



AGENDA
Special Presentation Meeting
Tuesday, March 7, 2023, at 6:00 p.m.
Historic Courthouse
101 S. Main Street
Anderson, South Carolina
Chairman Tommy Dunn, Presiding

1. CALL TO ORDER

2. RESOLUTIONS/PROCLAMATION:

- a. **2023-007:** A Resolution commemorating the 150th Anniversary of the Founding of Evergreen Baptist Church.

Hon. Brett Sanders

- b. **2023-008:** A Resolution commemorating the 220th Anniversary of the Founding of Neals Creek Baptist Church.

Hon. Glenn Davis

- c. **2023-009:** A Resolution honoring and recognizing Roy Mack for his lifetime of Service to the Anderson Community.

Hon. Glenn Davis

- d. **PROCLAMATION:** A Proclamation declaring March 2023 as Bleeding Disorders Awareness Month in Anderson County.

All Council Members

3. ADJOURNMENT

AGENDA
ANDERSON COUNTY COUNCIL
REGULAR MEETING
Tuesday, March 7, 2023, at 6:30 p.m.
Historic Courthouse
101 S. Main Street
Anderson, South Carolina
Chairman Tommy Dunn, Presiding

1. CALL TO ORDER

Tommy Dunn
Chairman, District Five

John B. Wright, Jr.
District One

Greg Elgin
District Three

M. Cindy Wilson
District Seven



Brett Sanders
V. Chairman, District Four

Glenn Davis
District Two

Jimmy Davis
District Six

Renee Watts
Clerk to Council

Rusty Burns
County Administrator



2. INVOCATION AND PLEDGE OF ALLEGIANCE

Hon. Glenn Davis

3. APPROVAL OF MINUTES

February 21, 2023

4. CITIZENS COMMENTS

Agenda Matters Only

5. FOSTERING THE FAMILY PRESENTATION

Ms. Kim Trainer (allotted 10 minutes)

6. ORDINANCE THIRD READING: None

7. ORDINANCE SECOND READING:

- a. **2023-005:** An Ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park; and other matters related thereto.

Mr. Burriss Nelson (allotted 5 minutes)

- b. **2023-006:** An Ordinance to lease real property to Habitat for Humanity of Anderson County, Inc; and other matters related thereto.

Mr. Rusty Burns (allotted 5 minutes)

8. ORDINANCE FIRST READING: None

9. RESOLUTIONS:

- a. **2023-010:** A Resolution expressing intent to cease county maintenance on and to authorize county consent to judicial abandonment and closure of a portion of Parker Lane designated as C-04-0080; and other matters related thereto. [District 5]

Mr. Matt Hogan (allotted 5 minutes)

10. EXECUTIVE SESSION:

- a. Receipt of legal advice and discussion of personnel matters.
b. Council action following Executive Session.

11. CHANGE ORDERS/BID APPROVALS:

- a. Bid #23-036 Hauling Recyclables

12. APPOINTMENTS:

- a. Anderson County Planning Commission: Bradley Burdette

Mr. Glenn Davis

13. REQUEST BY COUNCIL:

- a. Men at Work-All Districts
b. The Greater Anderson Musical Arts Consortium (GMAC)-All Districts
c. Fostering the Family-All Districts



14. ADMINISTRATOR'S REPORT

15. CITIZENS COMMENTS

Non-Agenda Matters

16. REMARKS FROM COUNCIL

17. ADJOURNMENT

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures in order to participate in this program, service or activity please contact the office of the program, service or activity as soon as possible but no later than 24 hours before the scheduled event. For assistance, please contact the Clerk to Council at (864) 260-1036.

*Resolution 2023-007 Commemorating the 150th Anniversary
of the Founding of Evergreen Baptist Church*

Whereas, Evergreen Baptist Church was organized in 1873 under a Brush Arbor on the opposite side of the road from where the church now stands on Evergreen Road by Brother David James, Brother Jim Martin, and Brother Shedrick Taylor and was moved to the local schoolhouse after some months; and

Whereas, Evergreen Baptist's first church building was a log cabin, built under the leadership of Rev. John Smith, who served 1873-1876, in which worship services were held on the third Sunday of the month—the offering for the first service in the new church was \$5.20—and in the century-and-a-half since, there have been five church buildings constructed and twenty-two Chief Celebrants (Pastors), the current being the Reverend Johnny M. Sellers; and

Whereas, Evergreen Baptist Church is celebrating 150 years of serving God through service to the community;

NOW, THEREFORE, BE IT RESOLVED, this 7th day of March 2023, that the Anderson County Council hereby congratulates Evergreen Baptist Church on its 150th anniversary and expresses gratitude to the pastors, deacons, and congregants—past and present—for their extraordinary service to the citizens of Anderson County during the 19th, 20th, and 21st centuries.

FOR ANDERSON COUNTY

Brett Sanders
County Council District Four

ATTEST

Rusty Burns
County Administrator

Renee Watts
Clerk to Council



*Resolution 2023-008 Commemorating the 220th Anniversary
of the Founding of Neals Creek Baptist Church*

Whereas, Neals Creek Baptist Church's first house of worship, built of logs with split log pews on land donated by John Vandiver, was erected in 1803 about three-fourths of a mile northeast of the present church, the Reverend Moses Holland being the church's first pastor; and

Whereas, Neals Creek Baptist Church has been an enthusiastic and influential shaper of our community's history through good times and bad for more than two centuries, transitioning through several buildings while establishing many other churches in the area, including Eureka, Dorchester, Long Branch, Triangle (now Blue Ridge), and Welfare Baptist Churches; and

Whereas, Neals Creek Baptist Church is celebrating 220 years of serving God through service to its congregants, to the Neals Creek community, and to the wider community, its ministry predating even the founding of Anderson County itself;

NOW, THEREFORE, BE IT RESOLVED, this 7th day of March 2023, that the Anderson County Council hereby congratulates Neals Creek Baptist Church on its 220th anniversary and thanks the pastors, deacons, and congregants—past and present—for their extraordinary contributions to the life of our community.

FOR ANDERSON COUNTY

ATTEST

Glenn Davis
County Council District Two

Rusty Burns
County Administrator

Renee Watts
Clerk to Council



*Resolution 2023-009 Honoring and Recognizing Roy Mack for his
Lifetime of Service to the Anderson Community*

Whereas, Roy Lawrence Mack was born on October 13, 1932, the son of Nina Dixon Mack and John Vernon Mack, has been an Anderson resident since 1967, was married for 57 years to the late Margaret Adger Mack, has one daughter, Candice Mack Harding, and one grandson, Jonathan Russell Harding; and

Whereas, Mr. Mack graduated from Oconee County Training School in 1951 and South Carolina State College in 1955, after which he began his teaching career at New Deal High School in Starr and later served at Westside High School as a teacher, assistant principal, bus supervisor, among other roles, from 1967 until his retirement in 1989, also serving as a daily substitute teacher during his retirement, always recognized walking the hallways with a yardstick, chatting amicably with the students, teachers, administrators, and staff while making guest appearances in classrooms to share historical anecdotes about growing up Black in a segregated society; and

Whereas, Mr. Mack has also served the Anderson County Educators Federal Credit Union as chairman of the supervisory committee, as a fifty-year member of the Omega Psi Phi Fraternity, as a member of the Anderson County Emergency Medical Services Committee, as a notary public, as a member of the Anderson County Retired Teachers Association, as a member of the Anderson County Chapter of South Carolina State Alumni Association, and attends Saint Mary of the Angels Catholic Church;

NOW, THEREFORE, BE IT RESOLVED, this 7th day of March 2023, that the Anderson County Council hereby expresses, on behalf of the citizens of Anderson County, sincerest gratitude to Roy Mack for his lifetime of extraordinary service to the Anderson community.

FOR ANDERSON COUNTY

Glenn Davis
County Council District Two

ATTEST

Rusty Burns
County Administrator

Renee Watts
Clerk to Council



**A PROCLAMATION DECLARING MARCH 2023 AS BLEEDING DISORDERS
AWARENESS MONTH IN ANDERSON COUNTY**

WHEREAS, the Anderson County Council is proud to commemorate March 2023 as Bleeding Disorders Awareness Month in the state of South Carolina; and

WHEREAS, this designation will formalize and expand upon the federal designation 36 years ago of March 1986 as "Hemophilia Awareness Month" and in 2016 when the entirety of the bleeding disorders community came together to encompass all bleeding disorders; and

WHEREAS, the federal Department of Health and Human Services designated March 2016 as National Bleeding Disorder Month; and

WHEREAS, these bleeding disorders, which share the inability to form a proper blood clot, are characterized by extended bleeding after injury, surgery, trauma, or menstruation and can lead to significant morbidity and can be fatal if not treated effectively; and

WHEREAS, many individuals with hemophilia became infected with HIV and Hepatitis C in the 1980s due to the contamination of the blood supply and blood products; and

WHEREAS, this Awareness Month in Anderson County will generate greater awareness and understanding of not only hemophilia but all inheritable bleeding disorders, including von Willebrand Disease and rare bleeding disorders; which affect millions of individuals around the world; and

WHEREAS, this Awareness Month will bring light to the great scientific achievements in the treatment of bleeding disorders, for which there is no cure, and the greater pursuit of advanced therapies and cures to these disorders; and

WHEREAS, the bleeding disorders community's relationship with policymakers have fostered numerous medical and policy advancements beneficial to all those affected by bleeding disorders and their loved ones; and

WHEREAS, this Awareness Month will foster a greater sense of community and shared purpose among individuals with an inheritable bleeding disorder; and

WHEREAS, this Awareness Month will elevate awareness of and engagement in the inheritable bleeding disorders journey beyond our community to the general public, enabling the prevention of illness, unnecessary procedures, and disability: now

THEREFORE, the Anderson County Council, do hereby proclaim the month of March 2023, as BLEEDING DISORDERS AWARENESS MONTH in Anderson County.

FOR ANDERSON COUNTY:

Tommy Dunn, Chairman
County Council

John B. Wright, Jr.
District One

Glenn Davis
District Two

Greg Elgin
District Three

Brett Sanders

Jimmy Davis

M. Cindy Wilson

ATTEST:

Rusty Burns
County Administrator

Renee Watts
Clerk to Council



State of South Carolina)
County of Anderson)

ANDERSON COUNTY COUNCIL
COUNTY COUNCIL MEETING
FEBRUARY 21, 2023

IN ATTENDANCE:
TOMMY DUNN, CHAIRMAN
JOHN WRIGHT
GLENN DAVIS
GREG ELGIN
BRETT SANDERS
JIMMY DAVIS
CINDY WILSON

ALSO PRESENT:
RUSTY BURNS
LEON HARMON
RENEE WATTS

1 TOMMY DUNN: At this time
2 I'll call the Anderson County Council meeting to
3 order of February 21st. Want to welcome each and
4 everyone here tonight and thank y'all for coming and
5 taking part in your Anderson County business.

6 The first order of business tonight will be
7 invocation and pledge of allegiance. Honorable
8 Councilman John Wright. If we'd all rise, please.
9 Councilman Wright.

10 JOHN WRIGHT: Yes, sir.

11 Before we get started I would like to just have a
12 brief moment of silence for the Penland family who
13 lost their three year old daughter in a tragic
14 accident last week. So if we could observe a moment
15 of silence, please. Thank you.

16 Thank you. Let us pray.

17 **INVOCATION AND PLEDGE OF ALLEGIANCE BY JOHN WRIGHT**

18 TOMMY DUNN: I'd like to
19 take this opportunity to welcome the Leadership
20 Anderson class here tonight. Thank y'all for being
21 here and for coming. I think Mr. Glenn Davis was a
22 part of this class at one time. Right, Mr. Davis?

23 GLENN DAVIS: When I showed
24 up.

25 TOMMY DUNN: Glad to have
26 y'all here.

27 We're going to move on now to approval of the
28 minutes of the February 7, 2023 meeting. Any
29 corrections to be made to those minutes?

30 CINDY WILSON: Mr. Chairman,
31 may I make the motion that we approve the minutes as
32 presented.

33 TOMMY DUNN: Mr. Wilson
34 makes the motion we approve the minutes as presented.
35 Seconded by Councilman Elgin. All in favor of the
36 motion show of hands. All opposed like sign. Show
37 the motion carries unanimously.

38 We're going to move on to item number 4, citizens
39 comments. As our attorney calls your name, step
40 forward, please address the chair. You have three
41 minutes. And it's only on agenda items only the
42 first go-around. Next time will be on anything. But
43 the first go-around is only on agenda items only.
44 Mr. Harmon.

45 LEON HARMON: Mr. Chairman,
46 no one is signed up to speak at this time.

47 TOMMY DUNN: Okay. Thank
48 you, Mr. Harmon.

49 We're going to move on now to item number 5(a),
50 ordinance third reading, 2023-003, an Ordinance

1 authorizing the transfer of certain real properties
2 located within Anderson County, South Carolina which
3 were a part of the neighborhood initiative program to
4 the Nehemiah Community Revitalization Corporation;
5 and other matters related thereto.

6 Mr. Burns, if you would, I know this is the third
7 reading and we've talked about this before, but just
8 for our audience members that ain't here, would you
9 just give a brief synopsis of this for them, please?

10 RUSTY BURNS: Mr. Chairman,
11 these are properties that we received using a federal
12 grant. We took the houses down. Now we have the
13 lots. We have held them and we maintained them. And
14 now we're going into a partnership with the Nehemiah
15 Corporation to establish affordable housing in
16 Anderson County, one of the steps in doing that, and
17 this will be using federal funds.

18 TOMMY DUNN: Thank you.
19 Do we have a motion to move this forward?

20 BRETT SANDERS: So moved.

21 CINDY WILSON: Second.

22 TOMMY DUNN: Motion Mr.
23 Sanders; second Ms. Wilson. Any discussion? Hearing
24 and seeing none, all in favor of the motion show of
25 hands. All opposed like sign. Show the motion
26 carries unanimously.

27 We're going to move on to item number 5(b),
28 ordinance 2023-004, an Ordinance to sell a parcel of
29 real property to Anderson School District 3; and
30 other matters related thereto.

31 Mr. Burns, again, would you like to give us a ---

32 RUSTY BURNS: Mr. Chairman,
33 this is authorizing Anderson County to sell the
34 library building to Anderson School District 3. As
35 the Council knows, this will go to School District 3.
36 Then we will be working with the library on their new
37 location on Main Street in Iva. We think it's good
38 for the school district. Council also thinks it's
39 good for downtown revitalization in Iva. It's going
40 to be a brand new modern facility. We think it's
41 going to be a gathering place for people in that
42 area.

43 TOMMY DUNN: Thank you,
44 Mr. Burns. Do we have a motion to move this forward?

45 GREG ELGIN: So moved.

46 BRETT SANDERS: Second.

47 TOMMY DUNN: Motion Mr.
48 Elgin; second Mr. Sanders. Any discussion? Seeing
49 and hearing none, all in favor of the motion show of
50 hands. All opposed like sign. Show the motion

1 carries unanimously.

2 Moving on to item number 6, second readings,
3 there are none.

4 We're going to move on to item number 7(a), first
5 reading. This is 2023-005, an Ordinance to amend an
6 agreement for the development of a joint county
7 industrial and business park (2010 Park) of Anderson
8 and Greenville Counties so as to enlarge the park;
9 and other matters related thereto.

10 Mr. Burriss Nelson, is -- Mr. Burns.

11 RUSTY BURNS: Mr. Chairman,
12 these are three projects in Greenville County. They
13 are existing industries. They have asked the
14 courtesy of us to assist them with this as they
15 always assist us with any project. Anderson County
16 will receive one percent of the proceeds for this.
17 This is the first step.

18 TOMMY DUNN: Thank you.

19 And this is -- we do this for them; they do this for
20 us, vice versa.

21 RUSTY BURNS: Correct.

22 TOMMY DUNN: Do we have a
23 motion to move this forward?

24 BRETT SANDERS: So moved.

25 CINDY WILSON: Second.

26 TOMMY DUNN: Motion Mr.

27 Sanders; second Ms. Wilson. Any discussion? All in
28 favor of the motion show of hands. All opposed like
29 sign. Show the motion carries unanimously.

30 We're going to move on now to item number 7(b),
31 2023-006, an Ordinance to lease real property to
32 Habitat for Humanity of Anderson County, Inc; and
33 other matters related thereto.

34 Mr. Burns.

35 RUSTY BURNS: Mr. Chairman,
36 as everybody on Council knows, that we allow Habitat
37 for Humanity to use that little building in the back
38 that's separate from them. Council acted on that
39 some years ago. Now they would like to take -- lease
40 the property all the way to that back wall right in
41 front of the Ag building so they can put some more
42 equipment, things like that. They will also maintain
43 it and police the area. And that's what this is
44 about.

45 TOMMY DUNN: Do we have a
46 motion to move this forward?

47 BRETT SANDERS: So moved.

48 CINDY WILSON: Second.

49 TOMMY DUNN: Motion Mr.

50 Sanders; second Ms. Wilson. Any discussion? All in

1 favor of the motion show of hands. All opposed like
2 sign. Show the motion carries unanimously.

3 We're going to move on to item number 8(a),
4 Resolutions. 8(a), 2023-006, a Resolution
5 authorizing, pursuant to Title 12, Chapter 44 of the
6 Code of Laws of South Carolina 1976, as amended, the
7 execution and delivery of an amendment to that
8 certain amended and restated fee-in-lieu of ad
9 valorem taxes and economic development agreement, by
10 and between Anderson County, South Carolina, TTI
11 Consumer Power Tools, Inc. (formerly One World
12 Technologies, Inc.) as sponsor, and certain sponsor
13 affiliates; and other matters related thereto.

14 Mr. Burns.

15 RUSTY BURNS: Mr. Chairman,
16 this is a request to remove a piece of property from
17 the fee in lieu of situation that they have. They're
18 going to have it released from that because they're
19 going to sell that piece of property for private use.

20 TOMMY DUNN: Do we have a
21 motion to put this on the floor?

22 BRETT SANDERS: So moved.

23 TOMMY DUNN: Motion Mr.
24 Sanders; second Ms. Wilson. Open the floor up for
25 discussion.

26 Mr. Burns, this ain't going to affect us one way
27 or the other as far as our fee in lieu of and what
28 they're going -- and the goals that they've got to
29 meet as far as job hiring, ---

30 RUSTY BURNS: No, sir. As
31 a matter of fact, we'll probably add two facilities
32 that will not need the benefit of a fee in lieu of
33 tax for multi-county industrial parks. So we should
34 actually come out ahead.

35 TOMMY DUNN: Thank you.
36 Anyone else? All in favor of the motion show of
37 hands. All opposed like sign. Show the motion
38 carries unanimously.

39 We're going to move on to item number 9, approval
40 of memorandum of understanding by Anderson -- between
41 Anderson County and Hartwell Resort, LLC. Mr. Burns.

42 RUSTY BURNS: Mr. Chairman,
43 as you know, for many years there was a development
44 on Lake Hartwell called Tiger Cove. This group has
45 purchased that and they want to put an RV park and
46 cabins and a restaurant in that location. There's no
47 sewer in that location. So we have decided, with
48 Council's approval, to partner with them that will
49 allow us to get sewer to that development. It will
50 also, more importantly, allow us to run sewer to

1 Green Pond, which will allow further development
2 there and allow us to get off septic tanks, which
3 we're always concerned about septic tanks leaking
4 into Lake Hartwell.
5 TOMMY DUNN: Do we have a
6 motion to move this forward?
7 BRETT SANDERS: So moved.
8 CINDY WILSON: Second.
9 TOMMY DUNN: Motion Mr.
10 Sanders; second Ms. Wilson. Any discussion? All in
11 favor of the motion show of hands. All opposed like
12 sign. Show the motion carries unanimously.
13 Moving on to item number 10, transfers. Ms.
14 Davis.
15 RITA DAVIS: Yes, sir.
16 TOMMY DUNN: I think
17 everyone has seen a copy of it. Does anybody have
18 any questions or comments? Ms. Davis, you got
19 anything you want to add?
20 RITA DAVIS: No, sir.
21 TOMMY DUNN: Everybody
22 good? Do we have a motion to move these ---
23 BRETT SANDERS: So moved.
24 TOMMY DUNN: Motion Mr.
25 Sanders; second Mr. Jimmy Davis. Any discussion?
26 All in favor of the motion show of hands. All
27 opposed like sign. Show the motion carries
28 unanimously.
29 RITA DAVIS: Thank you,
30 Mr. Chairman.
31 TOMMY DUNN: Thank you,
32 Ms. Davis, and your department.
33 We're going to move on now to requests by council
34 members. We're going to start off with Ms. Wilson.
35 CINDY WILSON: None right
36 now. Thank you.
37 TOMMY DUNN: Thank you.
38 Mr. Wright.
39 JOHN WRIGHT: Thank you,
40 Mr. Chairman. I'd like to appropriate \$350.00 --
41 it's \$400.00 from District 1's rec account to the
42 South Carolina State Chili Cook-off Championship.
43 And I'd also like to allocate -- what was the total
44 on the transfer to Finance? No, that was --
45 TOMMY DUNN: \$1,346.55.
46 JOHN WRIGHT: Okay. So
47 I'll do \$200.00 to the Council transfer to Finance.
48 Put that in the form of a motion.
49 CINDY WILSON: Second.
50 TOMMY DUNN: Second Ms.

1 Wilson. Any discussion? All in favor of the motion
2 show of hands. All opposed like sign. Show the
3 motion carries unanimously.
4 Mr. Elgin.
5 GREG ELGIN: Nothing.
6 TOMMY DUNN: Thank you.
7 Mr. Glenn Davis.
8 GLENN DAVIS: Thank you,
9 Mr. Chairman. I'd like to, out of District 2,
10 appropriate \$500.00 to Vets helping Vets -- if I may
11 do it all at one time?
12 TOMMY DUNN: Yes, sir.
13 GLENN DAVIS: -- and the
14 Chili Cook-off, five hundred dollars to that, as
15 well. I put that in the form of a motion.
16 BRETT SANDERS: Second.
17 TOMMY DUNN: Motion Mr.
18 Davis; second Mr. Sanders. Any discussion? All in
19 favor of the motion show of hands. All opposed like
20 sign. Show the motion carries unanimously.
21 I would -- at this time I would like, out of
22 District 5's special appropriations account, I'd like
23 to put \$500.00 -- and I'd like to do all of this at
24 one time if there's no objection -- \$500.00 toward
25 South Carolina State Chili Cook-off Championship;
26 \$1,146.55 to the budget transfer to the Finance
27 Department; and -- and what that is, that is for the
28 Roads and Bridges, for all the work they done during
29 the ice and show and everything, a luncheon.
30 BRETT SANDERS: Oh. Do we
31 have a total on it so we'll know where we're at?
32 TOMMY DUNN: That's it.
33 BRETT SANDERS: The total ---
34 TOMMY DUNN: Mr. Wright
35 paid \$200.00. It was \$1,346.55, was the whole total.
36 BRETT SANDERS: So you made
37 the difference? I'll be more than happy ---
38 TOMMY DUNN: I'm good.
39 Appreciate it.
40 BRETT SANDERS: Thank you,
41 sir.
42 TOMMY DUNN: Thank you.
43 And I would also like to do \$1,500.00 for the
44 Vets Helping Vets. And I put that in the form of a
45 motion.
46 GREG ELGIN: Second.
47 TOMMY DUNN: Second by
48 Greg Elgin. Any discussion? All in favor of the
49 motion show of hands. All opposed like sign. Show
50 the motion carries unanimously.

1 Mr. Sanders.
2 BRETT SANDERS: Thank you,
3 Mr. Chairman. If I may, I'd like to put both of
4 these in one motion.
5 TOMMY DUNN: Yes, sir.
6 BRETT SANDERS: From my
7 special rec account, I think Vets Helping Vets now is
8 \$1,500.00; is that correct?
9 TOMMY DUNN: That's right.
10 BRETT SANDERS: Okay. I
11 think Councilman Davis is going to help me on making
12 up the difference. I'll do \$750.00 to Vets Helping
13 Vets. Where, Mr. Elgin, are we on the Chili Cook-
14 off? How much more do we need there?
15 TOMMY DUNN: I gave five,
16 you gave five; that's a thousand.
17 JOHN WRIGHT: I gave four
18 hundred.
19 BRETT SANDERS: Fourteen
20 hundred. And what are you needing?
21 JOHN WRIGHT: Twenty-five
22 total.
23 TOMMY DUNN: Eleven
24 hundred dollars.
25 BRETT SANDERS: Okay. I'll
26 do -- I think Mr. Davis is going to make -- I'll do
27 \$550.00 on that one. And I'll put that in the form
28 of a motion.
29 GREG ELGIN: Second.
30 CINDY WILSON: Second.
31 TOMMY DUNN: We have a
32 motion by Mr. Sanders and second by Greg Elgin,
33 Councilman Elgin. Any discussion? All in favor of
34 the motion show of hands. All opposed like sign.
35 Show the motion carries unanimously.
36 Councilman Davis, Jimmy Davis.
37 JIMMY DAVIS: Thank you,
38 Mr. Chair. I'll make this in the form of one motion,
39 if I may? Vets Helping Vets of Anderson \$750.00 from
40 District 6's appropriations account; and to the South
41 Carolina State Chili-off Championships \$550.00. I
42 make that in the form of a motion.
43 CINDY WILSON: Second.
44 TOMMY DUNN: We have a
45 motion by Mr. Jimmy Davis; second by Ms. Wilson. Any
46 discussion? All in favor of the motion show of
47 hands. All opposed like sign. Show the motion
48 carries unanimously.
49 We're going to move on at this time,
50 Administrator's report.

1 RUSTY BURNS: Nothing at
2 this time, Mr. Chairman.

3 TOMMY DUNN: Thank you,
4 Mr. Burns. We're going to move on now to citizens
5 comments. As I said earlier, you have three minutes.
6 When you step forward after the attorney calls your
7 name, please state your name and district for the
8 record and address the chair. Mr. Harmon.

9 LEON HARMON: Mr. Chairman,
10 the first speaker is Sarah Rogers.

11 TOMMY DUNN: Ms. Rogers.

12 SARAH ROGERS: My name is
13 Sarah Rogers. And I am in District 1. I live at
14 1300 Wellwood Drive.

15 I am here to discuss an unapproved short term
16 rental at 400 Lakewood Drive. It is a single-family
17 home also located in District 1. The request for
18 short term rental approval came before the variance
19 committee in August and September last year, with the
20 committee deciding to deny this request.

21 However, even though the variance was denied, the
22 owners began to advertise the home for short term
23 rental bookings in mid-November and actively began
24 renting it out by Thanksgiving. Lakewood Subdivision
25 contacted the County Planning Department to alert
26 them of this fact and to ask for something to be
27 done. The correspondence was sent back and forth on
28 fourteen different days between November and
29 December. As the subdivision was supplying
30 information to the county, as well as trying to find
31 out what the county was doing to stop these rentals.
32 But in the last three and a half months, the county
33 has not stopped the rental activity at this address.
34 We do not understand why these rentals are happening
35 and being allowed to continue, and we would like to
36 appreciate an explanation as to why this is still
37 occurring.

38 You should know that prior to the first zoning
39 variance meeting, the county sent out 209
40 notification postcards to people living on both sides
41 of Brown Road and on both sides of the lake, alerting
42 them of the fact that they were impacted by this
43 rezoning request at 400 Lakewood. In the limited
44 time between receiving these postcards and the first
45 zoning meeting, which is only a ten-day or less
46 period, 136 of the 209 homes who received these
47 postcards were contacted and were asked to sign a
48 petition asking the county to deny the rezoning
49 request.

50 Of those 136 contacted home, 125 home, a total of

1 190 people, signed this petition. That is 92 percent
2 of the random sample of Anderson homeowners living on
3 both sides of Lakewood -- I'm sorry -- on both sides
4 of the lake and on both sides of Brown Road. This is
5 a minimum of five subdivisions that were sampled.
6 Ninety-two percent of those contacted did not want
7 this short term rental in their neighborhood. This
8 is recent and eye-opening data from a random sample
9 of these homeowners.

10 As far as Lakewood went, 85 percent of Lakewood
11 residents did not want this short term rental in our
12 neighborhood. And yet we have an active short term
13 rental in our neighborhood that is operating without
14 a zoning approval for the last three and a half
15 months. And the county has been aware of this issue
16 the entire time. We would like to ask for an
17 explanation as to why this is the case.

18 Thank you for your time.

19 TOMMY DUNN:

Thank you.

20 Mr. Harmon.

21 LEON HARMON:

Next speaker

22 is David Axthelm.

23 DAVID AXTHELM:

My name is

24 Dave Axthelm, District 1. I live at 403 Lakewood
25 Drive. I'm here to discuss a possible new short term
26 rental code that may be written and may be considered
27 by Council here for Anderson County.

28 And I'd like to state, the county really must be
29 mindful of the importance of maintaining a
30 residential character for the residential
31 neighborhoods. Absent appropriate control on the
32 number, manner and places of operation of short term
33 rentals, neighborhoods stand to be harmed by undue
34 commercialization and disruption, and the primary
35 purpose of the neighborhood being a residential
36 community where people actually live. Not a place of
37 transient occupancy or businesses. And what we're
38 talking here specifically, in case you're not clued
39 in, is Airbnb and VRBO, internet style short term
40 rentals that are going to rent to anybody who's got a
41 credit card.

42 But short term rentals are fairly new and
43 governments across the U.S. are currently grappling
44 on how to deal with them. In South Carolina there's
45 a lot of issues, as well, and the problems that these
46 short term rentals create. Many municipalities have
47 written new codes in the law, but they're finding
48 that codes are not strict enough and they've
49 continued to have issues with noise, trash, parking,
50 security, absentee owners, people who live at say

1 lakeside or beach side lots, they have so many of
2 their neighbors turn into short term rentals, they
3 don't have an actual neighborhood anymore. It
4 completely destroys the -- across the country it's
5 been completely destroying the character of
6 residential neighborhoods.

7 Many jurisdictions have had to place moratoriums
8 on the issuing of new STR permits, short term rental
9 permits, as they return to the table to write
10 stricter code to address the decline of quality of
11 life in residential neighborhoods.

12 I'd recommend you please Google, look it up on
13 the internet, moratorium on short term rentals, and
14 read what is going on as governments try to handle
15 issues that were not covered in their newly written
16 code.

17 We believe the county should learn from this
18 situation. We believe Anderson should try to avoid a
19 rewrite situation by standing -- by writing clear and
20 robust code from the onset. It's much easier to lose
21 some restrictions at a future date than to type,
22 which takes research time and money. During that
23 time whenever a scenario existing that required the
24 rewrite will continue to be a problem, while the
25 county carries out the steps to formulate and vote in
26 new code at extra cost to the county.

27 Please remember that so many of the people who
28 want to run short term rental businesses in our
29 residential neighborhoods, they don't live there.
30 They're not impacted by the fallout. They have no
31 connection to the neighborhoods. They may not even
32 be voters in Anderson County. A lot of them actually
33 are businesses.

34 Please protect the residential nature of our
35 neighborhoods and help us maintain the quality of
36 life that we were promised when we bought into
37 neighborhoods zoned residential. Please write in
38 appropriate controls into the code that address the
39 known issues of short term rentals, VRBO, Airbnb, as
40 it were. We know the issues. Let's address them at
41 the outset. Thank you very much.

42 TOMMY DUNN: Thank you.

43 Mr. Harmon.

44 LEON HARMON: Next speaker
45 is Sara Cheek.

46 SARA CHEEK: My name is
47 Sara Cheek. I live at 311 Lakewood Drive, in front
48 of the Airbnb in question.

49 We are aware that the county has a project to
50 write new code for short term rentals. We ask that

1 you bear in mind the issue of parking, as well as the
2 physical layout of Anderson residential neighbors
3 when writing the code. If you look at current
4 listings for short term rentals in Anderson, you will
5 see three-bedroom houses listed with 10, 11 and even
6 18 beds in them. If a three-bedroom house has 18
7 beds, just imagine how many beds there are in four or
8 more bedroom homes. Think about how many cars you
9 have with 10, 12, 18 or more people. Parking becomes
10 a real issue. And vacationers also bring jet skis,
11 boats trailers and so on with them, all needing a
12 place to park.

13 Many Anderson residential communities are
14 designed for single-family households; not for those
15 homes to hold 18 or more. In many older areas, roads
16 can be quite narrow, going down to 12 foot wide or
17 less. The roads are not wide enough to handle all
18 the vehicles overflowing from the garages and
19 driveways onto the narrow streets. And if a vehicle
20 is parked on a 12-foot wide road, not only cars but
21 emergency vehicles can no longer get past. This is a
22 health and safety issue that must be considered when
23 writing the code.

24 Also, many new subdivisions have houses closely
25 stacked together with short drives and small garages.
26 They were not built with the intention that the
27 houses would have six, eight, ten or more cars, as
28 well as lake toys and boats needing to be parked
29 there. Residents are not pleased when cars are
30 constantly parking on their lawns and across the
31 front of their houses, making it impossible for them
32 and their guests to park in front of their own house.

33 Many jurisdictions across South Carolina and the
34 United States have written short term -- short term
35 rental codes to deal with these issues up front in an
36 effort to prevent the problem, rather than dealing
37 with the fallout from the problem after the problem
38 occurs.

39 For example, the city of Mauldin, South Carolina:
40 limits are one vehicle per bedroom or four vehicles
41 total, whichever is less. Parking is only allowed on
42 the driveway or on other designed areas for parking
43 along the side or rear of the home. All parking
44 areas must be concrete or asphalt pavement. And on-
45 street parking is prohibited while the property is
46 being used as short term rental.

47 Charleston County, South Carolina: off-street
48 parking two spaces per house plus one more space for
49 each bedroom. Though a four bedroom house requires
50 six off-street parking spaces.

1 Hart County, Georgia: vehicles shall not be
2 parked on or within the county right-of-way or along
3 any public roadways at any time.

4 Nashville and Davidson County, Tennessee: no
5 recreational vehicles, buses or trailers shall be
6 visible on the street or on the property in
7 conjunction with the short term rental property use.

8 We ask that you include similar restrictions in
9 the code for short term rentals in residential areas
10 of Anderson County. Thank you.

11 TOMMY DUNN: Thank you.

12 Mr. Harmon.

13 LEON HARMON: No one else
14 is signed up.

15 TOMMY DUNN: Thank you,
16 Mr. Harmon.

17 Just for the record, because I know y'all might
18 not have been at a Council meeting before and how we
19 do. We don't answer questions from the thing. Mr.
20 Wright might want to address this when he comes up or
21 after the meeting. If not, I'm sure me or somebody
22 will answer y'all's problem.

23 So at this time we're going to move on to remarks
24 from Council members. We'll start off with Ms.
25 Wilson.

26 CINDY WILSON: Thank you,
27 Mr. Chairman. A quick question. I believe we have
28 ordinances dealing with blocking roads where
29 emergency vehicles can't get through. Is that true,
30 Mr. Harmon?

31 LEON HARMON: I'm sorry.
32 Would you ---

33 CINDY WILSON: Don't we have
34 some ordinance dealing with blocking of roads and
35 streets so that emergency vehicles can't get through?

36 TOMMY DUNN: It might not
37 be -- excuse me. It might not be an ordinance, but
38 it is in the code as far as ---

39 CINDY WILSON: It's
40 somewhere.

41 TOMMY DUNN: That's right.
42 --- as far as the fire departments and EMS has got a
43 right thing. It might not be an Anderson County
44 codes, but that is the law.

45 LEON HARMON: Emergency
46 vehicles; yes.

47 CINDY WILSON: I wonder if
48 we could pull that out and address some of what their
49 concerned about.

50 Well, we had a busy day yesterday. It was

1 President's Day, but no time to celebrate. We're
2 having an issue at our landfill again, and we will be
3 having Mr. Greg Smith, our Solid Waste Director, will
4 be presenting an updated plan. But there appears to
5 be some contractual issues that have been violated.
6 So I'll keep y'all posted.

7 Obviously, we need some place to take trash, but
8 it's very, very horrible what those poor people
9 living next to the landfill are dealing with. And it
10 all started off much better with the second company
11 that came in, but pretty soon we're having trouble
12 again. So I wanted to let y'all know.

13 Mr. Harmon is working on it and Mr. Greg Smith,
14 and we'll know more soon. Thank y'all.

15 TOMMY DUNN: Thank you.
16 Councilman Wright.

17 JOHN WRIGHT: Thank you,
18 Mr. Chairman. I want to thank the folks from
19 Lakewood Subdivision that came here tonight to speak.
20 I'm very familiar with the subdivision, very familiar
21 with 400 Lakewood. And as stated, it was turned
22 down. And so, Mr. Burns, if you could maybe stick
23 around after the meeting. Would love to figure out
24 what we need to do in order to make sure that that
25 gets put to an end. I've met with David and Joan on
26 numerous occasions to talk about best practice on
27 short term rentals and I know it came up in the
28 Planning and Public Works Committee meeting last
29 year. And Ms. Wilson, I'm sure that's something
30 that's going to be brought up again, you know,
31 shortly. Because I'm not against short term rentals,
32 but I do believe that we need some guardrails in the
33 county to make sure that they're being done the right
34 way. And as I told you when the whole thing came up
35 with 400 Lakewood, you know, when Lakewood
36 Subdivision was developed, I know it well. My
37 grandfather developed it, there was no such thing as
38 short term rentals. And so obviously the covenants
39 and restrictions do not allow it. But I don't
40 believe that subdivision was meant to have short term
41 rentals. And so I fully agree with you and want to
42 do anything that I can to help ensure that that comes
43 to an end right away.

44 And I would also invite your participation in
45 future Planning and Public Works Committee meetings
46 as we take this up as a county, but also need to be
47 conscious that we are doing it in a way that doesn't
48 prohibit altogether short term rentals, but we do it
49 in a way that makes sense for the folks that, you
50 know, bought in a subdivision where they didn't

1 expect to have to deal with that.
2 So if y'all want to stick around for a few
3 minutes after, I'll be happy to discuss further with
4 you. Thank you.
5 TOMMY DUNN: Thank you.
6 Councilman Elgin.
7 GREG ELGIN: Mr. Chairman,
8 rest of council, I again, appreciate your help on the
9 Chili Cook-off that Belton has every year. Just due
10 to circumstances wasn't able to help, but I
11 appreciate everybody's help up here. Thank y'all,
12 again. Appreciate it.
13 TOMMY DUNN: Tell them
14 when it is.
15 GREG ELGIN: Sir?
16 TOMMY DUNN: The Chili
17 Cook-off, tell everybody when it is.
18 GREG ELGIN: It is April
19 ---
20 TOMMY DUNN: Didn't want
21 to put you on the spot.
22 GREG ELGIN: No, you're
23 fine. I can't find it.
24 TOMMY DUNN: But it's
25 coming up in April sometime. It's a great thing.
26 GREG ELGIN: Hold on, I'll
27 tell you. It is April 22nd.
28 TOMMY DUNN: April 22nd.
29 GREG ELGIN: Downtown
30 Belton.
31 TOMMY DUNN: That'll be on
32 a Saturday, I believe.
33 GREG ELGIN: Yes, sir.
34 Thank you, again.
35 TOMMY DUNN: Thank y'all.
36 Councilman Glenn Davis.
37 GLENN DAVIS: Thank you,
38 Mr. Chairman. I'd just like to recognize the
39 Leadership Anderson Class 38. Thank you guys for
40 coming and participating in county government. And
41 I'll see you on Friday evening.
42 TOMMY DUNN: Councilman
43 Sanders.
44 BRETT SANDERS: Thank you,
45 Mr. Chairman. I'd like to welcome them, as well.
46 And I'd also like to state that the presentation from
47 Lakewood, I think you guys did an awesome job with
48 the facts and the numbers. So very well done. Where
49 is Ms. Greer? Would she like to get up here and say
50 anything? I know she likes doing public speaking.

1 That's all, sir. Thank you.

2 TOMMY DUNN: Councilman

3 Jimmy Davis.

4 JIMMY DAVIS: Thank you,

5 Mr. Chair. Just want to remind everyone that the
6 Second Annual Rhythm on the River will be at Dolly
7 Cooper Park in Powdersville on May the 6th. So hope
8 everyone can come out. We had a great time last
9 year. Probably several thousand people showed up.
10 But looking forward to that again this year. A lot
11 of great things going on in Anderson County. I
12 appreciate all my fellow Council representatives
13 working with us on making all of Anderson County
14 great. And I look forward to continued service with
15 you. Thank you.

16 TOMMY DUNN: Thank you.

17 I've just got a couple of things. To start off
18 with, I want to also commend the people from Lakewood
19 Subdivision for coming in and doing that. Two
20 things, or three things, I asked the staff here
21 several months ago to be looking at some of these
22 things and about doing some things.

23 At the time, if I'm not mistaken, unless
24 something has changed, at that time there's not
25 another county in the state of South Carolina that
26 has a short term rental policy. Now some
27 municipalities do, but no counties. But we are
28 looking at that.

29 The second thing, there is a bill filed in
30 Columbia, if I'm not mistaken, at the state house
31 preventing counties from doing exactly what y'all are
32 asking us to do. They want to make it statewide
33 across the thing.

34 So just keep those things in mind. Talk to your
35 state legislators because we don't have no control
36 over that if they were to come up and pass it.

37 I want to remind Council members, we have a
38 meeting Thursday night, 6:00, here. Be applications
39 of the Planning Commission at large seat. We've got
40 a meeting Tuesday night here at the courthouse, be
41 looking at traffic studies, ordinance on it. That'll
42 be Tuesday night at 6:00. Full Council is invited.
43 I'll be chairing that here in these chambers.

44 Appreciate everybody. Thank y'all for coming
45 out. Council meeting be adjourned.

46
47

(MEETING ADJOURNED AT 7:02 P.M.)

ORDINANCE NO. 2023-005

**AN ORDINANCE TO AMEND AN AGREEMENT FOR THE DEVELOPMENT OF
A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (2010 PARK) OF
ANDERSON AND GREENVILLE COUNTIES SO AS TO ENLARGE THE PARK;
AND OTHER MATTERS RELATED THEREOF**

WHEREAS, pursuant to Ordinance No. 2010-026 enacted October 19, 2010 by Anderson County Council, Anderson County entered into an Agreement for the Development of a Joint County Industrial and Business Park (2010 Park) dated as of December 1, 2010, as amended, with Greenville County (the "Agreement"); and

WHEREAS, pursuant to Section 3(A) of the Agreement, the boundaries of the park created therein (the "Park") may be enlarged pursuant to ordinances of the County Councils of Anderson County and Greenville County; and

WHEREAS, in connection with certain incentives being offered by Greenville County, it is now desired that the boundaries of the Park be enlarged to include certain parcel(s) in Greenville County;

NOW, THEREFORE, be it ordained by Anderson County Council that Exhibit A to the Agreement is hereby and shall be amended and revised to include the property located in Greenville County described in the schedule attached to this Ordinance, and, pursuant to Section 3(B) of the Agreement, upon adoption by Greenville County of a corresponding ordinance, the Agreement shall be deemed amended to so include such property and Exhibit A and Exhibit B as so revised, without further action by either county.

ORDAINED in meeting duly assembled this ___ day of _____, 2023.

ATTEST

Rusty Burns
Administrator, Anderson County

Tommy Dunn
Chairman, Anderson County Council

(SEAL)

By: _____
Renee Watts
Clerk to Anderson County Council

FORM APPROVED BY:

County Attorney

First Reading: February 21, 2023

Second Reading: March 7, 2023

Third Reading: _____

Public Hearing: _____

Addition to Exhibit A to
Agreement for the Development of a Joint County Industrial and
Business Park dated as of December 1, 2010, as amended,
between Anderson County and Greenville County

Caraustar Mill Group, Inc. (Project Rebuild)

All that piece, parcel or lot of land in Chick Springs Township, Greenville County, State of South Carolina, containing 34.27 acres, more or less, (including Southern Railway and county road rights of way) and having according to a plat prepared by Piedmont Engineering Service, dated March 1959, entitled "Survey for Carolina Paper Board Corp.", and recorded in the Register of Deeds Office for Greenville County, South Carolina in Plat Book QQ at Page 43 and having according to said plat the metes and bounds shown thereon.

Tax Map Nos. T010020101200 & T010020101205

Essential Cabinetry Holdings, Inc. (Project President)

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Greenville, being shown and designated as 29.21 acres, more or less, as shown on plat prepared for Timothy W. Scott, on September 2, 2003, and recorded in the ROD for Greenville County, SC in Plat Book 47-L at Page 24, and as shown on a more recent survey prepared by Romo Land Surveys, dated June 21, 2005, entitled "Property Survey for TW Scott, LLC," and recorded in the ROD Office for Greenville County, SC in Plat Book 50-A, page 42 on June 29, 2005, reference is hereby made to said plat for a more complete metes and bounds description.

Being the same property conveyed to EC Simpsonville Funding Company, LLC by deed of NL Ventures X Grandview, L.L.C., dated July 23, 2019 and recorded on July 26, 2019 in the Greenville County Register of Deeds Office in Deed Book 2571, Page 4035.

Tax Map No.: 0305000100401

STATE OF SOUTH CAROLINA)
)
COUNTY OF ANDERSON)

I, the undersigned Clerk to County Council of Anderson County, South Carolina, do hereby certify (i) that attached hereto is a true, accurate and complete copy of an ordinance which was given reading, and received majority approval, by the County Council at meetings of _____, _____, and _____, at which meetings a quorum of members of County Council were present and voted, and an original of which ordinance is filed in the permanent records of the County Council; and (ii) the public _____.

Clerk, Anderson County Council

Dated: _____, 2023

ORDINANCE NO. 2023-006

AN ORDINANCE TO LEASE REAL PROPERTY TO HABITAT FOR HUMANITY OF ANDERSON COUNTY, INC; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the Anderson County Code requires a public hearing prior to the lease of real property; and

WHEREAS, Anderson County is the current owner of a small parcel of land located at 212 West Church Street in the City of Anderson and identified by tax map number 123-30-15-005; and

WHEREAS, Habitat for Humanity of Anderson County, Inc., is a South Carolina nonprofit corporation registered with the State of South Carolina; and

WHEREAS, the property referenced will be used by Habitat for Humanity of Anderson County, Inc., for the purpose of operating as a nonprofit corporation.

NOW, THEREFORE, be it ordained by the Anderson County Council in meeting duly assembled that:

1. Anderson County desires to lease the following real property to Habitat for Humanity of Anderson County, Inc., for a nominal fee:

a. A parcel of land situated at 212 W. Church Street, Anderson, South Carolina 29624; TMS No. 123-30-15-005.

2. The Anderson County Administrator is hereby authorized and directed to execute any documents necessary to effectuate the lease of this parcel of real property as described herein and in a form substantially similar to, and not materially different from, the lease agreement attached hereto as Exhibit A.

3. All other terms, provisions, sections, and contents of the Code of Ordinances, Anderson County, South Carolina not specifically affected hereby remain in full force and effect.

4. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

5. This Ordinance shall take effect from and after the public hearing and the third reading in accordance with the Code of Ordinances, Anderson County, South Carolina.

ORDAINED in meeting duly assembled this _____ day of _____, 2023.

[SIGNATURE PAGE TO FOLLOW]

ATTEST:

Rusty Burns
Anderson County Administrator

Renee Watts
Clerk to Council

FOR ANDERSON COUNTY:

Tommy Dunn, District #5, Chairman

APPROVED AS TO FORM:

Leon C. Harmon
Anderson County Attorney

First Reading: February 21, 2023
Second Reading: March 7, 2023
Third Reading: _____

Public Hearing: _____

LEASE AGREEMENT

THIS LEASE AGREEMENT (this "Lease") is made and entered into as of the _____ day of March 2023 (the "Effective Date") by and between ANDERSON COUNTY, a body politic and corporate and a political subdivision of the State of South Carolina ("Lessor"), and HABITAT FOR HUMANITY OF ANDERSON, INC, a South Carolina nonprofit corporation ("Lessee").

WHEREAS, Lessor is the owner of that certain piece, parcel or lot of land identified as Anderson County, South Carolina Tax Map Parcel No. 123-30-15-002, which is an empty lot in the city of Anderson between W. Benson Street and W. Church Steet on the west side of S. Murray Avenue (the "Lessor Property");

WHEREAS, Lessee desires to use the property to conduct its business of being a nonprofit corporation; and

WHEREAS, the parties agree to extend the term of the lease as described herein.

NOW, THEREFOR, the parties hereby agree as follows:

1. **Recitals; Capitalized Terms.** The foregoing recitals are incorporated into the Lease.
2. **Lease of Lessor Property.** Lessor hereby agrees to lease the Lessor Property to Lessee for and during the Term (as defined below), commencing as of the Term Commencement Date (as defined below), and Lessee hereby agrees to lease the same from Lessor, subject to the terms and conditions set forth below.
3. **Lessor Property Work.** During the Term, Lessee shall make minor improvements to the property necessary to safely operate as a nonprofit corporation. All Lessor Property Work shall be performed at Lessee's sole expense in accordance with all applicable laws and regulations. The Lessor Property Work shall not include any changes to fixtures unless agreed upon by the parties in a signed writing. Lessee shall work to remove any trash or debris from the Lessor Property and to ensure that it is safe to traverse.
4. **Term.** The term of this Lease (the "Term") shall commence on March 22, 2023. The term of the lease is for 2 years. The Lease may be renewed for an additional 2 years upon written agreement from both parties. If Lessee intends to renew for an additional 2 years, Lessee must notify the Lessor, between 180 and 90 days prior to the end of the Lease Term, of its intention in writing. Lessor may then agree or disagree to renew the lease for an additional 2 years. The parties may renew for an additional 2 years up to five (5) times, meaning the lease cannot be extended past March 22, 2035. Both parties may agree in a signed writing to terminate the lease at any time.
5. **Payment of Rent.** Lessee shall pay to the Lessor a yearly rental during the Term of this Lease of \$5.00 ("Base Rent"). Rent shall be due on the 15th of December.

6. **Insurance.** Lessee shall carry (or cause to be carried) at Lessee's sole expense and shall pay (or cause to be paid) all premiums for insurance to cover Lessee's liability and automobile insurance on the property. Lessee will also add Anderson County as an additionally insured on any policy covering the property. Lessee shall provide to Lessor certificates that the insurance coverage required herein is in effect. Failure to provide the requested certificates within 30 days of the request will be grounds for the termination of this lease by Lessor.

7. **No Liens.** Lessee shall promptly pay all persons furnishing labor or materials with respect to any work performed by Lessee or its contractor on or about the Lessor Property. In the event any mechanics' or other lien shall at any time be filed against the Lessor Property by reason of work, labor, services, or materials performed or furnished to or on behalf of Lessee, Lessee shall immediately cause the same to be discharged of record within thirty (30) days of notice of filing.

8. **Lessor and Lessee Representations and Warranties.** Lessor and Lessee each represents and warrants that, with respect to itself: (a) this Lease has been duly authorized, executed, and delivered by such party and constitutes the legal, valid, and binding obligation of such party; (b) there are no actions, suits, or proceedings pending or, to the knowledge of such party, threatened against or affecting such party, at law or in equity or before any governmental authority which would impair such party's ability to perform its obligations under this Lease; (c) the consummation of the transactions hereby contemplated and the performance of this Lease by such party will not result in any breach or violation of, or constitute a default under, any other agreement to which it is a party; and (d) the consummation of the transactions hereby contemplated and the performance of this Lease by such party will not result in a violation of any applicable law, statute, ordinance or regulation, or any judgment, order, writ injunction, decree or rule of any court or other governmental agency or authority or of any determination or award of any arbitrator by which it is bound.

9. **Indemnification.** Lessee agrees to indemnify, hold harmless, and defend Lessor from any cost, claim, loss, or damage of any type, including attorney's fees, to the extent that they arise from any situation that occurs because of Lessee's use of Lessor Property or from this lease agreement.

10. **Assignment.** Neither party shall assign, mortgage, or encumber its interest in this Lease, in whole or in part, without the prior written consent of the other party. Any transfer in interest must be done in accordance with the rights and obligations under this lease so that such remain unchanged.

11. **Notices.** All notices under this Lease shall be in writing and shall be delivered personally, sent by Federal Express or other commercial overnight courier service, sent by First Class Mail, return receipt requested, or by email, with an original to follow by regular mail, to the addresses set forth below. Any notice or other communication given as hereinabove provided shall be deemed effectively given or received on the date of delivery, if delivered by hand or by overnight courier, on the date of transmission if by email (provided duplicate notice is also sent by First Class Mail and no notice of failure of transmission is received by the sender), or on the third (3rd) business day following the postmark date of such notice or other communication sent

by First Class Mail, return receipt requested. Counsel for the parties may send notices on behalf of their clients.

If to Lessor:

Name: Rusty Burns

Address: PO Box 8002, Anderson, South Carolina 29622

Email: rburns@andersoncountysc.org

If to Lessee:

Name: Habitat for Humanity of Anderson, Inc.

Address: 210 S Murray Ave, Anderson, South Carolina 29624

Email: info@habitatanderson.org

12. **Governing Law and Jurisdiction.** This Lease shall be governed in accordance with the laws of the State of South Carolina. All disputes under this Lease shall be resolved by litigation in the Courts of the State of South Carolina, Anderson County, including the Federal Courts therein, and Lessee and Lessor herein each consent to the jurisdiction of such Courts, agree to accept service of process by restricted certified mail, and hereby waive any jurisdictional or venue defenses otherwise available.

13. **Attorneys' Fees.** If any action is brought by either party against the other in connection with or arising out of this Lease, the prevailing party shall be entitled to recover from the other party its reasonable out-of-pocket costs and expenses, including, without limitation, reasonable attorneys' fees, incurred in connection with the prosecution or defense of such action.

14. **No Agency; No Joint Venture.** Nothing in this Lease is intended, nor shall in any way be construed, to create any form of partnership, agency, or joint venture relationship between the parties.

15. **Counterparts.** This Lease may be executed in counterparts, all of which, collectively, shall constitute one document. Counterparts may be delivered via facsimile, electronic mail or other verifiable transmission method, and any counterpart so delivered will be deemed to have been duly and validly delivered and be valid and effective for all purposes. Any counterparts must be signed by both parties.

16. **No Waivers.** No waiver by any party of any of the provisions hereof shall be effective unless explicitly set forth in writing and signed by the party providing the waiver. No waiver by any party of any failure or refusal to comply with any obligations under this Lease shall be deemed a waiver of any other or subsequent failure or refusal to so comply.

17. **Severability.** If any term or provision of this Lease is invalid, illegal, or unenforceable in any jurisdiction, such invalidity, illegality, or unenforceability shall not affect, invalidate, or render unenforceable any other term or provision of this Lease. Upon such

determination that any term or other provision is invalid, illegal, or unenforceable, the parties shall negotiate in good faith to modify this Lease so as to effect the original intent of the parties as closely as possible in a mutually acceptable manner in order that the transactions contemplated by this Lease be consummated as originally contemplated to the greatest extent possible.

IN WITNESS WHEREOF, the undersigned have executed this Lease pursuant to all necessary authorizations or actions of the Lessor and Lessee, as applicable.

**[THIS AREA INTENTIONALLY LEFT BLANK]
[SIGNATURE PAGE TO FOLLOW]**

ANDERSON COUNTY, a body politic and corporate and a political subdivision of the State of South Carolina

LESSEE:

Signed, Sealed and Delivered in the Presence of:

_____(Seal)

[illegible]

ACKNOWLEDGMENT

The forgoing instrument was acknowledged before me by Rusty Burns, as Administrator for Anderson County, South Carolina, and the other witness above-named this **day of March, 2023**, and the subscribing witness swore to me that he/she is not a party to or beneficiary of this transaction.

_____(Seal)
NOTARY PUBLIC FOR SOUTH CAROLINA

Printed Name: _____

My Commission Expires:_____

RESOLUTION R2023-010

A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT AND CLOSURE OF A PORTION OF PARKER LN DESIGNATED AS C-04-0080; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Parker Ln Right-of-Way (the “Right-of-Way”) is currently an asphalt and dirt Anderson County (the “County”) public right-of-way, designated as Anderson County Road C-04-0080;

WHEREAS, the portion of the road to be closed extends 431 feet from the current end of Parker Ln and exists on five parcels of property identified as Anderson County tax map numbers 430003036, 430003117, 430003145, 430003152, and 430003155 all of which have common ownership, as shown on the map prepared by Anderson County Roads and Bridges Department on 3/1/23 attached hereto as **Exhibit A** and incorporated herein by reference;

WHEREAS, the property owners (hereinafter collective the “Petitioners”) have requested that the County abandon said Right-of-Way because the road is encompassed by their properties. The Petition is attached hereto as **Exhibit B** and incorporated herein by reference;

WHEREAS, the County has complied with all of its Ordinances and Regulations pertaining to cessation of County maintenance and County consent to judicial abandonment and closure of County public roads, in the case of the above-referenced Road;

WHEREAS, none of the procedures undertaken by the County have revealed or reflected a need for said Road to remain under County maintenance or to remain a public road, and the County staff have recommended that the County consent to the requested abandonment and judicial closure; and

WHEREAS, Anderson County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the “County Council”) desires to express its intent to take a neutral position regarding continued maintenance of the Road;

NOW, THEREFORE, be it resolved by Anderson County Council in meeting duly assembled that:

1. Anderson County, acting by and through its County Council, consents to the judicial abandonment and closure of a portion of Parker Ln as shown on Exhibit A (C-04-0080) by the property owners.
2. In the event this portion of Parker Ln is closed by a Judicial Order, the county shall immediately cease all maintenance of this Road.

3. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.
4. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.
5. This resolution shall take effect and be in force immediately upon enactment.

RESOLVED this 7th day of March, 2023, in meeting duly assembled.

ATTEST:

Rusty Burns
Anderson County Administrator

Tommy Dunn, Chairman
Anderson County Council

Renee D. Watts
Anderson County Clerk to Council

APPROVED AS TO FORM:

Leon C. Harmon
Anderson County Attorney



Roadway Abandonment Petition

Date: 1/11/23

Name: Hrt D. Garrison
Mailing
Address: 1030 Asbury Park Rd.
City: Anderson State: SC Zip: 29625
Telephone #: (864) 934-4164
Road Name: Parker Ln.

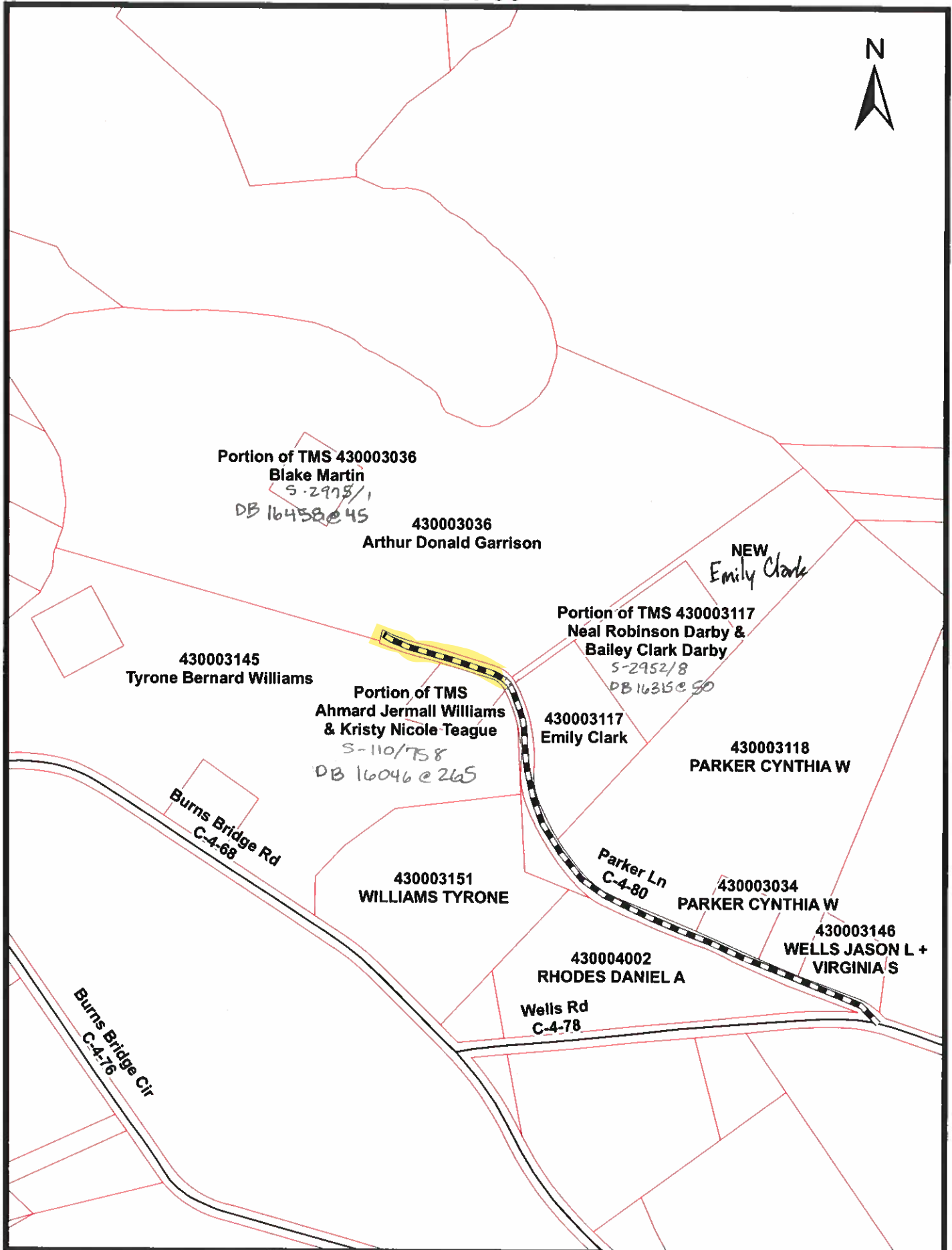
Reason for abandonment: _____

Signature (Do not print)	Print Name	Address	Phone Number
--------------------------	------------	---------	--------------

[illegible]

EXHIBIT A

Parker Lane C-4-80







Date

John Chmelar, Supervisor of Transportation
Anderson County School District Four
902 E. Queen Street
Pendleton, South Carolina 29670

Dear Mr. Chmelar:

This letter is to inform you that we have received a request to abandon Parker Ln.

We would appreciate your input as to how, if any, this closure might impact bus routing on this road. We would appreciate a response within 30 days.

Thank you in advance for your assistance with this matter. You may contact me via email at wmhogan@andersoncountysc.org if you desire.

Sincerely,

Matt Hogan | ROADS AND BRIDGES DEPARTMENT
Roads and Bridges Manager

Tommy Dunn
Chairman, District 5

John B. Wright Jr.
Council District 1

Greg Elgin
Council District 3

Cindy Wilson
Council District 7

ANDERSON COUNTY
SOUTH CAROLINA

Brett Sanders
V. Chairman, District 4

Glenn Davis
Council District 2

Jimmy Davis
Council District 6

Renee D. Watts
Clerk to Council

Rusty Burns | County Administrator
rburns@andersoncountysc.org



Date

Jimmy Ray Sutherland, Fire Chief
Anderson County Fire Department
210 McGee Road
Anderson, South Carolina 29625

Dear Chief Sutherland:

We have received a request to abandon Parker Ln.

We would appreciate as to how, if any, this closure might impact emergency vehicle response to neighboring citizens. A response from you within 30 days regarding this matter would be greatly appreciated. If this closure has no effect, we will proceed with the abandonment process.

Thank you in advance for your assistance with this matter. You may contact me via email at wmhogan@andersoncountysc.org if you desire.

Sincerely,

Matt Hogan | ROADS AND BRIDGES DEPARTMENT
Roads and Bridges Manager

Tommy Dunn
Chairman, District 5

John B. Wright Jr.
Council District 1

Greg Elgin
Council District 3

Cindy Wilson
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Glenn Davis
Council District 2

Jimmy Davis
Council District 6

Renee D. Watts
Clerk to Council

Rusty Burns | County Administrator
rburns@andersoncountysc.org

Anderson County Purchasing Department Bid Tabulation

BID 23-036 HAULING RECYCLABLES

	Vendor	Total Cost
1	REPUBLIC SERVICES OF SC	NO BID
2	HAKUNA SERVICES	\$50.00 PER PULL
3	LOCAL WASTE MGMT.	\$43.00 PER PULL
4	WASTE CONNECTION OF THE CAROLINAS	\$60.10 PER PULL
5	LOCAL WASTE SERVICES LLC	NO RESPONSE
6	CPI	NO RESPONSE
7	T L LOGISTICS	NO RESPONSE
8	BASNIGHT TRUCKING	NO RESPONSE
9	EQUAL VENTURES	NO RESPONSE
10	PRATT INDUSTRIES	NO RESPONSE
11	RECOVER USA	NO RESPONSE
12	SONOCO	NO RESPONSE
13	GAPZC	NO RESPONSE
14	AM FIBER SERVICES	NO RESPONSE

	Vendor	Total Cost
15	ASCENSION MGMT	NO RESPONSE
16	TRULY TRUCKING	NO RESPONSE
17	DIMENSIONS	NO RESPONSE
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29	AWARD TO: Local Waste Mngt.	



MEMORANDUM

Solid Waste Department

DATE: February 16, 2023

TO: Robert Carroll, Purchasing Director

FROM: Greg Smith, Solid Waste Director

CC: Rita Davis, Finance Director

SUBJECT: Contracted Hauling of School Recycling Route

The Anderson County Purchasing Department placed a bid out for the hauling and placing of 8-yard containers at our Anderson County Schools for the Solid Waste Department's recycling program. The bid number is #23-036. The bid was issued on January 3, 2023.

Bids were received on February 2, 2023. Local Waste Management, Hakuna Services, Inc., and Waste Connections of South Carolina were the 3 companies that bid on our collection of our Anderson County School Recyclables. We will be collecting cardboard and mixed paper from all Anderson County Schools that participate in our School Recycling Program. The bids were as follow:

<u>VENDOR</u>	<u>BID</u>
Local Waste Management	\$43.00 per 8-yard pull
Hakuna Services	\$50.00 per 8-yard pull
Waste Connections	\$60.10 per 8-yard pull

Price Increases would only be by CPI annually.

The Anderson County Solid Waste Department would like to place 8-yard containers that are provided by Local Waste Management at the 54 Anderson County Schools to collect their cardboard and mixed paper. We would need fifty-eight 8-yard containers due to some schools needing 2. The cardboard and mixed paper will be processed at

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Council District 2

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Council District 6

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Clerk to Council

Rusty Burns | County Administrator
rburns@andersoncountysc.org



MEMORANDUM

ANDERSON COUNTY DEPARTMENT NAME | PAGE 2

the Anderson Regional MRF. Revenues will be applied toward the school recycling program. We use DHEC Grant funding to provide recycling bins inside the schools.

The Anderson County Solid Waste Department would like to respectfully request that Anderson County Council allow us to award the contract for the hauling of Anderson County School Recyclables to Local Waste Management for the hauling price of \$43.00 per pull to the Anderson Regional MRF. The cost of the hauling contract would be \$117,218.00 for 11 months. We will not be doing pickups in July due to summer vacation of schools.

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Glenn Davis
Council District 2

Jimmy Davis
Council District 6

Lacey Croegaert
Clerk to Council

Rusty Burns | County Administrator
rburns@andersoncountysc.org

SOLICITATION OFFER AND AWARD FORM

ANDERSON COUNTY PURCHASING, ANDERSON, SOUTH CAROLINA 29624		
REQUEST FOR SOLICITATIONS, OFFER AND AWARD		
*****Solicitation Information*****		
1. SOLICITATION: # 23-036 2. ISSUE DATE: January 3, 2023 3. FOR INFORMATION CONTACT: rcarroll@andersoncountysc.org	Brief Description: <i>Contracted Hauling of Anderson County Schools Recyclables</i> (SEE SPECIFICATIONS)	
5. <u>SUBMIT BID TO:</u> Anderson County Purchasing Department 101 South Main Street, Room 115 Anderson, S.C. 29624 Attn: Bid #23-036		
6. Submission Deadline: Date: Thursday, February 2, 2023 Time: 11:00 A.M.		
7. Submit Sealed Bid		
8. Firm Offer Period: Bids submitted shall remain firm for a period of sixty (60) calendar days from date specified in block 6.		
*****Offer (To be completed by Bidder)*****		
9. BUSINESS CLASSIFICATION	(Check Appropriate Box)	<input type="checkbox"/> Woman Business Enterprise <input type="checkbox"/> Minority Business Enterprise <input type="checkbox"/> Disadvantaged Business Enterprise
10. Additional Information: In compliance with above, the undersigned agrees, if this proposal is accepted within the period specified in Block 8 above, to furnish any or all other further information requested by Anderson County.		
11. Bidder's name and address (Type or print): <div style="font-family: cursive; font-size: 1.2em;">Local waste management</div> <div style="font-family: cursive; font-size: 1.2em;">P.O Box 1535 IVA SC 29655</div>		12. Name & Title of Person Authorized to sign the Bid. (Type or Print): <div style="font-family: cursive; font-size: 1.2em;">Chastan Hanna /owner.</div> 13. Bidder's Signature & Date <div style="font-family: cursive; font-size: 1.2em;">Chastan Hanna</div> <div style="font-family: cursive; font-size: 1.2em;">1-1-2023</div>
e-mail : Telephone # Fax # Federal Identification #:		
*****AWARD (To be completed by Anderson County)*****		
14. Total amount of award:	15. Successful Bidder:	
16. Contracting Officer or Authorized Representative: Robert E. Carroll	17. Signature:	18. Award date:



ANDERSON COUNTY
SOUTH CAROLINA

RECREATION FUND APPROPRIATIONS APPLICATION

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: 2 ALL

Mail/Email/Fax to:

Anderson County Council Clerk
P.O. Box 8002, Anderson, SC 29622
rdwatts@andersoncountysc.org
Fax: 864-260-4356

Tommy Dunn
Chairman, District 5

Brett Sanders
V. Chairman, District 4

John B. Wright, Jr.
Council District 1

Glenn A. Davis
Council District 2

Greg Elgin
Council District 3

Jimmy Davis
Council District 6

Cindy Wilson
Council District 7

Renee Watts
Clerk to Council

Rusty Burns
County Administrator

1. Name of entity requesting recreation fund appropriation:

Men At Work (MAW)

2. Amount of request (If requesting funds from more than one district, annotate amount from each district): Amount of Request \$1,600
\$300.00 From each district.

3. The purpose for which the funds are being requested: Assist in help purchasing uniforms + meals to Boeing's aircraft manufacturer for a tour. Charleston, SC

4. Is the entity a non-profit corporation in good standing with the South Carolina Secretary of State? If so, please attach evidence of that good standing.

5. Contact Person: Charlie Ervin
Mailing Address: 301 Hillcrest Circle Anderson SC 29624
Phone Number: 864-356-4797
Email: Charlie Ervin
NON-PROFIT-76-0795606

6. Statement as to whether the entity will be providing matching funds:
NO

I certify that the forgoing is true and accurate to the best of my knowledge and that I am authorized to make this application on behalf of the above-named entity.

Marion Tarrant
Signature

Marion Tarrant
Print Name

2/23/2002
Date

RECREATION FUND APPROPRIATIONS APPLICATION FORM
WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: All Districts

Mail/Email/Fax to:
Anderson County Council Clerk
P.O. Box 8002, Anderson, SC 29622
rdwatts@andersoncountysc.org

1. Name of entity requesting recreation fund appropriation:

The Greater Anderson Musical Arts Consortium, Inc. (GAMAC)

2. Amount of Request: \$2,000.00

3. The purpose for which the funds are being requested:

The Anderson Symphony Orchestra will celebrate the United Nations Educational, Scientific, and Cultural Organization's (UNESCO) *International Jazz Day* with a performance on Sunday, April 30, 2023 at 3pm at Anderson University. Established in 2011 and observed around the world annually, UNESCO's *International Jazz Day* celebrates jazz music as a global art form that promotes peace, cultural dialogue, diversity, human dignity, and freedom of expression. The Anderson Symphony will bring this special celebration to Anderson with a performance of music by such well-known jazz greats as Dizzy Gillespie, Louise Armstrong, Cole Porter, and American "Big Band" composers such as Benny Goodman, and more. As part of GAMAC's mission to provide high quality musical education opportunities to children throughout the Anderson community, we plan to make this performance available to middle school and high school students free of charge. If approved, recreation funds will be used to underwrite the cost of tickets for up to 250 children ages 12-17 to attend the event free of charge.

4. Is the entity a non-profit corporation in good standing with the South Carolina Secretary of State? If so, please attach evidence of that good standing.

Yes. Documentation is attached.

5. Contact Person: Dana Gencarelli, Executive Director

Mailing Address: P.O. Box 2365, Anderson, SC 29622

Telephone Number: (864) 231-6147 **Email:** dgencarelli@gamac.org

6. Statement as to whether the entity will be providing matching funds:

GAMAC will be providing matching funds for any appropriations received.

I certify that the forgoing is true and accurate to the best of my knowledge and that I am authorized to make this application on behalf of the above named entity.


Dana Gencarelli, Executive Director



State of South Carolina
Office of the Secretary of State
The Honorable Mark Hammond

10/21/2022

GAMAC
Mrs. Dana Gencarelli
PO Box 2365
Anderson, SC 29622

RE: Registration Confirmation

Charity Public ID: P73

Dear Mrs. Dana Gencarelli :

This letter confirms that the Secretary of State's Office has received and accepted your Registration, therefore, your charitable organization is in compliance with the registration requirement of the "South Carolina Solicitation of Charitable Funds Act." The registration of your charitable organization will expire on 11/15/2023.

If any of the information on your Registration form changes throughout the course of the year, please contact our office to make updates. It is important that this information remain updated so that our office can keep you informed of any changes that may affect your charitable organization.

If you have not yet filed your annual financial report or an extension for the annual financial report, the annual financial report is still due 4½ months after the close of your fiscal year.

- Annual financial reports must either be submitted on the Internal Revenue Service Form 990 or 990-EZ or the Secretary of State's Annual Financial Report Form.
- If you wish to extend the filing of that form with us, please submit a written request by email or fax to our office using the contact information below. Failure to submit the annual financial report may result in an administrative fine of up to \$2,000.00.

If you have any questions or concerns, please visit our website at www.sos.sc.gov or contact our office using the contact information below.

Sincerely,

Kimberly S. Wickersham
Director, Division of Public Charities