

Ms. Floyd moved to appoint Mr. Roy Mack to the EMS Commission to represent District #2 and Mr. Tolly seconded. Vote was unanimous.

Mr. Greer moved to appoint Mr. Dan Harvell of 500 Trail Road, Belton from the High Point Voting precinct to the District #3 Zoning Advisory board. Mr. Wright seconded and vote was unanimous.

Mr. Preston presented change order # 13B for the Hwy. 76/Sandy Springs Sewer Project which will add \$3,756 to the contract and change order #14 requires an additional \$1,525.00. Mr. Wright moved to approve the two change orders and Mr. Tolly seconded. Vote was unanimous.

On the motion of Mr. Wright, seconded by Ms. Floyd, Council voted unanimously to approve a Memorandum of Agreement for the provision to house juveniles in Anderson County. Mr. Preston reported that the new DJJ contract will reduce from \$76.18 per day to \$25.00 per day.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted three in favor, none opposed, and two abstentions (Tolly, Holden) to approve the acceptance of "The Meadows" Phase 1 into the County Road system.

On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve the list of ACTC roads for paving as presented in the agenda packet.

4. ADMINISTRATOR'S REPORT:

(a) Certificates and Training:

1. Computer Training courses in MS Word and MS Excel

2. Mr. George Brothers - Community Disaster Exercises (IS-120)
3. Ms. Pam Garner - Passion for Communications Professionals
4. Graduates - Institute of Government for County Officials

(b) Letters of Appreciation:

1. For: Ms. Sandra Dunn From: Mr. C. Burney Drake
2. For: Ms. Tammie Shealy and Ms. Paula Reel From: Ms. Terry Martin
3. For: Mr. Tim York From: L.K. "Skip" Watkins, Municipal Clerk Town of Pelzer
4. For: Mr. Bob Daly From: Mr. Michael K. Shouse
5. For: Mr. Jeff Ricketson and Ms. Sharon Dill From: Rev. J. Robert Hicks
6. For: Anderson County Employees From: Greg Johnson
7. For: Mr. Vic Carpenter and Mr. Greg Smith From: Mayor Lollis Meyers
8. For: Mr. Jerry Cash and Crew From: Mr. Olin Rolland
9. For: Mr. Phil Rhoads - Elected President of the Tri-County Association
10. For: Mr. Bob Daly - Re-appointed to SCAC Local Detention Committee

(c) Minutes:

1. Anderson County Development Partnership Executive Committee Meeting
2. Department of Public Works Safety Meeting

(d) Reports:

1. Accommodations Fee Report
2. Veteran Affairs Report
3. Road Paving Report

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4. Recreation Fund Report
 5. Detention Center Litter Report - August 7-11, 2000
 6. Detention Center Litter Report - August 14-18, 2000
 7. Detention Center Litter Report - August 21-25, 2000
 8. Communications Report
- (e) The First Annual William A. Floyd Memorial Golf Tournament
(f) Med-Shore Proposal
(g) Salvation Army Press Release
(h) Departmental Transfers

There being no further business, Council adjourned at 9:45 P.M.

Respectfully submitted,

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL