



**AGENDA**  
**Special Presentation Meeting**  
**Tuesday, July 18, 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. 2023-026:** A Resolution honoring and recognizing the Crescent Elite Shooters Team for their many successes; and other matters related thereto.

Hon. Greg Elgin

- b. 2023-030:** A Resolution congratulating Bryson Gurley and Ethan Evatt for qualifying for the High School Fishing World Finals and National Championship.

Hon. Cindy Wilson

**3. ADJOURNMENT**

**AGENDA**  
**ANDERSON COUNTY COUNCIL**  
**REGULAR MEETING**  
**Tuesday, July 18, 2023, at 6:30 p.m.**  
**Historic Courthouse**  
**101 S. Main Street**  
**Anderson, South Carolina**  
*Chairman Tommy Dunn, Presiding*

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Hon. Glenn Davis

**3. APPROVAL OF MINUTES**

May 8, 2023, June 6, 2023  
minutes not received June 20, 2023

**4. CITIZENS COMMENTS**

Agenda Matters Only  
**THREE MINUTE TIME LIMIT**

**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



**5. ORDINANCE THIRD READING:**

- a. **2023-018:** An Ordinance authorizing the execution and delivery of an amendment to fee in lieu of tax and special source credit agreement by and between Anderson County, South Carolina and Gray Industrial Realty 7, LLC for the purpose of modifying the special source credits to be provided thereunder; and other matters related thereto. [Project Little Brother] **(PUBLIC HEARING THREE MINUTE TIME LIMIT)**

Mr. Rusty Burns (allotted 5 minutes)

- b. **2023-019:** 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. [Project Little Brother] **(PUBLIC HEARING THREE MINUTE TIME LIMIT)**

Mr. Rusty Burns (allotted 5 minutes)

**6. ORDINANCE SECOND READING:**

- a. **2023-017:** An Ordinance to amend the Code of Ordinances, Anderson County, South Carolina, by adding a new section within Chapter 24, Article II, Division 5 to address RV Park Design Standards; and other matters related thereto.

Mr. Tommy Dunn (allotted 5 minutes)

- b. **2023-020:** An Ordinance to amend Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone +/- 3.98 acres from R-20 (Single-Family Residential District) to C-2 (Highway Commercial District) on parcels of land, identified as 201 and 205 Memory Lane in the Denver-Sandy Springs Precinct shown in Deed Book 15896 page 111 and Deed Book 15897 page 121. The parcels are further identified as TMS #93-06-01-005 and 93-06-01-007. [District 4]

Ms. Alesia Hunter (allotted 5 minutes)

- c. **2023-021:** An Ordinance to amend Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone +/- 2.28 acres from R-20 (Single-Family Residential District) to C-2 (Highway Commercial District) on a parcel of land, identified as Memory Lane in the Denver-Sandy Springs Precinct shown in Deed Book 16636 page 213. The parcel is further identified as TMS #93-06-01-001. [District 4]

Ms. Alesia Hunter (allotted 5 minutes)

- d. **2023-024:** An Ordinance to transfer an interest in real property to William R. McClellion III; and other matters related thereto.

Mr. Jordan Thayer (allotted 5 minutes)

- e. **2023-025:** An Ordinance to provide approval for Anderson County, South Carolina, to grant an easement unto Duke Energy Carolinas, LLC across property owned by Anderson County and bearing tax map number 047-03-01-002 for installation of electric and communication lines; and other matters related thereto.

Mr. Rusty Burns (allotted 5 minutes)

- f. **2023-026:** An Ordinance to lease real property to the Anderson County Disabilities and Special Needs Board; and other matters related thereto.

Mr. Rusty Burns (allotted 5 minutes)



**7. ORDINANCE FIRST READING:**

- a. 2023-027:** An Ordinance to amend an agreement for the development of a joint county industrial and business park (Workforce Housing) of Anderson and Greenville Counties so as to enlarge the park to include certain property of Gordon Street Affordable, LP; and other matters related thereto.

Mr. Rusty Burns (allotted 5 minutes)

- b. 2023-028:** An Ordinance authorizing the execution and delivery of a special source revenue credit agreement by and between Anderson County, South Carolina and Soli Organic Inc, with respect to special source revenue credits to be applied against fee in lieu of tax payments related to certain investments in the County; and other matters related thereto.

Mr. Rusty Burns (allotted 5 minutes)

**8. RESOLUTIONS:**

- a. 2023-023:** A Resolution expressing intent to cease county maintenance on and to authorize county consent to judicial abandonment and closure of the end section of McNeely Rd. designated as C-03-0043; and other matters related thereto.

Mr. Matt Hogan (allotted 5 minutes)

- b. 2023-027:** A Resolution expressing intent to cease county maintenance on and to authorize county consent to judicial abandonment and closure of Adren Road designated as C-16-52; and other matters related thereto.

Mr. Matt Hogan (allotted 5 minutes)

- c. 2023-028:** A Resolution expressing intent to cease county maintenance on and to authorize county consent to judicial abandonment and closure of None Rd; and other matters related thereto.

Mr. Matt Hogan (allotted 5 minutes)

- d. 2023-031:** A Resolution approving, ratifying and consenting to the transfer and partial assignment to, and assumption by, Evergreen Logistics I LLC of a certain existing FILOT agreement t which the County is a party (The "FILOT Agreement") and other matters related thereto.

Mr. Rusty Burns (allotted 5 minutes)

**9. CHANGE ORDERS/BID APPROVALS:**

- a.** RFQ #23-044 Piedmont Riverfront Park

**10. EXECUTIVE SESSION:**

- a.** Receipt of legal advice subject to the attorney client privilege regarding sewer easements.  
**c.** Council action following Executive Session.

**11. REQUEST BY COUNCIL:**

- a.** Watkins Community Center-Childrens Theater Camp-District 7  
**b.** Belton Center for Arts-25th Standpipe Heritage & Arts Festival-District 3  
**c.** Belton Area Museum-Heritage Days-District 3  
**d.** Homeland Park Fire Department-District 2 & 5  
**e.** Homeland Park Community Watch-District 2 & 5  
**f.** Center Rock Volunteer Fire Department-District 5  
**g.** American Red Cross Upstate SC Chapter-All Districts



**12. REPORT FROM PLANNING AND PUBLIC WORKS COMMITTEE MEETING HELD  
ON JULY 10, 2023**

Ms. Cindy Wilson

**13. ADMINISTRATOR'S REPORT:**

- a. Special Projects
- b. Building & Codes Monthly Report

**14. CITIZENS COMMENTS**

Non-Agenda Matters  
**THREE MINUTE TIME LIMIT**

**15. REMARKS FROM COUNCIL**

**16. 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 #2023-026

### A RESOLUTION HONORING AND RECOGNIZING THE CRESCENT ELITE SHOOTERS TEAM FOR THEIR MANY SUCCESSES; AND OTHER MATTERS RELATED THERETO.

**Whereas** the Crescent Elite Shooters sporting clays team brings its school and the wider community great pride and recognition year after year; and

**Whereas** the team's student competitors, the coaches, the volunteers, and everyone in the community who supports the team are to be commended for providing young people with such a meaningful community within which they flourish and prepare to be the future leaders our county needs; and

**Whereas** following a national championship last July, the team has continued to compete at an extremely high level this season, honoring and carrying on the singular spirit of their former head coach, the late Lester Brock, who recently passed away;

**Therefore, be it resolved**, in a meeting duly assembled this eighteenth day of July 2023, that the Anderson County Council hereby congratulates the Crescent Elite Shooters for their accomplishments and wishes each of you great success in your future endeavors.



### FOR ANDERSON COUNTY:

\_\_\_\_\_  
Tommy Dunn, Chairman  
District Five

\_\_\_\_\_  
John B. Wright, Jr.  
District One

\_\_\_\_\_  
Glenn Davis  
District Two

\_\_\_\_\_  
Greg Elgin  
District Three

\_\_\_\_\_  
Brett Sanders, Vice-Chairman  
District Four

\_\_\_\_\_  
Jimmy Davis  
District Six

\_\_\_\_\_  
M. Cindy Wilson  
District Seven

### ATTEST:

\_\_\_\_\_  
Rusty Burns  
County Administrator

\_\_\_\_\_  
Renee Watts  
Clerk to Council

## RESOLUTION #2023-029

### A RESOLUTION CONGRATULATING BRYSON GURLEY AND ETHAN EVATT FOR QUALIFYING FOR THE HIGH SCHOOL FISHING WORLD FINALS AND NATIONAL CHAMPIONSHIP

**Whereas,** Bryson Gurley and Ethan Evatt are rising seniors and have fished with Palmetto Fishing Team for three years and qualified for the 2023 14th Annual High School Fishing World Finals and National Championship held on the Mississippi River in LaCrosse, Wisconsin; and

**Whereas,** Bryson and Ethan competed against 1,179 participants with 419 boats in the 3-day tournament taking the lead on Day 1 winning daily big bass. The team finished 28th in the world with captain Tony Holliday; and

**Whereas,** Bryson and Ethan also qualified for the Strike King Bassmaster High School Championship which will be held on Lake Hartwell July 27-29.

**Therefore, be it resolved,** in a meeting duly assembled this eighteenth day of July 2023, that the Anderson County Council hereby congratulates Bryson Gurley and Ethan Evatt for their accomplishments, thanks them for representing Anderson County so well on the national stage, and wishes them the best of luck as they fish in the Bassmaster High School Championship!



#### FOR ANDERSON COUNTY:

\_\_\_\_\_  
Tommy Dunn, Chairman  
District Five

\_\_\_\_\_  
John B. Wright, Jr.  
District One

\_\_\_\_\_  
Glenn Davis  
District Two

\_\_\_\_\_  
Greg Elgin  
District Three

\_\_\_\_\_  
Brett Sanders, Vice-Chairman  
District Four

\_\_\_\_\_  
Jimmy Davis  
District Six

\_\_\_\_\_  
M. Cindy Wilson  
District Seven

#### ATTEST:

\_\_\_\_\_  
Rusty Burns  
County Administrator

\_\_\_\_\_  
Renee Watts  
Clerk to Council

State of South Carolina    )  
County of           Anderson    )

ANDERSON COUNTY COUNCIL  
SPECIAL CALLED MEETING  
MAY 8, 2023

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

ALSO PRESENT:  
RUSTY BURNS  
LEON HARMON  
RENEE WATTS

1 TOMMY DUNN: We'll call the  
2 meeting to order. This is a special called meeting of  
3 May the 8th to talk about RV park standards, an  
4 Ordinance. I want to welcome everyone here and thank  
5 y'all for coming. We're going to start off and lead  
6 off -- Councilman Wright is going to lead us in the  
7 invocation and the Pledge of Allegiance. If we'd all  
8 rise, please.

9 **(INVOCATION AND PLEDGE OF ALLEGIANCE BY JOHN WRIGHT)**

10 TOMMY DUNN: To start off  
11 with, this come out of public -- Planning & Public  
12 Works Committee. Ms. Wilson chairs that committee.  
13 There's been some recommendations. This ain't nothing  
14 we have voted on. We voted on it in title only. We  
15 have not voted on the verbiage in this thing, so we're  
16 going to move forward for discussion tonight. And  
17 we'll go through the red lines if that suits everybody.  
18 I'm sure some of us have got some notes we can discuss  
19 and whatnot, so ... And Kris over here to my left will  
20 be working the projector. That's the same thing we're  
21 looking at, what's up there. I hope everybody can see  
22 everything good. Can y'all hear out there good?

23 Okay. How about now?

24 FEMALE: That's better.

25 TOMMY DUNN: Better? Okay.

26

27 Turn it up just a little bit, Kris. I'm not going  
28 to holler all night. There you go.

29 Provision one, general conditions is definitions.  
30 The following words, terms and phrases when used in  
31 this article shall have the meaning as described to the  
32 beginning of this section unless specifically defined  
33 below. Words and phrases used in this article shall be  
34 interpreted so as to give them the meaning if they have  
35 any common uses and give this article its most  
36 reasonable application.

37 Buffer means a design space inside or along RV park  
38 boundaries in which no structures, parking areas, RV  
39 spaces or recreational equipment shall be constructed.  
40 This is red-lined. This was added from comments at Ms.  
41 Wilson's workshop of her committee.

42 Commercial business means the individual or  
43 business's occupation, professional or activity who  
44 provides a service, sells physical products, engages in  
45 the object of financial gain, benefit or advantage  
46 either directly or indirectly.

47 Anybody, comments or anything on that? We good?

48 Anybody?

49 Moving on down. A first grader can read this word  
50 for word. Does everybody -- the next one motor homes,

1 a type of recreational vehicle offering motor living  
2 accommodations. Everybody good with that?  
3 Open space within the RV park? Everybody good?  
4 Park model, RV is a trailer-type RV. Comments?  
5 Park office means any structure for purposes of keeping  
6 and maintaining all records pertinent to the use,  
7 operation, maintenance of RV park. This should be the  
8 office of the park attendant. Anybody got a problem?

9 **INAUDIBLE COMMENT FROM AUDIENCE**

10 JIMMY DAVIS: That's covered  
11 in a different area.

12 TOMMY DUNN: Yeah, this is  
13 just definitions, be what you call it. Yes, ma'am.  
14 Permanent habitation means occupying an RV space for a  
15 period of two or more months.

16 **INAUDIBLE COMMENT FROM AUDIENCE**

17 TOMMY DUNN: Just wait  
18 until you get up here. Make yourself some notes and  
19 you can come up here. I'm going to let -- give  
20 everybody plenty of opportunity to talk and say  
21 whatever you want to say, okay? Yeah. Or during this  
22 thing we'll get along a little bit farther, okay?

23 RV park means a parcel of land which ... Anything  
24 with these definitions? Any council member on the  
25 first page? We good?

26 Authority, anybody got a -- Kris, catch up with us.  
27 Anybody got anything with that?

28 Purpose?

29 Administration and enforcement?

30 I tell you, it might be easier, we're going to stop  
31 right there a minute. Does anyone on the definitions  
32 have some comments they want to add, so we won't get so  
33 far along. You can step on up here to the mic where we  
34 can hear you.

35 Please state your name and district, if you know  
36 it, just for the record.

37 LAURA BARNES: Yes. My name  
38 is Laura Barnes. I'm in District 4, Brett Sanders is  
39 my Councilman.

40 TOMMY DUNN: Okay.

41 LAURA BARNES: I just want  
42 some clarity on what a park model RV is. And the size  
43 not to exceed 400 square feet. That's 4 feet by 10  
44 feet?

45 What's that, John, or Mr. Wright?

46 JOHN WRIGHT: The 400 square  
47 feet, is that right?

48 TOMMY DUNN: Yes, sir.

49 JOHN WRIGHT: It would be 40  
50 by 10?

1                   LAURA BARNES:                   Yeah, it's  
2     right here, park model -- definition: Park model RV is  
3     a trailer-type RV that is designed to provide temporary  
4     accommodation for recreation, camping or seasonal use.  
5     PM RV's are built on single chassis, mounted on wheels  
6     and have a gross trailer area not exceeding 400 square  
7     feet. Does that mean the trailer is not exceeding 400  
8     square feet or the living area is not 400 square feet?  
9                   TOMMY DUNN:                   That's the  
10    trailer. Isn't that right, Mr. ---  
11                   LAURA BARNES:                   Okay. Park  
12    model RVs are also called tiny homes. They require a  
13    permit when they get moved from one place to another  
14    for wide loads on the highways and sometimes they're  
15    quite large.  
16                   JIMMY DAVIS:                   Yeah. That's  
17    not true. Actually park model RV's are mobile.  
18    They're not tiny homes. They're definitely ---  
19                   LAURA BARNES:                   Yes, they do  
20    have a wheel system, but they --  
21                   JIMMY DAVIS:                   They do. They  
22    do.  
23                   LAURA BARNES:                   You can't just  
24    hook them up to a pickup truck and move them.  
25                   JIMMY DAVIS:                   Park model RVs  
26    can be moved around like any other RV if the owner so  
27    chooses to wish to.  
28                   LAURA BARNES:                   Uh-huh.  
29    (Affirmative response)  
30                   JIMMY DAVIS:                   They're quite  
31    different than tiny homes.  
32                   LAURA BARNES:                   Okay. So  
33    looking at that, and they're a little bit harder to  
34    move than a regular RV. I'm an RV'er myself. And  
35    you're trying to keep these RV parks in temporary -- as  
36    temporary habitation, not permanent?  
37                   JIMMY DAVIS:                   Well, I mean,  
38    someone can lease a spot in an RV park --  
39                   LAURA BARNES:                   Uh-huh.  
40    (Affirmative response)  
41                   JIMMY DAVIS:                   -- and as long  
42    as they're not living there more than 2 months at a  
43    time.  
44                   LAURA BARNES:                   Okay. I'd  
45    like some clarification on how the county plans to  
46    enforce that?  
47                   JIMMY DAVIS:                   That's one of  
48    the questions we've got to address tonight.  
49                   LAURA BARNES:                   Because I also  
50    noticed that you --

1 JIMMY DAVIS: We haven't  
2 gotten into that part. We're just doing definitions  
3 right now.

4 LAURA BARNES: Okay. Yeah.  
5 So I may have some other questions there too. But  
6 there's a couple of things in there that just don't  
7 quite mesh from what -- how I've read it.

8 TOMMY DUNN: Okay.  
9 LAURA BARNES: Thanks.  
10 TOMMY DUNN: Thank you.

11 Mr. Youmans?

12 HENRY YOUMANS: Mr. Chair,  
13 Council, Henry Youmans, Chief of Permitting, Anderson  
14 County Development Standards. I'm here for Alisia  
15 Hunter. My address is 201 Miracle Mile Drive,  
16 Apartment 2-H, Anderson, South Carolina.

17 What this proposal does is give us a guideline in  
18 particular projects that come before the Planning  
19 Commission. So if someone wants to do an RV park  
20 currently, right now, there's nothing in our ordinance  
21 that states what the type of minimum standards are.  
22 This guideline establishes those standards based on  
23 previous commercial projects that have been done in  
24 Anderson County with the previous ordinances that are  
25 already on the books. We're just making it more  
26 specific in regards to that.

27 I think -- just to answer your question about the  
28 400 square feet. Say, for example, if a developer  
29 comes with a project and those parking spaces, there's  
30 a minimum parking space that has to be set for each one  
31 depending on what that layout is going to be. And all  
32 of that would still have to be approved by the Planning  
33 Commission once it clears our department and we make  
34 sure that all of these standards are met under Chapter  
35 24 of the ordinance.

36 TOMMY DUNN: Thank you, Mr.  
37 Henry.

38 Mr. Bennett?

39 RICHARD BENNETT: Richard  
40 Bennett, District 4. I just had -- 307 Compass Point  
41 is where I live. I just had a question. I think most  
42 of the people that I've talked to wanted the higher-end  
43 motor homes here, which is the Class A, which we  
44 discussed. And I would say most of them are 45 foot  
45 like the Prevost or the higher end, 45. And I don't  
46 know how you'd figure it a 45 by eight and a half  
47 without the slides out. I would ask that y'all would  
48 go to 500 square foot. I would think the bigger two  
49 million dollar motor homes we want if we're going to do  
50 an RV park. So I think that 400 square foot might be

1 tight. Most of the motor homes that we do in the  
2 private section are 45 foot long and they're at least  
3 eight and a half foot wide with the slides in. Then  
4 when the slides come out they might be a little more.  
5 So I would encourage the Council to consider maybe 500  
6 square foot. That would be what's pretty acceptable.  
7 Like I say, we talked about Mountain Falls RV park  
8 which is 1.2 million dollar sales price for a spot.  
9 And most of the motor homes there were 45 foot, Prevost  
10 with slides, four slides possibly. So 500 square foot,  
11 in that range, I think would make more sense. I don't  
12 think you want the cheaper motor home. I think you  
13 want the higher end ones. That's just something I  
14 would consider. Thank you.

15 TOMMY DUNN: Thank you.

16 Anyone else on definitions? Any comments?

17 We'll move on. Administrative and enforcement.  
18 Any Council members, any comments or anything on this  
19 page?

20 BRETT SANDERS: Who is going  
21 to enforce it? The things that I saw on here --

22 TOMMY DUNN: Talk into your  
23 mic, Brett.

24 BRETT SANDERS: Who's going to  
25 do the enforcement and not just in the permitting but  
26 in the day-to-day to make sure -- I saw in here where  
27 you had to have certain gravel. You couldn't have a  
28 pothole, other things of that nature. So I was  
29 wondering who's going to be responsible for enforcing  
30 some of the things that I've read in this ordinance?

31 TOMMY DUNN: I guess that's  
32 something we've got to decide and work out, you know.  
33 I would envision, you know, you can't overload this  
34 person in this position too much, but the code  
35 enforcement officer we're fixing to hire, it would fall  
36 under his purview I would imagine.

37 Yes, ma'am.

38 **INAUDIBLE COMMENT FROM AUDIENCE**

39 BRETT SANDERS: No, I don't  
40 think. I think --

41 **INAUDIBLE COMMENT FROM AUDIENCE**

42 BRETT SANDERS: -- and where  
43 there was some confusion on the size, they were talking  
44 about that 400 square foot wasn't the total size of an  
45 RV. That was defining the park model. I think from  
46 what I've read in this ordinance, it'll be set up for  
47 different things. Now, the owner of the RV park could  
48 make -- primarily just say, hey, this is all we're  
49 going to cater to. That's their business model, their  
50 say so, versus, you know, certain sections. I did



1 notice when I -- I do know that when I read through all  
2 this stuff, you know, there's a lot of things in here  
3 that apply for primitive camping as well. So I think  
4 there's a lot of things that need to be addressed in  
5 this ordinance that -- I mean, if we're doing an RV  
6 park it needs to be RV park things. You have -- I  
7 mean, you have -- we even have air parks where we can  
8 fly in and land and it's primitive, and you just pitch  
9 a tent. I mean, this isn't that type park, I don't  
10 think. This isn't a campground.

11 So I think a lot of that stuff's going to be up to  
12 the developer what their market and what their niche  
13 they're wanting to entice to come in. And that would  
14 be solely at their discretion. It's not a county-run  
15 park so I don't think we can mandate whether they want  
16 million dollar motor homes or tiny, tiny RVs, so...

17 TOMMY DUNN: A fine line

18 there telling somebody they can't do something.

19 BRETT SANDERS: Right.

20 TOMMY DUNN: That lady back  
21 there in the red. Yes, ma'am.

22 **INAUDIBLE COMMENT FROM AUDIENCE**

23 TOMMY DUNN: No, ma'am. We  
24 can't -- we can't make -- the law will not let us go  
25 back. It'll be -- whatever this document, this  
26 ordinance, whatever we come up with, it'll go from that  
27 point forward.

28 **INAUDIBLE COMMENT FROM AUDIENCE**

29 TOMMY DUNN: Do what now?

30 GREG ELGIN: She's talking

31 about the land use. This really has nothing to do with  
32 the land use ordinance. This is just specifically for  
33 RV parks. So if that RV park meets that land use  
34 ordinance, then it would go to this ordinance next,  
35 once they decided to build an RV park. So with the  
36 land use ordinance, that's a totally separate deal from  
37 this. So if they meet the land use ordinance in the --  
38 if I'm correct -- the Planning Commission gives them a  
39 go-ahead in the land use ordinance, then when they  
40 decide to build the RV park, then they would fall under  
41 these requirements.

42 TOMMY DUNN: Mr. Youmans

43 may want to address this because I think we're getting  
44 a bit confused what the land use ordinance is.

45 HENRY YOUMANS: Okay. With

46 the land use -- back in 2016, the County Council  
47 adopted a comprehensive plan, which defined the land  
48 use for Anderson County, which is going to be renewed  
49 in 2026; that's a separate issue. So what this does if  
50 it is approved by the Planning Commission, it would be

1 approved for the areas that area zoned for commercial.  
2 So you're not going to put an RV park in the middle of  
3 a subdivision. You're not going to put it somewhere  
4 where commercial use is not allowed. So as far as the  
5 land use is concerned, if it is allowable under that  
6 chapter for the land use, then that's where it would be  
7 allowed before.

8 Now, we do have a lot of unzoned areas in Anderson  
9 County, which is something that we would need to  
10 address in 2026. But as of right now, if it meets the  
11 minimum standards then it would be allowed, pending if  
12 it's allowable for commercial use.

13 **INAUDIBLE COMMENT FROM AUDIENCE**

14 HENRY YOUMANS: So if -- as far as  
15 the application is concerned, if they have met all the  
16 other requirements that are required in that process,  
17 then it would move to the next step. So if they have  
18 not then if it so happens that this third reading of  
19 this ordinance is approved, it would fall under the new  
20 ordinance. So right now, whatever there is in place  
21 now, if it is approved, they would move forward that  
22 way if it does not make that deadline.

23 **INAUDIBLE COMMENT FROM AUDIENCE**

24 HENRY YOUMANS: That is  
25 correct.

26 **INAUDIBLE COMMENT FROM AUDIENCE**

27 HENRY YOUMANS: It would need  
28 to be approved by our department first to make sure it  
29 meets the standards before it gets to the Planning  
30 Commission. Because if it does not meet the standard,  
31 it would not go before the Planning Commission until  
32 they meet all those requirements to go before the  
33 Planning Commission to be approved or disapproved.

34 **INAUDIBLE COMMENT FROM AUDIENCE**

35 HENRY YOUMANS: Well, it's  
36 more than just zoning. It's more than just zoning  
37 because we have to make sure based on designs that we  
38 look at for subdivisions and other commercial projects  
39 or residential projects, that it meets those standards  
40 based on the proposal of the developer. So if  
41 something is not correct with stormwater, does not meet  
42 the buffer requirements, if it does not meet other  
43 requirements that are mandated now in the ordinance,  
44 then those things have to be addressed before it moves  
45 to the next step.

46 TOMMY DUNN: Mr. Bennett.

47 **INAUDIBLE COMMENT FROM MR. BENNETT**

48 TOMMY DUNN: That's the  
49 process we're in now. We're just now starting. We  
50 ain't saying this is a dead thing. We're having a

1 discussion on it tonight and we're going to move on to  
2 the next -- whatever that next level is. This is a  
3 work in progress.

4 **INAUDIBLE COMMENT FROM MR. BENNETT**

5 TOMMY DUNN: Yep. But I  
6 want to hear -- I want to hear what everybody's got to  
7 say. Anything else on this page? Yes, ma'am?

8 **INAUDIBLE COMMENT FROM AUDIENCE**

9 TOMMY DUNN: Uh-huh.  
10 (Affirmative response)

11 MS. HUNTER: (Inaudible)  
12 Hunter, District 5. And on enforcement, I guess my  
13 concern -- I hear you say that maybe it's not yet fully  
14 defined, but do you plan to include it in this  
15 ordinance and have it spelled out in writing?

16 TOMMY DUNN: Yeah. Who  
17 will be doing it. It will be spelled out somewhere  
18 who's going to do it and that thing, yes, ma'am.

19 MS. HUNTER: Okay. And  
20 then that -- and so if somebody had a question on it  
21 five years down the road, ten years down the road, if  
22 it turns into a junk RV park, which could happen, then  
23 somebody can call a particular department for  
24 enforcement?

25 TOMMY DUNN: That's right.

26 MS. HUNTER: Thank you.

27 TOMMY DUNN: Moving to the  
28 next page. Anyone got any comments on this page?  
29 Questions? Concerns?

30 JOHN WRIGHT: Mr. Chairman?

31 TOMMY DUNN: Councilman  
32 Wright?

33 JOHN WRIGHT: I do want to  
34 point out one part in the approval process, which I  
35 like. It says if the Planning Commission should  
36 disapprove the plan, the reasons for such actions shall  
37 be stated and recommendations made for plan approval.

38 And so I just want to make sure I understand this  
39 right, Mr. Youmans. So there can't just be an  
40 ambiguous no, we're going to turn it down because we  
41 don't like it because -- there's got to be we're  
42 turning down, these are the reasons why, and here are  
43 some suggestions that would get it approved; is that  
44 correct?

45 HENRY YOUMANS: That's  
46 correct. Because the process that we have now should a  
47 project coming before the Planning Commission and be  
48 denied, it has to be specific reasons, other than the  
49 general reason that are stated in the ordinance. That  
50 way if that developer comes back before the Planning

1 Commission and doesn't opt to file an appeal, he can  
2 address those deficiencies that the Planning Commission  
3 stated before that they thought would work better than  
4 the original design. Yes, sir.  
5 TOMMY DUNN: And that's on  
6 -- and Mr. Harmon, that's on any development, not just  
7 an RV park. That could be on a subdivision thing  
8 because we've got rulings in courts throughout the  
9 state right now about that. Judges are wanting a  
10 reason why something's one way or the other?  
11 LEON HARMON: That's  
12 correct, Mr. Chairman.  
13 TOMMY DUNN: Yes, sir.  
14 JOHN WRIGHT: Thank you.  
15 TOMMY DUNN: Ms. Wilson.  
16 CINDY WILSON: This brings up  
17 a good point that I spoke with Mr. Harmon earlier today  
18 about when it says conditionally approve. I think we  
19 may need to define that because some of the votes that  
20 we took on one project, I continued to point out we  
21 need a really good buffer and much stronger landscaping  
22 for this specific project, because it's right across  
23 the road from really nice residential property. And  
24 then come to find out, there was no way to enforce it.  
25 And only a few twigs are visible from the road.  
26 So conditionally approve, I hope we can define that  
27 better and have some way to have some teeth in our  
28 ordinance on that. Thank you.  
29 TOMMY DUNN: Thank you.  
30 Anyone else? Yes, sir.  
31 **INAUDIBLE COMMENT FROM AUDIENCE**  
32 TOMMY DUNN: On RV parks,  
33 it's my understanding -- y'all correct me if I'm wrong  
34 -- anything's got to be before the Planning Commission.  
35 **INAUDIBLE COMMENT FROM AUDIENCE**  
36 TOMMY DUNN: Yes, sir.  
37 Anyone else? Mr. Harmon, did you take notes of Ms.  
38 Wilson's concern?  
39 LEON HARMON: Ms. Wilson and  
40 I spoke about that today. I just haven't had time yet  
41 to look into that.  
42 TOMMY DUNN: Yes, sir. I  
43 understand.  
44 Moving on to page 5. Any council member have  
45 questions, comments? Anybody out there?  
46 **INAUDIBLE COMMENT FROM AUDIENCE**  
47 TOMMY DUNN: Can you do a  
48 little bit better on that, Kris? How about that?  
49 **INAUDIBLE COMMENT FROM AUDIENCE**  
50 TOMMY DUNN: Yes, ma'am.

1                   **INAUDIBLE COMMENT FROM AUDIENCE**

2                   TOMMY DUNN:   I'm sorry.

3       Adequate what now?

4                   JOHN WRIGHT:                                       Sewer.

5                   TOMMY DUNN:                                       Sewer?

6                   JOHN WRIGHT:                                       Yes, sir.

7                   TOMMY DUNN:                                       Sewer's got to

8       be -- yeah, that would have to come under -- that's

9       going to be a state requirement, yes, ma'am, somewhere

10      about handling that I would think, yes, ma'am.

11                   **INAUDIBLE COMMENT FROM AUDIENCE**

12                   TOMMY DUNN:                                       Yes, all of

13      that would have to be approved. All that stuff would

14      come in before staff before it was handed over to --

15      for the Planning Commission. They would have to have

16      that spelled out and approved. Yes, ma'am.

17      Yes, ma'am.

18                   **INAUDIBLE COMMENT FROM AUDIENCE**

19                   TOMMY DUNN:                                       I wouldn't say

20      in place, but they're going to have to have approval.

21      That's what staff does on things. I mean, you know,

22      like developments now, staff has to sign-off and see

23      that this is going to be done or that's going to be

24      done. And there's a whole different thing now about

25      fire hydrants.

26                   **INAUDIBLE COMMENT FROM AUDIENCE**

27                   JOHN WRIGHT:                                       Mr. Chairman?

28                   **INAUDIBLE COMMENT FROM AUDIENCE**

29                   JOHN WRIGHT:                                       That's all

30      addressed later on.

31                   TOMMY DUNN:                                       Mr. Wright's

32      going to say something?

33                   JOHN WRIGHT:                                       If I could,

34      Mr. Chairman, I was just going to address a little bit.

35      All of that is covered in section 12 on page 9, which I

36      think is one of the last sections. I don't know if you

37      wanted to hold on --

38                   TOMMY DUNN:                                       Thank you.

39      Yes, sir.

40                   HENRY YOUMANS:                                   And just to

41      speak on Duke Power, Duke Energy's portion of that.

42      They regulate that. They have jurisdiction over that.

43      So they will let them know up front if that is -- if

44      that is capable for them to do. And if it's not, then

45      they would have to do something as far as project

46      development is concerned. Because Duke Power mandates

47      that. DHEC is going to make sure if there's going to

48      be a septic system, they're going to look at that whole

49      property, make sure it perks and make sure the system

50      that they're willing to do fits. And they handle all

1 of that. If doesn't, then it doesn't move forward.

2 **INAUDIBLE COMMENT FROM AUDIENCE**

3 HENRY YOUMANS: No, no.

4 **INAUDIBLE COMMENT FROM AUDIENCE**

5 HENRY YOUMANS: No, nope.

6 What we do when we have projects that are presented  
7 to our department is that we look at what the minimum  
8 design is. And they should have at some point given us  
9 enough information so that we can look at what the  
10 power output would be, or what that maximum capacity  
11 is, but then we defer that to Duke and to DHEC. And  
12 then they will let them know, well, that's not possible  
13 for the number of units that you want, but if you scale  
14 it back to this, then that would work, so...

15 **INAUDIBLE COMMENT FROM AUDIENCE**

16 HENRY YOUMANS: Right.

17 TOMMY DUNN: And that's not  
18 just Duke Power neither. We've got several, several  
19 electric companies in Anderson County.

20 Mr. Bennett.

21 **INAUDIBLE COMMENT FROM AUDIENCE**

22 TOMMY DUNN: That's right  
23 at this time. But all of that has to be approved  
24 before that subdivision or RV park or whatnot moves  
25 forward.

26 **INAUDIBLE COMMENT FROM AUDIENCE**

27 TOMMY DUNN: That's right.

28 Yes, ma'am.

29 CINDY WILSON: Mr. Chairman?

30 TOMMY DUNN: Let me get

31 this lady back here. Yeah. Go ahead. Go ahead.

32 **INAUDIBLE COMMENT FROM AUDIENCE**

33 CINDY WILSON: I cannot hear  
34 her.

35 TOMMY DUNN: Come down.

36 FEMALE: I was trying  
37 not to waste time there, but on page 3 where you talk  
38 about preliminary park plan, it says that there's a  
39 sketched park plan that's required and you list some  
40 items that are required in there. But nowhere in there  
41 do you list any detail or dimensions that are required,  
42 be it a scale or, you know, what the width of that road  
43 is going to be. What the width of each of those spaces  
44 are going to be.

45 TOMMY DUNN: All of that is  
46 in there. I'll let Mr. Youmans speak to that. It  
47 might not be in this thing, but it's in that thing that  
48 his staff's going to -- he and the staff's going to  
49 look at before anything's approved.

50 FEMALE: And on that

1 note -- and again, no disrespect.

2 TOMMY DUNN: Uh-huh.

3 (Affirmative response)

4 FEMALE: I truly

5 understand that developers don't want to spend a bunch  
6 of money before they're going to get approved, but I  
7 think some dimension would be really good. And if you  
8 look at -- I've looked at a lot of area counties on  
9 their RV ordinances. And it says that they do have to  
10 be approved by, you know, what is it, a state -- South  
11 Carolina state approved survey or something. And if  
12 other counties are requiring it, wouldn't that be a  
13 good thing that exactly what you're putting up there is  
14 what you're going to get? Because if you do it very  
15 loosely -- and, again, I mean, according to that, I  
16 could put it on a napkin --

17 TOMMY DUNN: No, ma'am.

18 He's fixing to explain this to you if you'll let him?

19 FEMALE: Okay. Thank

20 you.

21 HENRY YOUMANS: Basically,  
22 what a sketch plan is a plot layout that is done by a  
23 licensed surveyor for the State of South Carolina. So  
24 you just cannot draw something out not to scale. So  
25 that has to be drawn out by a surveyor that has  
26 actually looked at the property, looked at how the  
27 developer wants to do the proposed layout for the  
28 project. Then, once it is approved, like Mr. Bennett  
29 said, it goes through that process. Then it goes to  
30 the developer with the engineer looking at the actual  
31 amenities and everything they want to put inside that  
32 plot plan.

33 But you cannot -- I will give a good example. An  
34 individual submitted something several months ago.  
35 Doing -- did it himself. Tried to do the best job he  
36 could because he didn't want to spend the money for an  
37 engineer, and he was denied. So --

38 **INAUDIBLE COMMENT FROM AUDIENCE**

39 HENRY YOUMANS: A surveyor.

40 TOMMY DUNN: Surveyor.

41 HENRY YOUMANS: Someone who

42 would do a plot plan survey.

43 **INAUDIBLE COMMENT FROM AUDIENCE**

44 HENRY YOUMANS: A surveyor  
45 does all of that within their expertise. So it would  
46 have scale. It would show distances. It would have  
47 all of that information on there based on the property  
48 that they're proposing for the project.

49 **INAUDIBLE COMMENT FROM AUDIENCE**

50 HENRY YOUMANS: It's already

1 in our ordinance. In the commercial land use and  
2 commercial projects. And for --

3 **INAUDIBLE COMMENT FROM AUDIENCE**

4 HENRY YOUMANS: Well, we could  
5 refer to that. If I'm not mistaken it does reference  
6 that ordinance that's already on the books.

7 **INAUDIBLE COMMENTS FROM AUDIENCE**

8 TOMMY DUNN: Ms. Wilson.

9 CINDY WILSON: Thank you. I

10 think it's pretty obvious that we have a lot of  
11 confusion between a conceptual-type plan presented to  
12 the Planning Commission and then the construction plan.  
13 We had this come up, and Mr. Youmans missed that fun  
14 meeting Friday, between a developer and a neighborhood.  
15 They had met numerous times. I had attended with them.  
16 And the developer didn't know there was a creek on each  
17 side of the property. Part of it was within what he  
18 was purchasing. And they were wanting to switch zoning  
19 from commercial to the high-density condo development.  
20 And the neighborhood agreed to it if he would flip the  
21 higher quality units over to their side and do proper  
22 buffering. And it didn't happen that way, and we got a  
23 lecture on the difference between the conceptual plan  
24 and the construction plan.

25 So this goes back to one of the issues that we have  
26 of what people agree that they will approve and support  
27 the rezoning, or what have you, and then it doesn't  
28 quite play out that way. Then we have some very  
29 unhappy citizens and unhappy developers.

30 So I don't know if there's a way to make that a  
31 little clearer, but I think it would save a lot of  
32 heartache later. Those are just my observations.

33 JIMMY DAVIS: Mr. Chair, if  
34 I may?

35 TOMMY DUNN: Mr. Jimmy  
36 Davis, Councilman Davis.

37 JIMMY DAVIS: Mr. Youmans,  
38 on the last sentence there on page 5, it says when the  
39 permit to operate a RV park has been revoked -- we  
40 don't have a business license in Anderson County or  
41 business registration, but what would cause us to  
42 revoke a permit? Or do we have -- we don't -- do we  
43 even have a permit? I'm not sure.

44 HENRY YOUMANS: Currently,  
45 right now, we give what's called a commercial land use  
46 permit.

47 JIMMY DAVIS: Okay.

48 HENRY YOUMANS: Which is  
49 permitting for that particular use. If you violate  
50 that use that was permitted for or you violate anything



1 that was conditionally approved for that, we take that  
2 permit and you no longer have the right to use --

3 JIMMY DAVIS: Perfect.

4 Thank you.

5 **INAUDIBLE COMMENT FROM AUDIENCE**

6 HENRY YOUMANS: Currently,  
7 it's done through Building & Codes because they are the  
8 code enforcement. In our department if we receive a  
9 complaint from a resident or neighborhood about some  
10 type of activity, we post it in our cartograph system.  
11 It is investigated and we make sure that it is still  
12 maintaining the same use.

13 JIMMY DAVIS: A perfect  
14 example of that would be somebody that has a barn for  
15 agricultural use and they decide to make it a wedding  
16 venue, they can get shut down. So that's kind of an  
17 example of that.

18 TOMMY DUNN: Yes, sir.

19 **INAUDIBLE COMMENTS FROM AUDIENCE**

20 TOMMY DUNN: Just wait a  
21 minute -- I'll let --

22 **INAUDIBLE COMMENT FROM AUDIENCE**

23 TOMMY DUNN: Wait just a  
24 minute. I'll let Mr. Youmans speak on that. But  
25 there's a state law about what -- how much land and who  
26 regulates that. How much land can be cleared at one  
27 time. If I'm not mistaken, I think it's two acres, you  
28 got to get a permit.

29 HENRY YOUMANS: Anything more  
30 than two acres has to have a grading permit. Now, we  
31 do not stop a property owner's right --

32 TOMMY DUNN: That's right.

33 HENRY YOUMANS: -- to make his  
34 property more presentable. So if the property owner  
35 clears that land on his own behalf, we have no control  
36 over that because we can't tell a property owner you  
37 can't clear your land because you're trying to sell  
38 this property. That's his option.

39 TOMMY DUNN: If he's got  
40 the proper permits and that's permitted through the  
41 state --

42 HENRY YOUMANS: Anything over  
43 two acres, he has to get a grading permit and we have  
44 to make sure that it's going to be done properly and  
45 it's going to be -- it's going to be not only inspected  
46 by Stormwater, but other individuals will check to make  
47 sure that it's going to be done the way it's supposed  
48 to be based on that permit.

49 **INAUDIBLE COMMENT FROM AUDIENCE**

50 HENRY YOUMANS: You can do a

1 FOIA request. Most of the information is available.  
2 Approvals now, we do have that information online for  
3 the Planning Commission. But FOIA requests, you know  
4 the property address or the tax map number, you can  
5 find out about any permits for any property.

6 **INAUDIBLE COMMENT FROM AUDIENCE**

7 JIMMY DAVIS: Mr. Youmans,  
8 you might want to sit closer. You're getting your  
9 steps in today.

10 TOMMY DUNN: Yeah.

11 BRETT SANDERS: (Inaudible.)

12 TOMMY DUNN: That's right.

13 And that's -- again, that's state law because that  
14 falls under a different thing. It falls under --  
15 whether it is or not, they can say it's timber. It  
16 becomes a whole different thing.

17 Yes, ma'am.

18 **INAUDIBLE COMMENT FROM AUDIENCE**

19 TOMMY DUNN: Uh-huh.  
20 (Affirmative response)

21 **INAUDIBLE COMMENT FROM AUDIENCE**

22 TOMMY DUNN: I'll let Mr.  
23 Youmans, again, speak to that.

24 HENRY YOUMANS: As far as  
25 zoning or changing the land use, period?

26 **INAUDIBLE COMMENT FROM AUDIENCE**

27  
28 HENRY YOUMANS: Right.

29 **INAUDIBLE COMMENT FROM AUDIENCE**

30 HENRY YOUMANS: Okay. First  
31 question -- last question first. So your property is  
32 residential?

33 FEMALE: It is.

34 HENRY YOUMANS: You want to  
35 make it commercial. That requires a commercial land  
36 use because you're changing the use from residential to  
37 commercial. We look at the history of that property to  
38 see if that is possible. If we say that you cannot  
39 make it a commercial use, then you cannot make it a  
40 commercial use. So that would prohibit you from doing  
41 anything commercially to that property, unless you were  
42 going to develop it as a residential use.

43 **INAUDIBLE COMMENT FROM AUDIENCE**

44 HENRY YOUMANS: Okay.

45 **INAUDIBLE COMMENT FROM AUDIENCE**

46 HENRY YOUMANS: Correct.

47 **INAUDIBLE COMMENT FROM AUDIENCE**

48 HENRY YOUMANS: I'm kind of  
49 familiar with Big Water. That would depend if that was  
50 something that was negotiated with that owner, if that

1 was something that he was trying to do to put in a  
2 system at that property, because if they go and they  
3 say, look, we already have stormwater in place trying  
4 to get the approval, then we would not have anything to  
5 do as far as that's concerned unless they go through  
6 the process with us. So if somebody wants to do that  
7 without -- on their own property to try to upgrade it,  
8 they still would have to get those permits. They would  
9 have through Stormwater. If Stormwater approves it,  
10 they would continue to monitor it to make sure that  
11 they're doing what they're supposed to do.

12 **INAUDIBLE COMMENT FROM AUDIENCE**

13 HENRY YOUMANS: Right.

14 **INAUDIBLE COMMENT FROM AUDIENCE**

15 HENRY YOUMANS: Well, once  
16 again, the property owner's rights, so we kind of stay  
17 out of it.

18 **INAUDIBLE COMMENT FROM AUDIENCE**

19 HENRY YOUMANS: That's a  
20 property owner's right. If he decides that he wants to  
21 do that, that is his right.

22 **INAUDIBLE COMMENT FROM AUDIENCE**

23 HENRY YOUMANS: That's not  
24 correct. I'm not saying that. What I'm saying is that  
25 he's got it in place, but it still may not pass. So he  
26 would just have -- he would just have a very expensive  
27 improvement on his property, but he would not get any  
28 use out of it. So what that process would be moving  
29 forward would be -- the normal way you would do it, is  
30 to go through the process and follow all the  
31 guidelines. A lot of people like to circumvent, skip  
32 parts, go around and do things differently that they  
33 think is going to help them and assist them with their  
34 project. And the Planning Commission is the ultimate  
35 yes or no. So if they say, well, that's great that  
36 you've done all these improvements. No. So it's this  
37 -- that's just going to be there.

38 TOMMY DUNN: Anybody else?  
39 Anything on this page 5?

40 Item number -- page 6 --

41 CINDY WILSON: Mr. Chairman,  
42 excuse me.

43 TOMMY DUNN: Yes, ma'am.

44 CINDY WILSON: Going back to  
45 division 5, notices, hearings and orders, the permit  
46 office is our Planning Department, correct?

47 TOMMY DUNN: Yes, ma'am.

48 CINDY WILSON: Okay. Thank  
49 you.

50 TOMMY DUNN: Anything on

1 item -- page 6?  
2 JOHN WRIGHT: Mr. Chairman?  
3 TOMMY DUNN: Councilman  
4 Wright.  
5 JOHN WRIGHT: Under  
6 accessory use and amenities, we currently have a clause  
7 in there, these shall be placed no closer than 150 feet  
8 from the exterior park boundary. I brought something  
9 up in our Planning & Public Works Committee meeting. I  
10 would like for us to revisit that. I think that's too  
11 big a buffer, frankly. And I'd like to see us have  
12 some conversation over reducing that buffer.  
13 TOMMY DUNN: From what --  
14 JOHN WRIGHT: From 150 --  
15 TOMMY DUNN: From where the  
16 amenities are?  
17 JOHN WRIGHT: From where the  
18 property line is, yes, sir.  
19 TOMMY DUNN: From the  
20 amenities?  
21 JOHN WRIGHT: Well, this is  
22 just from -- this says, I think you can't place  
23 anything -- RV spaces, recreational facilities, common  
24 facilities, bath, boat houses, admin or management  
25 within that 150 buffer from the park boundary, so...  
26 TOMMY DUNN: Okay.  
27 BRETT SANDERS: (Inaudible.)  
28 JIMMY DAVIS: You know, I  
29 think, too, it could be a natural barrier in place that  
30 could take the place of that, and that area could be  
31 reduced. I mean -- or, if in the case of some other  
32 parks we've seen, they've put some real nice fencing  
33 up. And so, I mean -- I mean, I think it's important  
34 to make sure that we don't -- that we give them access  
35 to as much property as we can while obviously having  
36 some type of buffer. But I think when there's natural  
37 barriers or the developer chooses to leave a thick row  
38 of trees or something like that -- I think there needs  
39 to be some point of concession in there for that is the  
40 way I looked at it.  
41 BRETT SANDERS: (Inaudible)  
42 each property is going to be different. So I mean, you  
43 put a blanket thing out. What if this property you go  
44 up a hill and then you turn and go down, it's all by  
45 itself in the middle of nowhere. And it's already got  
46 natural buffers or the topography of the land lays out  
47 different. I mean, there's a lot of things that I  
48 think the property itself, the surrounding area -- if  
49 there's a neighborhood right next door to it that --  
50 boundaries. I mean, there's things that need to be

1 looked at objectively, as well, instead of just trying  
2 to blanket it all under one thing.

3 JOHN WRIGHT: And that's one  
4 thing I thought about, too, is maybe you look at the  
5 adjoining use or something. And it might -- if it is a  
6 neighborhood then maybe it needs to be a little bit  
7 bigger buffer. But, you know, I just think that  
8 having, you know, rather than carte blanche, just  
9 leaving some room for common sense in here would be to  
10 our advantage. So I would like for us just to revisit  
11 that.

12 TOMMY DUNN: Okay.  
13 Leon, are you making a note of these?

14 BRETT SANDERS: And I -- if  
15 you look on here with the buffers and then I read in  
16 here, you know, say I'm going to do an RV park. It  
17 says the minimum -- the minimum is 10 by 35. That's  
18 350 square feet. And then you've got in there no more  
19 than six per acre. Well, an acre is 43,560 feet, six  
20 at 350 is 2100. So I'm .05. So what am I supposed to  
21 do with the other 99.95 percent of my property?

22 JIMMY DAVIS: Is that on  
23 page 6 or was it -- what --

24 BRETT SANDERS: It goes back  
25 under the buffers.

26 JIMMY DAVIS: Okay.  
27 BRETT SANDERS: Is the way I'm  
28 looking.

29 JOHN WRIGHT: Yeah.  
30 BRETT SANDERS: I mean, we've  
31 got things that just totally contradicts itself in  
32 here. And I don't -- I don't understand what we're  
33 trying to accomplish. I mean is it going to be six per  
34 acre? If it's six per acre with a 20 percent buffer  
35 and you've got minimum 10 by 35, you've got 99 percent  
36 of the property just sitting there being wasted and --

37 TOMMY DUNN: Well, you've  
38 got to keep in mind, and I'm not arguing with you, but  
39 on some of that you've got to have roads.

40 BRETT SANDERS: Well, it's not  
41 99 percent.

42 TOMMY DUNN: No, but you  
43 got --

44 BRETT SANDERS: You've got a  
45 24 foot road with one way in the one way out.

46 TOMMY DUNN: That's another  
47 thing.

48 BRETT SANDERS: That's another  
49 problem I think.

50 JIMMY DAVIS: Mr. Youmans,

1 if I may ask you. Does DHEC -- if this is on a septic  
2 system, does DHEC regulate how many spots could be on  
3 --

4 BRETT SANDERS: Based on  
5 (Inaudible).

6 JIMMY DAVIS: I know on  
7 homes, DHEC regulates the square footage. But if this  
8 thing's on a septic, is there any state DHEC regulation  
9 on --

10 HENRY YOUMANS: They do have a  
11 minimum. And it would fall under what the current  
12 trailer park model is for what that ordinance states.  
13 So it would reference back to that part of that  
14 ordinance based on what DHEC would approve for that.

15 JIMMY DAVIS: It might be  
16 good to have that in there, along -- because some of  
17 them are going to be on sewer, some of them are going  
18 to be on a septic. And we need to, I guess,  
19 differentiate between the two.

20 JOHN WRIGHT: I think we've  
21 got six per acre on septic and on sewer, then the sewer  
22 authority would basically determine how many units per  
23 acre.

24 HENRY YOUMANS: Correct.

25 JOHN WRIGHT: I believe  
26 that's how it's currently stated.

27 HENRY YOUMANS: It would  
28 determine how many taps they would be able to run. So  
29 that would be up to the sewer provider what they would  
30 provide. And based on that, that would determine how  
31 you would do the number of spaces within that proposed  
32 project.

33 CINDY WILSON: There's also  
34 the factor of grading up to adjoining property lines  
35 that we need to consider and make sure there's an  
36 adequate buffer there.

37 JIMMY DAVIS: Well, we're  
38 getting there.

39 I've got a question on -- we talk about a park  
40 attendant must be on duty at the park at all times.  
41 And that's fine. I think there's got to be leeway in  
42 there if they've got a doctor appointment or whatever  
43 they've got to go to. But down below we talk about a  
44 caretaker residing in the park. One place we call it  
45 attendant. The other place we call it a caretaker.  
46 Shouldn't we be consistent with what we title this  
47 person as.

48 And, also it says administrative park office. It's  
49 got to have -- it's required to have an administrative  
50 office. But if the caretaker's residing in the park,

1 then can that be used at the administrative office? I  
2 think we've got to clarify that somewhere along the  
3 way.  
4 TOMMY DUNN: Bring that  
5 down, Kris. I was telling Kris to bring it down so we  
6 can see it.  
7 JIMMY DAVIS: He's got to go  
8 back over there to the steering wheel.  
9 TOMMY DUNN: Bring it down.  
10 No, the other way. The other way.  
11 KRIS: That way?  
12 TOMMY DUNN: Yeah.  
13 **INAUDIBLE COMMENT FROM AUDIENCE**  
14 TOMMY DUNN: Well, I think  
15 that's what we are having these discussions tonight for  
16 to -- not to finalize nothing, but to take it on to the  
17 next thing. We have to figure this out, what do we  
18 want.  
19 BRETT SANDERS: And who's  
20 going to monitor that. Is the sheriff's department  
21 going to monitor that?  
22 TOMMY DUNN: That, again,  
23 would be the people that monitors stuff now as far as  
24 compliance people or the --  
25 JIMMY DAVIS: Code  
26 Enforcement?  
27 TOMMY DUNN: Staff or what  
28 not, pulling permits.  
29 BRETT SANDERS: They're not  
30 working 24 hours a day. So are they just go in there  
31 and say, hey, that guy left. And he's going to go, no  
32 -- or the lady -- oh, no, I was here. I was here. So  
33 now what?  
34 TOMMY DUNN: Get them the  
35 next time when they come in. Nobody's going to be --  
36 BRETT SANDERS: I think it's  
37 --  
38 TOMMY DUNN: You're not  
39 going to be able to call somebody that night and get  
40 somebody out there.  
41 BRETT SANDERS: Yeah.  
42 TOMMY DUNN: I mean, that's  
43 -- that's getting a little bit ridiculous.  
44 Go ahead.  
45 **INAUDIBLE COMMENT FROM AUDIENCE**  
46 JIMMY DAVIS: Kris, you  
47 going to come back --  
48 **INAUDIBLE COMMENT FROM AUDIENCE**  
49 JIMMY DAVIS: It may -- they  
50 may have a caretaker that lives there.

1                   **INAUDIBLE COMMENT FROM AUDIENCE**  
2           TOMMY DUNN:                               Yeah.  
3                   **INAUDIBLE COMMENT FROM AUDIENCE**  
4           GREG ELGIN:                               Yeah, those  
5 are mostly retired people that are living there. And I  
6 know they usually -- they don't always have two.  
7 There's usually always one. But a husband and wife  
8 type team, if the husband has to go somewhere and the  
9 wife kind of hangs around or whatever. But, yeah, I  
10 know they usually have two, but not always have two --  
11           TOMMY DUNN:                               Yes, ma'am.  
12                   **INAUDIBLE COMMENT FROM AUDIENCE**  
13           JIMMY DAVIS:                              I can't hear  
14 you.  
15           CINDY WILSON:                             We can't hear  
16 you.  
17           TOMMY DUNN:                               Come on up.  
18           FEMALE:                                    I was going to  
19 say, do you want to limit yourself to one caretaker?  
20 And I'm not saying that it always needs more than one,  
21 but if somebody is actually hiring them versus a  
22 volunteer, the way the Corps does it, you can't have  
23 somebody working 24/7.  
24           TOMMY DUNN:                               Well --  
25           BRETT SANDERS:                            That's just  
26 saying --  
27           TOMMY DUNN:                               That's just  
28 one person's got to be there. That don't mean he can't  
29 hire -- I can hire Mr. Elgin here and he's the only one  
30 I can hire. It's one person to be on-site is what the  
31 intent is.  
32           GREG ELGIN:                               Yeah, if they  
33 want to work shifts or --  
34           FEMALE:                                    Right there  
35 you say RV parks are allowed to have one caretaker to  
36 reside.  
37           TOMMY DUNN:                               Yeah.  
38           FEMALE:                                    So you  
39 couldn't have two caretakers reside on the park?  
40           TOMMY DUNN:                               We wouldn't  
41 care if -- we wouldn't care if he had 10. We're trying  
42 to say the minimum would be one. But it can't be -- it  
43 can't be the same person is what I'm saying.  
44           FEMALE:                                    So it was just  
45 a suggestion. To me it reads that you can only have  
46 one. Maybe I'm the only one that --  
47           JIMMY DAVIS:                               Well, we don't  
48 want him having 10, because then you'd have 10 people  
49 living there.  
50           JOHN WRIGHT:                              And I think



1 the point --  
2 FEMALE: You want to  
3 put --  
4 JOHN WRIGHT: I think the  
5 point of emphasis there is that it'll be the only  
6 permanent residential structure in the RV -- I think  
7 that's really what it's trying to communicate, is that  
8 you only get that one permanent structure for the  
9 caretaker. Outside of that --  
10 BRETT SANDERS: -- employee  
11 they can have ---  
12 JOHN WRIGHT: There you go.  
13 BRETT SANDERS: You could have  
14 five different employees there in that 24 hour period.  
15 FEMALE: I was just  
16 offering that maybe it could be more.  
17 BRETT SANDERS: Sure.  
18 FEMALE: While I'm up  
19 here, too, on that same page, under general operations  
20 for permanent habitation, you say that it can only be  
21 there for two months. So if I'm in an RV space, could  
22 I move to another RV space for another two months?  
23 TOMMY DUNN: I think what  
24 it says with intent. Now, you can get things out of  
25 line, but the intent of this is nobody -- it ain't that  
26 RV, I don't think can't be there. It's that person  
27 can't stay in that RV. You could take that RV there,  
28 stay there year round. But nobody's supposed to live  
29 in it but for two months at a time.  
30 FEMALE: So can I go  
31 stay at the Sam's Club for a night or two and then come  
32 back --  
33 TOMMY DUNN: That's right.  
34 Sure could.  
35 FEMALE: That would be  
36 allowed?  
37 TOMMY DUNN: That's right.  
38 HENRY YOUNG: Let me clarify  
39 one point. So if a developer proposes a project and in  
40 his amenities that he proposes for this RV park that he  
41 is going to provide for a permanent person to stay,  
42 that is part of what he wants to offer in that park.  
43 What this minimum standard says that you may have one  
44 person there, but if the developer wants to go beyond  
45 that, then that's fine.  
46 And as far as the comment that you just made, that  
47 depends on how the developer wants to develop his  
48 property. He may want to sell spaces for a certain  
49 amount of money. He may come up with a horizontal  
50 property regime and establish that. He may have

1 restrictions or covenants. We would not govern that,  
2 but that would be what he would offer to get  
3 individuals to come into that park. So that's like  
4 extra services that he would provide, and those  
5 services would be a part of what he would want to give  
6 and to get the project approved. So if he says that  
7 I'm going to have a full-time person here that's going  
8 to be on-site that's going to manage this, this, and  
9 this, then if it is approved then the expectation is  
10 that person's going to be there and do this, this, and  
11 this. And if it's not, then there'll be some  
12 consequences because that basic approval was based on  
13 the fact that he was providing a particular service.

14 So what we're just trying to do with the minimum  
15 standards is say that you may -- you may have someone  
16 there. It just depends on what the developer, his plan  
17 is, what he wants to offer to get the project to where  
18 he feels like it would be a good project for the  
19 community, a good project for the county, and  
20 ultimately be a good project where he could make money,  
21 so...

22 **INAUDIBLE COMMENT FROM AUDIENCE**

23 TOMMY DUNN: That's  
24 something to think about. I'll look at it. I will.  
25 Yes, sir.

26 **INAUDIBLE COMMENT FROM AUDIENCE**

27 TOMMY DUNN: No, I don't  
28 think so.

29 **INAUDIBLE COMMENT FROM AUDIENCE**

30 TOMMY DUNN: That's what --  
31 we ain't got nothing now. Yeah, we're trying to make a  
32 distinction. We've got something for a trailer park.  
33 We ain't got it for RV parks and that's what we're  
34 trying to come up. Yes, sir.

35 **INAUDIBLE COMMENT FROM AUDIENCE**

36 TOMMY DUNN: Might not be  
37 doing too good of a job right now, but that's what  
38 we're trying to accomplish. We don't have nothing for  
39 RV parks and we're trying to come up with something.  
40 We do have something for trailer parks.

41 HENRY YOUNG: Currently what  
42 the -- is going on right now in this region is that  
43 there is a over -- the RV park model is what is the  
44 item people want to development and what they're  
45 promoting. So we're trying to be proactive and put  
46 something in place. It's not going to be a trailer  
47 park. It's never going to be a trailer park under any  
48 circumstance, because that is a totally different set  
49 of regulations. We're going to make sure that for the  
50 RV park model, it's going to be exactly what an RV park

1 is. It's not going to be anything else but that. And  
2 if you violate that, once again, you'll get your land  
3 use permit revoked. And that code enforcement officer  
4 that the Chairman is talking about would enforce that.

5 So we're just trying to make sure -- because it  
6 makes our job easier because right now, this is -- this  
7 is what we've got going on in Anderson County right  
8 now. We hear -- we receive eight to 10 RV park  
9 proposals a month. A lot of them don't make it to the  
10 Planning Commission because it has not been well  
11 thought out. This give us a guideline to say if you  
12 don't make -- you don't match any of these  
13 requirements, please don't submit it, because you need  
14 to make sure that you're meeting what our ordinance,  
15 proposed ordinance is stating. Right now we are trying  
16 to do the best we can because we have nothing concrete.

17 Other communities, other counties basically have  
18 the same problem because they're not able to define how  
19 they want to define this and they want to regulate it.  
20 And we want to make sure that we do it right because we  
21 don't want something from another county coming in  
22 because we don't have any regulations that we can go to  
23 Anderson and we can do anything.

24 So we are trying to do this. And I commend the  
25 chair and the council on this because in the original  
26 draft -- and I understand what the confusion is, this  
27 was a much stricter ordinance when we originally  
28 drafted it six months ago. It was very strict. We're  
29 trying to make it more palatable and more easy to start  
30 out with. And then if those things need to be  
31 reinforced or added, that ordinance can always be  
32 amended. So we want to make sure that we do those  
33 things, have these standards in place so we do not have  
34 any problems going forward. And then that would  
35 eliminate some of the things that we are receiving, and  
36 we're seeing now, some of the things that you're  
37 talking about where clear cutting is being done because  
38 people are trying to get on the next big thing, which  
39 they think is RV parks. Just like we're trying to deal  
40 with Airbnbs, same type of situation.

41 So as long as we come up with these type of  
42 situations where we can put an ordinance in place, give  
43 the council some teeth, give a law behind what we're  
44 trying to do, we can handle it and we can regulate it.  
45 But until we do that, it's going to be what you see and  
46 it's going to be what we constantly deal with everyday,  
47 because somebody's going to say, I just bought this  
48 property because the realtor told me it would make a  
49 great RV park, so that's what I want to do.

50 TOMMY DUNN:

Thank you.

1 This gentleman back here in the back. Yeah, you. Mr.  
2 Bennett.

3 **INAUDIBLE COMMENT FROM AUDIENCE**

4 TOMMY DUNN: Thank you.

5 Yes, ma'am.

6 **INAUDIBLE COMMENT FROM AUDIENCE**

7 BRETT SANDERS: My property  
8 line ends at my four stakes. And what my neighbor does  
9 -- his ends at his four stakes. I don't get involved.  
10 And if he's got 20 acres and he's going to do an RV  
11 park over there and it's for sale. If I don't want it,  
12 I go over there and buy his property. I mean, we've  
13 got property rights here. That's what I think we're  
14 failing to realize is -- I don't want an RV park. I  
15 don't want -- I'm content. I don't want anything, but  
16 it's not about me. It's about the citizens here. The  
17 taxpayers.

18 Mr. Bennett, how much taxes does that one you're  
19 talking about pay a year?

20 **INAUDIBLE COMMENT FROM AUDIENCE**

21 BRETT SANDERS: Over a half a  
22 million dollars. And that was agricultural land paying  
23 \$10 per acre. Seventy percent of that money is going  
24 to the schools. The rest of it goes to fire. Some of  
25 it goes to our roads. We've got a major problem with  
26 roads now. These developments is what's helping to  
27 fund us to pave your road.

28 And if that gas tax that we discussed, if it goes  
29 on a referendum, all these people -- 40 percent of that  
30 money is going to be generated from out of the county  
31 and out of state people to pave our roads. It's a  
32 million dollars a mile.

33 TOMMY DUNN: Moving on.

34 Anybody got anything else from page 7?

35 JIMMY DAVIS: Yes, sir, Mr.

36 Chair, if I may?

37 TOMMY DUNN: Yes, sir.

38 JIMMY DAVIS: You know, we  
39 talked a lot in committee and I wanted to bring this up  
40 about the entrances. And so talking with not only with  
41 you, Mr. Chairman, but Mr. Elgin and the other people  
42 that are involved in emergency services is, you know,  
43 in the RVing that I've done, a lot of RV parks only  
44 have one entrance because they want to keep it safe and  
45 secure. But if it becomes a rather large enterprise,  
46 and the way the road layouts are, one of the things we  
47 wanted to talk about tonight was should there be more  
48 than two entrances depending upon the size or should --  
49 I mean, how should we go about the entrance part?

50 And that's something I think we needed to figure

1 out in this workshop of how to tackle the entrance, you  
2 know. Right now, you see the way it's written, but is  
3 that -- is everybody okay with that or do we need to --  
4 GREG ELGIN: Probably my  
5 thing was if you put must only have one, with the  
6 exception of emergencies. And I understand we want to  
7 keep traffic to a minimum, which is fine. I mean, if  
8 we have more than one with -- and we want to keep that  
9 locked. But whoever's on-site or whoever the fire  
10 department -- responding fire department or whatever it  
11 is needs to have access to that. Because like I said  
12 if something does happen, everybody's coming out that  
13 one entrance --

14 JIMMY DAVIS: Right.

15 GREG ELGIN: -- so nobody  
16 can get in that one entrance. So we need -- we need a  
17 means of egress.

18 JIMMY DAVIS: What we  
19 thinking about, too, and Mr. Youmans, you may have some  
20 input on this. What we were thinking about, too, is  
21 making sure that that entrance is wide enough with wide  
22 -- because of RVs and their length, making sure that  
23 their entrances are designed and put something in here  
24 to say they need to be a certain width so that these  
25 campers can turn in and out and have plenty of room, if  
26 two of them need to come in and park while they're  
27 waiting on the attendant to check them in or whatever,  
28 to have enough room to do that. I think we need to  
29 address that in this. Is to say that, you know, the  
30 entrance of an RV park has to have something. Because  
31 these are going to be where people are going to be  
32 pulling in. Like, I had a 35-footer for a while. I  
33 mean, if you're pulling that in and out of somewhere,  
34 you've got to have some space. So, you know, you would  
35 think that if they're going to be successful in  
36 business they're going to do it the right way, and  
37 design it the right way.

38 But, you know, should we have as far as coming out  
39 on a road, whether it be county or state, should we  
40 have something in there saying it's got to have a wide  
41 enough entrance, turning area, that kind of thing. I'm  
42 just throwing some ideas out there because I think we  
43 needed some help on that part of it.

44 CINDY WILSON: What about  
45 having an emergency entrance in addition to the ingress  
46 and egress, daily ingress and egress. Would that help?

47 GREG ELGIN: Yeah. And  
48 that's what I said. Something even -- because I know  
49 we had the same discussion on the other one we were  
50 talking about. They had it on a main road. They were

1 going to move it to a side road, which is, you know, I  
2 would think it would be better to come in off of the  
3 side road. I know that's going to put more traffic on  
4 that road, but you're going to have way more wrecks  
5 coming in on a major road, trying to turn those things  
6 in. But maybe have an access point there where  
7 emergency vehicles can get in.

8 But we need to also -- need to have it big enough  
9 where a fire truck or -- fire truck and ambulance or  
10 whatever can get in and out without -- with all the  
11 campers in the spots.

12 BRETT SANDERS: Let's just  
13 take the size of the parcel could -- I mean, one way in  
14 and one way out is great on a two-acre tract. But if  
15 there's, you know, a big huge tract with multiple --  
16 you know, you're talking 300 or 400 sites in some of  
17 these places, you know, you need more than one way in  
18 and one way out.

19 JOHN WRIGHT: I propose we  
20 --

21 BRETT SANDERS: Maybe you  
22 could tie it to acreage of some sort --

23 JOHN WRIGHT: I think we  
24 ought to just strike it altogether and let each plan  
25 submitted be governed by what makes sense. I mean, to  
26 your point, Mr. Sanders, it could be a 10 lot or it  
27 could be a 500 lot. And I think we need to have some  
28 kind of an idea when this thing gets submitted and not  
29 just, again, be so dictatorial about what it's got to  
30 be, but rather leave some room for some common sense.  
31 I know the -- I don't know if certain -- if the state  
32 -- if it's a state road, they'll have some say in that  
33 anyway, won't they, Mr. Youmans?

34 HENRY YOUMAN: If it's a  
35 state road they have certain recommendations and  
36 mandates. They're going to require a traffic study.  
37 And based on that traffic study if they say, well, if  
38 you're going to do this proposed project, you need to  
39 do this sort of turning lane.

40 JOHN WRIGHT: Right.

41 HENRY YOUMAN: It needs to be  
42 this wide. And if it's a county road, we have our  
43 county standards. That would have to be in that  
44 preliminary plan approval they submit to us before we  
45 submit it to the Planning Commission. So if it does  
46 not meet those standards, we tell them to go back and  
47 make sure that they put the proper instruments in for  
48 emergency vehicles, make sure the roads are wide enough  
49 to handle that traffic and to have proper ingress and  
50 egress on and off the property. And that if we suggest

1 that they need to have a separate entrance for  
2 emergency vehicles, that would have to be in that plan.  
3 Then it would go before the Planning Commission. And  
4 then when they look at it, they'll see a whole layout  
5 with the proper roads and turning lanes and whatever  
6 else that we would require, based on the minimum  
7 standards of that project.

8 JIMMY DAVIS: Let me ask you  
9 this question while you're up there, Mr. Youmans. In  
10 commercial properties, do we do anything with  
11 commercial properties when they're -- when the 18-  
12 wheelers are pulling in and out of commercial  
13 properties, do we have anything in place that makes  
14 them have a wider berth, I guess for lack of a better  
15 term?

16 HENRY YOUMAN: That would  
17 have been through the traffic study.

18 JIMMY DAVIS: Okay.

19 HENRY YOUMAN: So that  
20 traffic study would look at that. And like I said, if  
21 it's a DOT road, DOT gets involved right away because  
22 they would say because of the number of 18-wheelers  
23 going in and off this property and based on where the  
24 property is, these road improvements need to be  
25 included in this project and would have to be done  
26 before that would move forward.

27 JIMMY DAVIS: Yeah, because  
28 the last thing we want is, you know 10 campers on  
29 Friday at 3:00 trying to pull in there and only one can  
30 go in and check in at a time and the rest of them are  
31 sitting out waiting.

32 GREG ELGIN: And that goes  
33 back to that other ordinance we were talking about with  
34 the traffic --

35 JIMMY DAVIS: Yeah, the  
36 traffic impact --

37 GREG ELGIN: -- with the  
38 turning lanes --

39 JIMMY DAVIS: Yeah.

40 GREG ELGIN: -- and the  
41 radiuses and all that stuff --

42 BRETT SANDERS: Plus you're  
43 talking, you know, like the layout and where the  
44 property is located. You might have a campground that  
45 fronts three different roads, you know.

46 JOHN WRIGHT: Yeah.

47 BRETT SANDERS: And you want  
48 to have them all coming in one road or you can, you  
49 know, break it up to come in different sections, you  
50 know. I don't know how they do it, but you know,

1 certain sections where they're camping, they come in  
2 different -- that way you don't have all the traffic on  
3 one primary entrance. You can spread it out.

4 JIMMY DAVIS: I've been to  
5 some pretty big RV parks, and most of them only have  
6 one way in because they want -- they want to get you  
7 checked in and get your money.

8 BRETT SANDERS: Get your  
9 money.

10 JIMMY DAVIS: Get your  
11 money. So -- but, I mean, I think business will  
12 dictate some of that. I mean, if people don't feel  
13 safe and convenient, they're not going to keep coming.

14 GREG ELGIN: Yeah. I just  
15 want to make sure we have an entrance and exit  
16 dedicated for --

17 BRETT SANDERS: Emergency.

18 GREG ELGIN: -- emergency  
19 vehicles, is my --

20 JIMMY DAVIS: How -- with  
21 y'all's experience with fire and EMS, Mr. Dunn and Mr.  
22 Elgin, do they just -- is there like a lock -- I know  
23 in buildings in my business, there's lock boxes. They  
24 have -- you know, they can get a key to unlock  
25 something. Or do they just -- how do y'all normally do  
26 that in emergency services.

27 TOMMY DUNN: Lock boxes,  
28 some of us do. Some of us don't. We've got lock  
29 boxes. We got just the --

30 GREG ELGIN: Cutters.

31 TOMMY DUNN: -- individual  
32 -- individual property owners will give us the key to  
33 keep on trucks. And as Mr. Elgin said, we've got  
34 cutters. And most of these trucks now has got big  
35 bumpers on them.

36 JIMMY DAVIS: There you go.

37 TOMMY DUNN: I ain't -- I  
38 been in it 40 years and I ain't seen a place yet I  
39 couldn't get in.

40 Yes, ma'am?

41 **INAUDIBLE COMMENT FROM AUDIENCE**

42 CINDY WILSON: You want to --

43 FEMALE: Can y'all hear  
44 me?

45 TOMMY DUNN: She can't.

46 Come on up.

47 DEBORAH WILLIAMS: I'm Deborah  
48 Williams, District 3. With regards to the emergency  
49 personnel entrance and exit, please take into  
50 consideration the RV and the community fire safety.



1 You must consider where the closest fire hydrant is to  
2 an RV park. Any, any, any area. The closest one in a  
3 particular application is -- the closest fire hydrant  
4 is about two and a half miles from a proposed RV park.  
5 And that is already taxing a volunteer fire department  
6 already. The community already there, the people in  
7 and out of these recreational areas. So please, for  
8 the safety of our community, and any customer of any RV  
9 park or anything in our county, we must consider, first  
10 thing, safety. That person or person's safety.

11 Thank you.

12 GREG ELGIN: I'll speak to  
13 that. I know the Planning Commission looks at that, as  
14 well, and the fire department has to come out. They're  
15 separate from us. But I've been a volunteer fireman  
16 for 32 years. I have -- I've had no hydrants in my  
17 community. We have a 3000 gallon tanker. We also have  
18 -- every fire department has means to use ponds or  
19 lakes to draft water. So if there's one of those close  
20 we can flood -- and we've proved through ISO that we  
21 can flow -- we had to prove that we can flow so many  
22 gallons per minute to meet an ISO rating.

23 TOMMY DUNN: For so long?

24 GREG ELGIN: So -- yeah,  
25 for so long. Meaning we have tankers with dump tanks.  
26 Every tanker -- I have a 3,000 gallon tanker with a  
27 3,000 gallon dump tank. And most of them do. So we've  
28 setup -- the pallet fire or the tire fire we had at  
29 Homeland Park, we set up probably five dump tanks, had  
30 them all hooked together. We didn't have a hydrant  
31 close without shutting down a major road, so we drafted  
32 out of dump tanks. So it's proved that we can --  
33 regardless of hydrants and we're trying to get more  
34 hydrants, but regardless of those we can -- we can just  
35 about -- it's proved that we can handle just about  
36 anything in Anderson County as far as water -- with  
37 water, so.

38 CINDY WILSON: On page 9 it  
39 has a statement that fire flow requirements as required  
40 by the NFPA must be met and fire hydrants shall be  
41 installed throughout all RV parks as described in the  
42 fire protection ordinance if proper size water main is  
43 available.

44 TOMMY DUNN: That's the  
45 key.

46 CINDY WILSON: So it  
47 qualifies --

48 TOMMY DUNN: That's the  
49 key.

50 GREG ELGIN: (Inaudible.)

1 TOMMY DUNN: Anybody got  
2 anything else on page 8 that stands out?  
3 **INAUDIBLE COMMENT FROM AUDIENCE**  
4 TOMMY DUNN: Thank you.  
5 Anybody else got anything else on page 8?  
6 **INAUDIBLE COMMENTS FROM AUDIENCE**  
7 GREG ELGIN: Well, that's  
8 --  
9 **INAUDIBLE COMMENT FROM AUDIENCE**  
10 GREG ELGIN: Again, that's  
11 why he was saying trying to have it inside so you can  
12 actually pull off the roadway and not be in the  
13 roadway, enough room inside.  
14 **INAUDIBLE COMMENTS FROM AUDIENCE**  
15 TOMMY DUNN: Okay. Move  
16 on, page 9.  
17 JOHN WRIGHT: Mr. Chairman.  
18 JIMMY DAVIS: Hold on, hold  
19 on. Go back. We're ciphering over here.  
20 BRETT SANDERS: Yeah. Like on  
21 the 540 square feet for each RV space, which I'm fine  
22 with however y'all want to set that up, but --  
23 JOHN WRIGHT: Where are you?  
24 JIMMY DAVIS: Bottom of page  
25 8.  
26 JOHN WRIGHT: Right.  
27 BRETT SANDERS: At the bottom  
28 of page 8, but on the prior -- one of the other pages  
29 it says, you know, no park smaller than 10 by 35. So  
30 we've got --  
31 TOMMY DUNN: In other  
32 words, it can -- was it 450 feet, or 350 feet, I think  
33 or 400 square feet, Mr. Bennett brought up 500. We've  
34 got a note on that. We've done beat that to death. I  
35 think we're going to have to do something about that.  
36 We got a note on all that.  
37 BRETT SANDERS: We've got it  
38 in here now at 540. And I mean, that's what --  
39 TOMMY DUNN: Again, that's  
40 what I'm talking about. We've got a note to clean that  
41 up.  
42 JIMMY DAVIS: There's a  
43 difference between the size of the pad and the size of  
44 the space.  
45 TOMMY DUNN: Yeah.  
46 JIMMY DAVIS: So the space  
47 is bigger than the pad.  
48 TOMMY DUNN: Yep.  
49 JIMMY DAVIS: So we would  
50 have to provide --

1 CINDY WILSON: I thought that  
2 referred to --  
3 JIMMY DAVIS: -- what we're  
4 talking about, whether it's the pad or the space.  
5 Because the whole space isn't going to have concrete on  
6 it.  
7 BRETT SANDERS: There's a  
8 parking pad for each RV, so they will be parking on it.  
9 That needs to be --  
10 CINDY WILSON: Is that not  
11 referring to the parking an additional vehicle or the  
12 vehicle pulling -- that's the way I interpret it.  
13 JOHN WRIGHT: I think it's  
14 actually for the RV space.  
15 TOMMY DUNN: This is 540  
16 feet for the RV space.  
17 JOHN WRIGHT: That's right.  
18 540 square feet.  
19 TOMMY DUNN: Not the size  
20 of the square footage of the RV --  
21 JOHN WRIGHT: Right.  
22 TOMMY DUNN: -- itself.  
23 JOHN WRIGHT: Right.  
24 TOMMY DUNN: It's two  
25 different things.  
26 BRETT SANDERS: It just said  
27 parking pad for RV, like an RV was parked there.  
28 TOMMY DUNN: It says  
29 parking space is what this says.  
30 BRETT SANDERS: Mine says  
31 parking pad for each RV no smaller than 10 by --  
32 TOMMY DUNN: It says a  
33 minimum net space of 540 square feet is required for  
34 each RV space.  
35 BRETT SANDERS: Yeah, yeah,  
36 yeah.  
37 JIMMY DAVIS: So the space  
38 is bigger than the pad.  
39 TOMMY DUNN: You're talking  
40 about two different things.  
41 JIMMY DAVIS: Yeah, yeah,  
42 yeah.  
43 BRETT SANDERS: And the other  
44 thing is, I don't know -- I don't know -- you were  
45 saying something, sir, earlier about an RV with the  
46 slides extended is how many feet?  
47 **INAUDIBLE COMMENT FROM AUDIENCE**  
48 BRETT SANDERS: No, I'm  
49 talking about when it's extended. Because it said  
50 there must be a minimum of 10 feet apart. Is that --

1 is that enough?  
2 JIMMY DAVIS: Or 10 foot  
3 from a structure.  
4 JIMMY DAVIS: Yeah.  
5 That's what it says.  
6 BRETT SANDERS: So between RVs  
7 and/or structures.  
8 **INAUDIBLE COMMENT FROM AUDIENCE**  
9 TOMMY DUNN: Anything else  
10 on page 8? Moving on to page 9.  
11 JIMMY DAVIS: So in your  
12 experience -- so it says, the RV -- there shall be a  
13 minimum of at least 10 feet between RV and/or  
14 structures. Is that 10 foot going to give you enough  
15 room if both RVs have their slides out?  
16 **INAUDIBLE COMMENTS FROM AUDIENCE**  
17 TOMMY DUNN: That's  
18 something we'll have to look at. I don't think we can  
19 decide sitting on this thing right now. There's going  
20 to be some research and some other stuff done to it.  
21 Anybody got anything else on page 8? Can we move  
22 on to page 9?  
23 JIMMY DAVIS: Yes, sir.  
24 **INAUDIBLE COMMENT FROM AUDIENCE**  
25 TOMMY DUNN: Yeah. Uh-huh  
26 (affirmative). You get right here first. Yeah, you.  
27 Uh-huh (affirmative). Yeah, yes, sir.  
28 MALE: I heard him  
29 describe with an 18 foot wide space, it sounded like  
30 if you had two class A motor homes (inaudible) push  
31 their slides out, it would appear as though you could  
32 ask for a cup of sugar from one to the other. I don't  
33 think a 4 or 6 foot space between slide-outs is  
34 probably sufficient from a safety standpoint.  
35 TOMMY DUNN: Okay.  
36 MALE: I think -- I  
37 would like for you to consider that.  
38 TOMMY DUNN: Yes, sir.  
39 Yes, sir. This gentleman back here in the back.  
40 Yes, sir, you.  
41 **INAUDIBLE COMMENT FROM AUDIENCE**  
42 TOMMY DUNN: No, go ahead.  
43 It's convenient now. Go ahead.  
44 **INAUDIBLE COMMENT FROM AUDIENCE**  
45 TOMMY DUNN: Okay. Thank  
46 you. Yes, sir.  
47 Page 9, does anyone have anything?  
48 JOHN WRIGHT: Mr. Chairman?  
49 TOMMY DUNN: Yes, sir.  
50 JOHN WRIGHT: The only

1 comment I have on page 9 would be the requirement for  
2 bath house facilities to be located within 400 feet of  
3 any RV space. I believe a lot of these RVs have  
4 restrooms on them. So, again, I feel like that's a  
5 little bit extreme. And I think that the site plan  
6 itself should dictate that more so than our ordinance,  
7 just given the fact that most of the RVs do have  
8 bathrooms onboard, so ...  
9 BRETT SANDERS: I agree.  
10 JOHN WRIGHT: I'd suggest  
11 either increasing that distance or removing it  
12 altogether, would be my recommendation.  
13 TOMMY DUNN: Whereabouts is  
14 --  
15 JOHN WRIGHT: The top of  
16 page 9, very first -- bathhouse facilities shall be  
17 located within 400 feet of any RV space. The very top  
18 of page 9.  
19 TOMMY DUNN: Yeah, yeah.  
20 I've seen it fifty times. Yes, sir.  
21 **INAUDIBLE COMMENT FROM AUDIENCE**  
22 TOMMY DUNN: Leon, you got  
23 a note on this. Make a note of that.  
24 **INAUDIBLE COMMENT FROM AUDIENCE**  
25 JOHN WRIGHT: Well, this is  
26 not for tent campers. This is an RV ordinance. And,  
27 also, we're not saying they wouldn't have bathroom  
28 facilities. They would be there, but just not  
29 necessarily need to be within 400 feet of the space?  
30 JIMMY DAVIS: Or they could  
31 just put it 400 from the farthest space.  
32 JOHN WRIGHT: Yeah.  
33 JIMMY DAVIS: I mean, it's  
34 out in the middle --  
35 JOHN WRIGHT: Because it's  
36 specific to the RV spaces.  
37 JIMMY DAVIS: Right.  
38 JOHN WRIGHT: Yep.  
39 BRETT SANDERS: And, again, I  
40 think that's going to be pertinent to the size of the  
41 facility. The way this reads, one -- I mean a certain  
42 size, you may have to have more than one.  
43 JOHN WRIGHT: Yeah.  
44 BRETT SANDERS: Again, I think  
45 that's something we need to take note of and look at  
46 and see what other counties are doing about that.  
47 TOMMY DUNN: Make sure you  
48 turn on your mic.  
49 BRETT SANDERS: Oh, I'm sorry,  
50 sir.

1 TOMMY DUNN: Anybody else  
2 got anything on page 9?  
3 GREG ELGIN: One thing,  
4 Mr. Chairman.  
5 TOMMY DUNN: Yes, sir.  
6 GREG ELGIN: Under the  
7 fire protection thing -- and I guess just to clarify,  
8 Mr. Harmon, this says no ground fires are allowed. And  
9 is that going to say we have to have a firepit ring or  
10 something there. If so, we may need to add that to it  
11 if that -- you know what I'm saying?  
12 JIMMY DAVIS: Yeah.  
13 GREG ELGIN: Some kind of  
14 -- whether it's provided by the RV park or ... So they  
15 just don't go out there and start a fire.  
16 TOMMY DUNN: Anything else?  
17 Anybody out there got any comments, questions? This is  
18 just a starting point. We ain't -- we're going to have  
19 several more of these meetings. We're going to go back  
20 and do some work, then we're going to meet again and  
21 work on it.  
22 Yes, sir.  
23 **INAUDIBLE COMMENT FROM AUDIENCE**  
24 TOMMY DUNN: I just asked  
25 does anybody have anything? That's what I just asked.  
26 MALE: Oh, I'm sorry.  
27 TOMMY DUNN: That's fine.  
28 LARRY FATT: I approach  
29 this -- hi, My name is Larry Fatt, District 5. I  
30 approached this a little differently. So what I did  
31 was I took and did a review of the draft, and I  
32 prepared documents here with the section -- with the  
33 section, the paragraph, a comment and a recommendation.  
34 So there's a few in here. It's not for every single  
35 section. Can I hand it to you, Mr. Harmon?  
36 So I was thinking that we had three minutes and we  
37 had to get up and cover everything.  
38 TOMMY DUNN: No, no, no.  
39 LARRY FATT: -- so I  
40 apologize for that.  
41 TOMMY DUNN: No.  
42 LARRY FATT: So what I did  
43 as I mentioned is I went ahead and I reviewed the  
44 draft, added the comments, added some recommendations  
45 to that. I won't go through all of those. I did try  
46 to compare them with RV park ordinance documents for  
47 other counties in and around the area, so what I could  
48 find. Not every county obviously has one. But I did  
49 try to take a comparison of those. And as I say, I  
50 won't go through all of them. I did want to touch on

1 three.

2 I know we've talked about park size and density, so  
3 I won't go through that. I have a similar comment that  
4 everyone has. We just need to look at the calculation  
5 because it looks like we have some tolerance stack-ups  
6 that give us a little bit of trouble there. We try to  
7 meet the criteria.

8 The other piece within that, that I hadn't seen,  
9 and I would like to offer as a recommendation has to do  
10 with the ADA, so the American Disability Act. An RV --  
11 to make -- to add something in here that talks about  
12 the accessibility for the Americans with Disabilities  
13 within the campgrounds or the RV parks themselves. I  
14 think it would be helpful to have that in the design  
15 criteria.

16 TOMMY DUNN: Mr. Harmon,  
17 wouldn't that automatically have to be in there?

18 LARRY FATT: In other --

19 LEON HARMON: For public  
20 purposes, yes, I think it would be.

21 TOMMY DUNN: That would be  
22 a federal statute.

23 LEON HARMON: Yes.

24 TOMMY DUNN: We'll check on  
25 that.

26 LEON HARMON: It is a  
27 federal statute.

28 TOMMY DUNN: Yes, sir.

29 LARRY FATT: In other

30 ordinances you see it called out specifically.

31 And that brings me to the next one, which is the  
32 fire prevention. I think the paragraph itself is good,  
33 but what I would ask to consider is actually calling  
34 out the 11-94 code specifically in that particular one,  
35 rather than just NFPA, but referencing the NFPA 11-94.  
36 Just puts a little more meat to it.

37 And the last one I have is regarding the buffers  
38 and the setbacks. So it's an area -- and, again, with  
39 150 feet, how is that interpreted? We have a 25 foot  
40 buffer at the road. Is the 150 considered a setback or  
41 how is that defined? I think there needs to be some  
42 better clarity behind that. Certainly, for those of us  
43 that are potentially affected by RV parks and we live  
44 close by, buffer around not just the road, but around  
45 the park itself, around the property lines. So I just  
46 ask that we have some consideration for that, as well.

47 And then, just in closing, again, I think this is  
48 great that we're doing this. I think it's a good  
49 start. The draft is a good start. We have some work  
50 to do to really, to really put some meat to it. We

1 live in a great part of the country, and I think the  
2 land and water surrounding us is really part of what  
3 makes that -- this area great. But we must not take  
4 that for granted and give away today what we cannot  
5 recover tomorrow.

6 So, again, thanks very much. And I would be -- I  
7 don't know how this works going forward, but if there  
8 is an opportunity for citizens to be involved, I would  
9 like to put my name forward to be involved.

10 TOMMY DUNN: Well, that's  
11 what this is about tonight. And you've been involved.  
12 You've given us a list of things and you can stay in  
13 touch with any of us. Like I say, we're going to go  
14 back amongst ourselves and work on some stuff and come  
15 back and have another one of these meetings some kind  
16 of way and see if we can come up with some things.  
17 We've got some stuff we need -- I know needs to be  
18 researched and looked at, some things like that and  
19 everything.

20 Does anybody else have anything?

21 **INAUDIBLE COMMENT FROM AUDIENCE**

22 TOMMY DUNN: Yes, ma'am.  
23 Maybe I'm -- maybe I'm -- I'm having trouble tonight  
24 for some reason. Does anybody have anything they want  
25 to say or add, please step up? That's what I've said  
26 three times.

27 **INAUDIBLE COMMENT FROM AUDIENCE**

28 TOMMY DUNN: We're not --  
29 this ain't a council meeting. We ain't signing up  
30 tonight. We ain't got three minutes. You've got long  
31 enough to say your thing or you start redundant  
32 yourself, I'll tell you to hit the road. So go ahead.

33 FEMALE: Well, I did  
34 sign up.

35 TOMMY DUNN: Yes.

36 FEMALE: But I did kind  
37 of write some things down. And as you can see, I've  
38 got a lot of things that were answered this evening  
39 based on some questions that I had.

40 But first I want to say thank you for doing this.  
41 As I've expressed to, I think, almost all of you that I  
42 think it is important to get it done. I also want to  
43 say that I've compiled some input from other neighbors,  
44 friends, organizations, and I've compiled a document  
45 that I will email to each one of you. And I hope that  
46 you will consider looking at it. Some of them have  
47 been addressed tonight. Some of them might be  
48 redundant. Others, I hope you'll consider.

49 I think I'll just mention the topics of each one  
50 that it's going to mention. And as Mr. Fatt did, I'll



1 just say that there's three that are specific. And  
2 one, I'll say that each topic, there's application  
3 process, permanent habitation, enforcement, tiny homes,  
4 traffic impact, buffers, and parking.

5 And three that I think specifically need to  
6 continue getting addressed on was the size and space.  
7 And many of the RV park ordinances in surrounding areas  
8 used a minimum of 690 square feet. I notice that  
9 that's what you initially had and then reduced it down  
10 to 540. I'm not sure why that is, but I'm wondering if  
11 other areas have deemed that 690 for the space, not  
12 just the pad, seemed appropriate. You've got a lot of  
13 lake properties where they're going to have a large RV.  
14 They may be bringing a large boat with them. Boats --  
15 as somebody said, RVs are getting larger, boats are  
16 getting larger. People also bring a car with them. I  
17 know there's many people that camp. One of them's  
18 towing the camper. One of them's towing a boat. I  
19 don't know if they're both in the same space, but if  
20 that could be included.

21 Not much was -- seemed to be touched on  
22 environmental. And I don't know how that gets  
23 specifically factored in, but if you could consider  
24 that maybe having South Carolina DHEC, Clemson  
25 University Center for Watershed Excellence, and South  
26 Carolina DNR, that they could review any preliminary  
27 park plans to ensure that streams and wetlands are not  
28 impacted, along with wildlife habitats. In addition,  
29 if the park borders federal land, the Corps of  
30 Engineers could review and comment on allowable  
31 shoreline improvements and dockage if that could be  
32 included.

33 Then site plan requirements. I think that I kind  
34 of went over this, but I think it would be beneficial  
35 if you were to include some details and dimensions that  
36 are not listed. And that way everybody submitting  
37 plans are to the same scale.

38 And I just want to say thank you for your  
39 consideration.

40 TOMMY DUNN: Thank you.

41 Anyone else have anything?

42 Yes, ma'am.

43 **INAUDIBLE COMMENT FROM AUDIENCE**

44 TOMMY DUNN: You might have  
45 to step up here where Ms. Wilson can hear.

46 BRETT SANDERS: You keep  
47 calling Ms. Wilson. I can't hear either, sir.

48 TOMMY DUNN: Well, he feels  
49 hurt and left out. Mr. Sanders can't hear neither.  
50 Let me make sure he hears that so he can what you call

1 it, too.

2 PHYLLIS KINSINGER: I've talked  
3 enough. I should introduce myself. I'm Phyllis  
4 Kinsinger and we live on Woodbridge Lane.

5 I am very concerned about the conditions of the  
6 roads in all of Anderson County. And I realize some of  
7 them are county roads and some of them are whatever  
8 roads. I'm particularly at this moment addressing 187.  
9 It's a disaster. But neither here nor there, all of  
10 these RV parks with all of this additional weight is  
11 going to make roads harder and harder and harder to  
12 maintain. I will even give you a specific example. At  
13 the intersection of Woodbridge Lane and Ginn Road,  
14 which is probably 50, 60, 100 feet from one of these  
15 proposed parks, there is at this moment a hole that is  
16 this deep in the road that has all kinds of PVC pipes  
17 and a big plastic thing over it. I know because my  
18 husband put it there for safety. We have called parks  
19 three times. How can we have confidence that when we  
20 build an RV park, things are going to get better? And  
21 that's what concerns me more than anything else because  
22 somebody is going to get really badly hurt in one of  
23 these instances. Thank you.

24 TOMMY DUNN: Thank you.  
25 Anyone else.

26 Appreciate you coming back out tonight and showing  
27 an interest in this. We'll take this input and we'll  
28 be having another one of these. Thank y'all.

29  
30

**(MEETING ADJOURNED AT 8:13 P.M.)**

State of South Carolina    )

County of           Anderson    )

ANDERSON COUNTY COUNCIL  
SPECIAL PRESENTATION MEETING  
JUNE 6, 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: It's one or two  
2 minutes after 6:00. I apologize for being late. Got  
3 held up in traffic. But I want to welcome everyone  
4 here tonight. And thank y'all for coming. This is our  
5 special presentation part of our Council meeting of  
6 June the 6th. Again, like to thank everybody and  
7 welcome everybody for coming. We're going to start out  
8 with Resolution 2(a), Honorable John Wright.  
9 Councilman Wright.

10 JOHN WRIGHT: Thank you, Mr.  
11 Chairman. This is Resolution Number 2023-024.

12 IT IS A RESOLUTION CONGRATULATING THE T.L. HANNA  
13 HIGH SCHOOL BOYS GOLF TEAM ON WINNING THE 2023 AAAAA  
14 HIGH SCHOOL STATE CHAMPIONSHIP; AND OTHER MATTERS  
15 RELATED THERETO.

16 Whereas the mission of T.L. Hanna High School is  
17 for students to become globally minded, ethical, and  
18 productive individuals who are prepared to enter  
19 college or the workforce, and the school believes  
20 extracurricular activities are an integral part of a  
21 child's education; and

22 Whereas on May 16th at the Carolina Country Club in  
23 Spartanburg, the T.L. Hanna Boys Golf Team, coached by  
24 Eric Bona, won the state championship in golf for the  
25 first time since 1994; and

26 Whereas the five T.L. Hanna golfers placed in the  
27 top 30: Bennett Scaletta won the gold medal as  
28 individual state champion, Jackson Scaletta won the  
29 silver medal as individual state runner-up, and Erik  
30 Erlenkeuser, Caden Olsommer, and Cal Harbin were also  
31 among the thirty best finishing individuals.

32 Therefore, be it resolved, in a meeting duly  
33 assembled this sixth day of June 2023, that the  
34 Anderson County Council hereby congratulates the T.L.  
35 Hanna Boys Golf Team on becoming state champions and  
36 wishes each of you great success in your future  
37 endeavors.

38 And Mr. Chairman, as a 2006 graduate of T.L. Hanna  
39 High School, it's my pleasure to put that in the form  
40 of a motion.

41 CINDY WILSON: Second.

42 TOMMY DUNN: Thank you,  
43 Councilman Wright. And Ms. Wilson seconds it. Anyone  
44 else have any comments, questions? Anyone else?

45 I'd like to also say congratulations. That's a  
46 great honor. Appreciate y'all. Y'all represent not  
47 only Hanna High School, y'all represent Anderson County  
48 and do it well. We appreciate it.

49 All in favor of the motion show of hands. All  
50 opposed like sign. Show the motion carries

1 unanimously. Councilman Wright.

2 JOHN WRIGHT: We have Coach  
3 Bona and some of the members of the team here, so if  
4 y'all want to come down front.

5 **PRESENTATION OF RESOLUTION**  
6 **APPLAUSE**

7 TOMMY DUNN: At this time  
8 we're going to move on to item, agenda item number  
9 2(b), proclamation. Councilman Sanders.

10 BRETT SANDERS: Thank you, Mr.  
11 Chairman.

12 THIS IS A PROCLAMATION RECOGNIZING JUNE THE 11TH,  
13 2023 AS RACE AMITY DAY IN ANDERSON COUNTY; AND OTHER  
14 MATTERS RELATED THERETO.

15 Whereas Anderson County, South Carolina joins other  
16 municipalities, counties, states, and organizations in  
17 recognizing Racial Amity Day on the second Sunday of  
18 the month of June 2023; and

19 Whereas the greatest asset of Anderson County is  
20 its people; and

21 Whereas we adhere to and hold dear the motto of the  
22 United States of America, E Pluribus Unum Out of Many,  
23 One which reflects the importance of all people in our  
24 community; and

25 Whereas Anderson County recognizes the principle of  
26 the oneness of humankind and the rich cultural, ethnic,  
27 and racial diversity of its people; and

28 Whereas Anderson County invites individuals,  
29 communities, and neighborhoods to appreciate the beauty  
30 and richness of our diverse cultures and ethnicities,  
31 and to strengthen bonds of respect, caring, and amity  
32 between one another.

33 Now, therefore, in a meeting duly assembled this  
34 sixth day of June 2023, Anderson County Council  
35 hereby proclaims June 11, 2023 as Racial Amity Day,  
36 joining together to celebrate all people of Anderson  
37 County and to commit to principles of oneness, caring,  
38 friendship, and peace.

39 And I put that in the form of a motion, sir.

40 CINDY WILSON: Second.

41 TOMMY DUNN: Motion Mr.

42 Sanders; second Ms. Wilson. Any further discussion?

43 GLENN DAVIS: I've got one,  
44 Mr. Chairman.

45 TOMMY DUNN: Councilman  
46 Davis.

47 GLENN DAVIS: Thank you,  
48 Chairman. I'd just like to say, being a native  
49 Andersonian, it just warms my heart to see how this  
50 community welcomes everyone. In today's climate there

1 are a lot of things going on, you know, none of us  
2 really want to see, but it just warms my heart to see  
3 Anderson, you know, welcomes everyone.

4 And I just want to thank Council and Mr. Burns and  
5 everyone in Anderson County. That's a good  
6 proclamation. Thank you, Mr. Chairman.

7 TOMMY DUNN: Thank you,  
8 Councilman Glenn Davis. Thank you for those kind  
9 words. Anyone else? All in favor of the motion show  
10 of hands. All opposed like sign. Show the motion  
11 carries unanimously.

12 RUSTY BURNS: Mr. Chairman,  
13 we have a member of the Anderson County Human Relations  
14 Council. Can we take a picture right here?

15 TOMMY DUNN: Yep. Come on  
16 up. Come on up.

17 **PRESENTATION OF PROCLAMATION**

18 **APPLAUSE**

19 TOMMY DUNN: That will  
20 conclude this portion of our Council meeting. We'll  
21 reconvene back here at 6:30 to start our regular County  
22 Council meeting.

23  
24 **(SPECIAL PRESENTATION MEETING ADJOURNED AT 6:10 P.M.)**

State of South Carolina     )  
County of           Anderson     )

ANDERSON COUNTY COUNCIL  
COUNTY COUNCIL MEETING  
JUNE 6, 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'd like to call the regular Anderson County Council  
3 meeting of June the 6th to order. I'd like to welcome  
4 each and every one of you here tonight, and thank y'all  
5 for coming.  
6 Before we ask the Honorable Councilman Jimmy Davis  
7 to lead us in the invocation, as we do this, let's all  
8 keep our thoughts and prayers and mind that today is  
9 the 79th Anniversary of D-Day. You're going to hear a  
10 lot about that. Let's keep the ones that make the  
11 ultimate sacrifice, them and their families who was  
12 involved in this, in our thoughts and prayers as we  
13 move forward tonight.  
14 Councilman Davis.  
15 JIMMY DAVIS: Thank you, Mr.  
16 Chair. May we bow?  
17 **INVOCATION AND PLEDGE OF ALLEGIANCE BY JIMMY DAVIS**  
18 TOMMY DUNN: We're going to  
19 move on now to approval of the minutes of the May 2nd  
20 meeting. Anybody have any corrections?  
21 CINDY WILSON: May I?  
22 TOMMY DUNN: Ms. Wilson.  
23 CINDY WILSON: Mr. Chairman,  
24 wherever our engineer Gaye Sprague was noted as  
25 conversation and discussion, the title is Gaye Sprouse.  
26 If we can just get that corrected all through the body  
27 of the minutes.  
28 TOMMY DUNN: Anything else?  
29 Ms. Wilson, you make the motion to accept the minutes  
30 with that correction to be made?  
31 CINDY WILSON: Yes. Thank  
32 you.  
33 JOHN WRIGHT: Second.  
34 TOMMY DUNN: Ms. Wilson  
35 makes a motion; Councilman Wright seconds. All in  
36 favor of the motion show of hands. All opposed like  
37 sign. Show the motion carries unanimously.  
38 Our minutes for May 16th has not been received yet.  
39 We're moving on now to citizens' comments. As Mr.  
40 Harmon calls your name, please, for the record, state  
41 your name and district you live in for the record. You  
42 have three minutes. And the first go-around is only on  
43 agenda items only that's on the agenda. You can talk  
44 about anything at the end of the meeting when it comes  
45 that times. Mr. Harmon.  
46 LEON HARMON: Mr. Chairman,  
47 no one is signed up to speak.  
48 TOMMY DUNN: Thank you, Mr.  
49 Harmon.  
50 We're going to move on now to item third reading,



1 2023-007, an Ordinance to amend Section 24-115  
 2 (Intensity Standards) of the Code of Ordinances,  
 3 Anderson County, South Carolina; and other matters  
 4 related thereto.

5 This will be a public hearing. Anyone wishing to  
 6 speak to this matter, please step forward and state  
 7 your name and district. Basically if you've got any  
 8 questions, basically comes out of Ms. Hunter and Matt  
 9 Hogan's thing. This is about thresholds and meeting  
 10 certain things on county roads or developers or  
 11 something on traffic things, it's about getting us  
 12 tools to put in our toolbox for traffic turn lanes and  
 13 other things like that for road improvements on county  
 14 roads if a development hits certain benchmarks.

15 Anyone wishing to step forward on this, we're in a  
 16 public hearing now. Anyone at all? Seeing and hearing  
 17 none, the public hearing will be closed. Do I have a  
 18 motion to move this forward?

19 CINDY WILSON: So moved.

20 TOMMY DUNN: Motion Ms.

21 Wilson. Have a second? Second by Councilman Elgin.

22 Now I open the floor up for discussion. Any  
 23 discussion?

24 JIMMY DAVIS: Mr. Chair?

25 TOMMY DUNN: Councilman

26 Jimmy Davis.

27 JIMMY DAVIS: Thank you.

28 Just to be clear, we did send this over to the Planning  
 29 Commission and they did go through this, as well;  
 30 right?

31 TOMMY DUNN: All I can say,  
 32 it was sent to the Planning Commission a long time  
 33 back. That's the reason we didn't have a second  
 34 reading on this. And it was sent back to me that they  
 35 -- the majority of them was fine with it. I don't  
 36 think they actually took a vote. I'm not sure about  
 37 that, but that was my feedback.

38 JIMMY DAVIS: I just wanted  
 39 to make sure we put that in the record. Thank you.

40 TOMMY DUNN: Thank you.

41 Anyone else? All in favor of the motion show of hands.  
 42 All opposed like sign. Show the motion carries  
 43 unanimously.

44 We're going to move on to item number 5(b),  
 45 2023-013, an Ordinance to allow County buildings to  
 46 implement a clear bag policy; and other matters related  
 47 thereto.

48 And this is in the buildings that the County  
 49 Administrator is in charge of. He's not in charge of  
 50 all of them, unfortunately.

1 But this will be a public hearing. Anyone wishing  
2 to speak to this matter, please step forward and state  
3 your name and district. Again, you have three minutes  
4 and address the Chair, please. Public hearing. Seeing  
5 and hearing none, the public hearing will be closed.  
6 Do we have a motion to move this forward?  
7 JIMMY DAVIS: So moved.  
8 CINDY WILSON: So moved.  
9 TOMMY DUNN: Motion by  
10 Councilman Jimmy Davis; second by Councilman Elgin.  
11 Any discussion? All in favor of the motion show of  
12 hands. All opposed like sign. Show the motion carries  
13 unanimously.  
14 We're going to move on to item number 5(c),  
15 2023-015, an Ordinance to amend Ordinance #99-004, the  
16 Anderson County Zoning Ordinance, as adopted July 20,  
17 1999, by amending the Anderson County Official Zoning  
18 Map for major changes to Highway 76 Innovative Zoning  
19 District +/- 19.1 acres on a parcel of land, identified  
20 as Highway 76 in the Denver-Sandy Springs precinct  
21 shown in Deed Book 19v page 955. The parcel is further  
22 identified as TMS #65-00-04-013. This is in District  
23 4.  
24 BRETT SANDERS: Mr. Chairman?  
25 TOMMY DUNN: Ms. Sanders.  
26 BRETT SANDERS: I need to  
27 recuse myself on this one. I actually own property  
28 that's adjacent to this.  
29 TOMMY DUNN: Just for the  
30 record, I want them to know you've got no monetary  
31 value. You're just wanting to ---  
32 BRETT SANDERS: No, it's a ---  
33 TOMMY DUNN: It's just a  
34 thing. I understand. Yes, sir. Show for the record,  
35 Mr. Sanders has left the room. He's recused himself.  
36 Do we have a motion to move this forward?  
37 CINDY WILSON: So moved.  
38 TOMMY DUNN: Motion Mr.  
39 Sanders -- I mean, Ms. Wilson. I'm sorry. Do we have  
40 a second?  
41 JIMMY DAVIS: Second.  
42 TOMMY DUNN: Second by  
43 Councilman Jimmy Davis. Any discussion? All in favor  
44 of the motion show of hands. All opposed like sign.  
45 Show the motion carries unanimously and Mr. Sanders  
46 recused himself.  
47 Mr. Davis, if you wouldn't mind getting him.  
48 This is Ordinance 6(a), 2023-012, an Ordinance to  
49 amend Sections 34-19 through 34-21 and adding Sections  
50 34-13 through 34-29 of the Code of Ordinances, Anderson

1 County, South Carolina, related to County Parks and  
2 park rules; and other matters related thereto.

3 We'll go into a public hearing. The Sheriff's  
4 Office come to us and asked us to put forth some rules  
5 that they can enforce at our county parks making sure  
6 they had something in writing. They come up with them  
7 working with our -- one of our attorneys, Mr. Jordan  
8 Thayer. And then I put an ad hoc committee together  
9 after first reading. And then they come back and I  
10 think they had no changes or nothing. They thought Mr.  
11 Thayer had done a good job. But this is the time to  
12 speak to that, and that's what this is about. Be a  
13 public hearing. Any comments? Seeing and hearing  
14 none, the public hearing will be closed. Do we have a  
15 motion to move this forward?

16 BRETT SANDERS: So moved.  
17 TOMMY DUNN: Motion by Mr.  
18 Elgin; second by Councilman Sanders. Any discussion?  
19 Hearing none, all in favor of the motion on second  
20 reading show of hands. All opposed like sign. Show  
21 the motion carries unanimously.

22 We're going to move on to item number 6(b),  
23 2023-018, an Ordinance authorizing the execution and  
24 delivery of an amendment to fee in lieu of tax and  
25 special source credit agreement by and between Anderson  
26 County, South Carolina and Gray Industrial Realty 7,  
27 LLC for the purpose of modifying the special source  
28 credits to be provided thereunder; and other matters  
29 related thereto. This is Project Little Brother.

30 I'll ask our Economic Development Director, Mr.  
31 Burriss Nelson, if he has any comments.

32 BURRISS NELSON: Thank you, Mr.  
33 Chairman, members of Council. This is really a request  
34 by the company to pushed the 85 percent SSRC from five  
35 years to six years because of some really extraneous  
36 and undue and unforeseen expenses on that particular  
37 site. This will allow them enough offset to be able to  
38 take care of those additional expenses. Thank you,  
39 sir.

40 TOMMY DUNN: Thank you.  
41 Anyone else? Any comments? Do we have a motion to  
42 move this forward?

43 BRETT SANDERS: So moved.  
44 CINDY WILSON: So moved.  
45 TOMMY DUNN: Motion Mr.

46 Sanders; second Ms. Wilson.

47 CINDY WILSON: May I?  
48 TOMMY DUNN: Ms. Wilson.

49 Open the floor up for discussion. Ms. Wilson.

50 CINDY WILSON: Just wanted to

1 point out that Mr. Nelson, Burriss Nelson, met with  
 2 these folks earlier today and they are in agreement to  
 3 provide a more attractive, better buffer, screening,  
 4 landscaping. And I think that that would be most  
 5 welcome in this community. So we appreciate their  
 6 agreeing to that.

7 BURRISS NELSON: Yes, ma'am.  
 8 TOMMY DUNN: Appreciate good  
 9 community neighbors. Anymore discussion? All in favor  
 10 of the motion show of hands. All opposed like sign.  
 11 Show the motion carries unanimously.

12 We're going to move on to item number 6(c),  
 13 2023-019, an Ordinance to amend an agreement for the  
 14 development of a joint county industrial and business  
 15 park (2010 Park) of Anderson and Greenville Counties so  
 16 as to enlarge the park. Project Little Brother.

17 This is the same entity we just talked about in the  
 18 prior thing. Just for people that don't know, Mr.  
 19 Nelson, if you would give a brief overview of what we  
 20 do this for.

21 BURRISS NELSON: Yes, sir. The  
 22 companies that go into the park agreement are -- become  
 23 eligible for additional state incentives that could be  
 24 available to them, especially if there's a  
 25 manufacturing project going into one of these  
 26 particular facilities. And that was what most of that  
 27 meeting was about today.

28 TOMMY DUNN: And if I might  
 29 add, you correct me if I'm wrong, this is all about fee  
 30 in lieu of, and this gives us a better -- gives us  
 31 competitiveness with surrounding states like Georgia,  
 32 what not, that don't have no corporate tax.

33 BURRISS NELSON: Exactly.  
 34 That's exactly correct. Thank you, sir.

35 TOMMY DUNN: Thank you, sir.  
 36 CINDY WILSON: May I add that  
 37 ---

38 TOMMY DUNN: Ms. Wilson.  
 39 CINDY WILSON: Thank you. ---  
 40 the nice thing about these park agreements is when it's  
 41 in our county we pay Greenville one percent, and if  
 42 it's in Greenville, they pay Anderson County one  
 43 percent. That is helpful.

44 TOMMY DUNN: That's a good  
 45 point. It is. Thank you. Do we have a motion to move  
 46 this forward?

47 CINDY WILSON: So moved.  
 48 TOMMY DUNN: Motion Ms.  
 49 Wilson. Have a second? Second Councilman Glenn Davis.  
 50 Any discussion now? Seeing and hearing none, all in

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

3 BURRISS NELSON: Thank you for  
4 your support. Appreciate it.

5 TOMMY DUNN: Thank you.  
6 Appreciate what all you and your team do, Mr. Nelson.  
7 Appreciate you.

8 Going to move on to item number 7, discussion of  
9 road study for Anderson County. I was fixing to say  
10 he's playing hooky tonight. I didn't see him over  
11 there hiding.

12 MATT HOGAN: I'm over here.  
13 I'm over here.

14 TOMMY DUNN: Matt Hogan.  
15 He's over our road department. He's here tonight to  
16 talk. Thank you, Mr. Hogan.

17 MATT HOGAN: Thank you, Mr.  
18 Chairman, members of Council.

19 So tonight I just want to talk about our -- a  
20 project that we did up in District 6, Mr. Davis's  
21 district. We have a need here in the county. Our  
22 roads are deteriorating very quickly. And ---

23 TOMMY DUNN: They've got  
24 this on screen if y'all want to turn y'all's on to see  
25 it.

26 MATT HOGAN: So, yes, we  
27 did a project in District 6 to -- we partnered with  
28 Roadway to Asset Services to come in, and they came in  
29 and did a full scan of all of -- about a hundred mile  
30 -- lane miles of roads in that district, pretty much  
31 anything out Highway 86 North is what we covered in  
32 this project.

33 TOMMY DUNN: That would have  
34 been just county roads, though?

35 MATT HOGAN: Just county  
36 roads, yes, sir. We only did county roads. And we did  
37 this to get a true baseline of our county network  
38 condition. So we determined that Powdersville was 68,  
39 and they come up -- after they do the scan, they put it  
40 all in software and it spits out numbers for every road  
41 that they scan, has a condition rating and we take  
42 those ratings and we've asked them just to do a five-  
43 year plan for us. And we gave them a million dollars a  
44 year, and they gave us a five-year plan.

45 So that was the project. And why we do a scan,  
46 it's an unbiased condition of our road network. Right  
47 now, currently, staff on Roads and Bridges, we have  
48 staff that go out and walk these roads and do  
49 inspections and they come up with it. It takes us  
50 about three to five years to do that process, where

1 RAS, they come in and in about two weeks scanned every  
2 road in Powdersville.

3 Again, that's an unbiased condition of our road  
4 network. And we use that for the plan, the future road  
5 improvement plan that we're trying to -- I know we're  
6 going to talk about a transportation tax. This will  
7 give us a plan to optimize that money of hitting the  
8 roads at the right time. I'll get to that in just a  
9 second.

10 But this is the van that they use to scan those.  
11 It has cameras, a 360 camera on top, the very front I  
12 think there's over 4,000 lasers that they use in their  
13 whatever they do. I'm not an engineer. But it's over  
14 4,000 lasers that scan the roads and take pictures.  
15 And we can go back and look at everything that they  
16 scanned. They also pick up road signs, ditches,  
17 anything in that road right-of-way they do capture if  
18 we ever wanted to come back and get our signs, our  
19 drainage, culverts or any of that, assets, we can pay  
20 additional and get that information.

21 So what I was saying about hitting the roads at the  
22 right time, once they put a PCI, pavement condition  
23 index, you'll see on the left side of this chart, a  
24 hundred, of course, is being excellent, brand new.  
25 Zero is pretty much failed. What they give us is a  
26 plan to hit it -- to really optimize the money that we  
27 have. You can do preservation. At one point, one  
28 chart is \$2.00 at that point or once it gets to a  
29 failed, you're looking at \$38.00 a square foot to  
30 reconstruct the road. As we know, prices these days  
31 have skyrocketed. So a lot of these numbers may not be  
32 correct now based on today's numbers. But what we're  
33 trying to do is make sure we're hitting the right  
34 treatment of the roads at the right time. And these  
35 scans give us that information. So again, we're  
36 optimizing that money.

37 And here's some of the data that they came -- from  
38 our pilot program in District 6. Like I said, the PCI,  
39 the overall PCI of all the services, came out to 68,  
40 which is actually satisfactory for that area. So  
41 that's the type of information they'll give us through  
42 a scan. And you can see the chart. It kind of goes  
43 through the different percentages of those road  
44 networks there.

45 And here's an example of the plan that they give  
46 us. Just every road it goes through, we did a five-  
47 year again, and over in the right-hand corner it kind  
48 of gives you the right treatment at the right time. So  
49 this is the type of plan that we would build if we  
50 should have our future funding.

1 And thankfully once we did this, we already had --  
2 some of our roads were already on District 6, we knew  
3 that -- so we're kind of close with what they did, so  
4 that made us feel good.

5 All right. So they took what we did in  
6 Powdersville and kind of put it through county-wide and  
7 came up with estimated our whole network in Anderson  
8 County, the value of that asset is \$731,000,000.00 that  
9 we have neglected for several years. And the longer we  
10 kick it down the road, the more it's going to cost to  
11 fix these roads.

12 Currently, right now, just to maintain the roads  
13 that are in Powdersville at that 68 would be at this  
14 time \$700,000.00 a year just for that one district to  
15 keep it where we are now. We know we don't want to  
16 keep that standard, that we need to raise them.

17 So that's a -- that's -- yeah. What we're asking  
18 for is a road scan countywide so that we can build a  
19 future paving program. That's what we're looking for.

20 TOMMY DUNN: Councilman  
21 Sanders.

22 BRETT SANDERS: Could you go  
23 back one side again?

24 MATT HOGAN: I think so.

25 BRETT SANDERS: Yeah. So  
26 basically this is saying if we don't do anything over  
27 the next five years, what's costing us \$700,000.00 now  
28 -- that's old data, too ---

29 MATT HOGAN: That's old  
30 data, yeah.

31 BRETT SANDERS: --- it's going  
32 to start costing us 8.2 million?

33 MATT HOGAN: That's correct,  
34 yeah.

35 JIMMY DAVIS: You've got in  
36 there 8.2 million or \$812,000 annually.

37 BRETT SANDERS: And these  
38 numbers are how old?

39 MATT HOGAN: Two years old.

40 BRETT SANDERS: Two years old.

41 MATT HOGAN: This was done  
42 in '21.

43 BRETT SANDERS: I'm good.

44 Thank you.

45 TOMMY DUNN: Thank you.

46 Anyone have any questions or comments for Mr.  
47 Hogan?

48 JIMMY DAVIS: Mr. Chair, if I  
49 may?

50 TOMMY DUNN: Yes, sir.

1 Councilman Jimmy Davis.  
2 JIMMY DAVIS: I mean, yeah,  
3 we looked at part of District 6, but I think -- I mean  
4 in your opinion is that a good representation across  
5 the county as far as the road conditions, or do you  
6 think it's ---  
7 MATT HOGAN: I think it's  
8 much lower than that.  
9 JIMMY DAVIS: Okay. I think  
10 part of making a good decision is having good data.  
11 And this is a way we can have good data that will save  
12 us years, because by the time we did it as a county,  
13 our road conditions will have changed drastically two  
14 or three years down the road. So I think this will be  
15 a good process for us as a county to go through. I  
16 mean our roads are -- I mean we talk about how great  
17 our people are, and we do have great people in Anderson  
18 County, and our county staff and employees, but we also  
19 have a great asset with our roads. And we really need  
20 to put some attention to them. Thank you, Mr. Chair.  
21 TOMMY DUNN: Thank you.  
22 Anyone else? Any comments or questions?  
23 I appreciate you, Mr. Hogan. Appreciate you  
24 putting this together. Appreciate you working on this.  
25 And appreciate you doing a whole lot with what very  
26 little we give you.  
27 MATT HOGAN: I got you.  
28 Thank you so much.  
29 TOMMY DUNN: Appreciate you.  
30 JIMMY DAVIS: A lot of  
31 vacation time.  
32 TOMMY DUNN: We're going to  
33 move on now to item number 8(a), Ordinance first  
34 reading, 2023-023, an Ordinance providing for the  
35 imposition of a transportation sales and use tax,  
36 subject to a November 5, 2024 referendum, pursuant to  
37 Title 4, Chapter 37 of the Code of Laws of South  
38 Carolina 1976, as amended; ordering a referendum in  
39 connection therewith; and providing for matters  
40 relating thereto. This is title only for tonight. I  
41 put that in the form of a motion.  
42 JOHN WRIGHT: Second.  
43 CINDY WILSON: Second.  
44 TOMMY DUNN: Second by  
45 Councilman John Wright. Open the floor up for  
46 discussion now. I just want to say, move this forward,  
47 you heard -- we've been knowing this. I think it's the  
48 way to go. Money raised can only go for roads. Not  
49 salaries. For roads. And this is just putting it on  
50 the -- it's giving the citizens of Anderson County a



1 choice. It ain't saying we're raising your taxes.  
2 It's giving them a choice to do it; it's a way to fix  
3 it. That's my spiel for now. Anybody have anything  
4 else?

5 CINDY WILSON: May I?  
6 TOMMY DUNN: Yes, ma'am, Ms.  
7 Wilson.

8 CINDY WILSON: Repeating what  
9 you said, the most important part is the recognition  
10 that what we're doing now is not working. A lot of  
11 folks may not realize that for every tax dollar our  
12 county collects, 70 to 75 percent goes to our schools,  
13 which it should. But it leaves very little left for  
14 public safety, roads, all the other things that we're  
15 responsible for. And I think the most important part  
16 of putting this out for referendum is to provide our  
17 citizens with all the information. And they have the  
18 ability to make the informed choice that we will honor  
19 and respect.

20 TOMMY DUNN: That's right.  
21 CINDY WILSON: Thank you.  
22 TOMMY DUNN: Thank you.

23 Anyone else?

24 JIMMY DAVIS: Mr. Chair?  
25 TOMMY DUNN: Councilman  
26 Jimmy Davis.

27 JIMMY DAVIS: We've talked  
28 about this since I came on the Council, what do we do  
29 with roads, and I think this is an option that we can  
30 look at. I think transparency is key here. And I  
31 think communication is a key. And I think somehow  
32 another we have to be able to get the message out in  
33 the right way where everybody can understand.  
34 Everybody has a choice to see the numbers, Mr. Hogan,  
35 that you have shown us, and make a good decision on  
36 their own. And I think one of the things we look at,  
37 too, is it can only be spent on road improvements, but  
38 we need to be very clear as a county just to make sure  
39 we're clear with that and know exactly what the money  
40 can be spent on and that's it.

41 I look forward to working with everyone on this  
42 because we've got a great asset that we really need to  
43 get caught up on. Thank you, Mr. Chair.

44 TOMMY DUNN: Thank you.  
45 Anyone else?

46 GREG ELGIN: Mr. Chairman.  
47 TOMMY DUNN: Councilman  
48 Elgin.

49 GREG ELGIN: I'd just like  
50 to say we do need to make sure that we get this out in

1 the right way when we start -- if it goes through and  
2 we vote on it and it gets approved to go on there, we  
3 just need to make sure that the public is aware that we  
4 can only do roads with this. That way -- I know  
5 there's some animosity with some state taxes and not a  
6 lot that we see going on, which there is stuff going  
7 on, but we need just to make sure that the citizens do  
8 know that it's going to roads and that's it.

9 TOMMY DUNN: And it gets  
10 audited; not by us.

11 CINDY WILSON: Mr. Chairman?  
12 TOMMY DUNN: Ms. Wilson.  
13 CINDY WILSON: I believe we  
14 had a letter from Ms. Rita Davis outlining the various  
15 methods that could be utilized here. If we increase  
16 taxes the most that we could under 388, let's see what  
17 that would bring in. I did see it here. It's a very  
18 small amount relative to the need. I think it would be  
19 like a little more than a million dollars; is that  
20 correct?

21 TOMMY DUNN: I think a  
22 little bit more than that.

23 CINDY WILSON: Less than two.  
24 FEMALE: (Inaudible.)  
25 TOMMY DUNN: Yep.  
26 CINDY WILSON: And then the  
27 fee on each vehicle was around three million and  
28 something. So anyway, it's food for thought.

29 TOMMY DUNN: Yes, ma'am.  
30 Councilman Sanders.

31 BRETT SANDERS: Plus I think  
32 what we also need to look at, too, is the numbers that  
33 were shared with me was if something like this does  
34 pass, thirty-five to forty percent of it is from out-  
35 of-county and out-of-state people. So for every mile  
36 that we're spending a million dollars or so a mile,  
37 actually we're getting it discounted by over thirty to  
38 forty percent by going this route. So I just wanted to  
39 make that point, as well.

40 TOMMY DUNN: All this is,  
41 tonight if we vote for it, is just starting the  
42 process. We're going to have to make all these points  
43 out and a lot aren't here tonight.

44 All in favor of the motion show of hands. All  
45 opposed like sign. Show the motion carries  
46 unanimously.

47 We're going to move on now to item number 8(b),  
48 2023-022, an Ordinance amending Ordinance No. 99-004,  
49 the Anderson County Zoning Ordinance, as adopted July  
50 20, 1999, by amending the Anderson County Official

1 Zoning Map to adopt a zoning map in the Fork No. 2  
2 voting precinct, Anderson County, South Carolina; and  
3 other matters related thereto.

4 This is District 4, Councilman Sanders. And what  
5 this is, those folks up there has got a petition and it  
6 was turned into the Voter Registration Office. They  
7 check it out and they got enough registered voters to  
8 sign a petition to get this for a vote. I'll go to Mr.  
9 Sanders now.

10 BRETT SANDERS: Thank you, Mr.  
11 Chairman. The people you're talking about is Mr.  
12 Jackson and his team, who are here tonight. I know  
13 they worked very, very hard on acquiring those  
14 signatures to get it on the ballot. I sat down with  
15 Ms. Hunter and looked at the zoning map. I think  
16 everyone's got a copy of it. And I like what I saw. I  
17 think Ms. Hunter and her department agreed. And just  
18 appreciate Council's support on this. Thank you, sir.

19 TOMMY DUNN: Thank you.  
20 Ms. Hunter, do you have anything you want to add or  
21 say? Thank you. Do we have a motion to move this  
22 forward?

23 BRETT SANDERS: So moved.

24 TOMMY DUNN: Motion Mr.  
25 Sanders; and second Ms. Wilson. Any discussion? All  
26 in favor of the motion show of hands. All opposed like  
27 sign. Show the motion carries unanimously.

28 BRETT SANDERS: Now your work  
29 really begins.

30 TOMMY DUNN: That's right.

31 Moving on now to item number 9(a), Resolution 2023-  
32 025, a Resolution to adopt the Anderson and Oconee  
33 County Multi-jurisdictional Hazard Mitigation  
34 Plan dated March 2023; and other matters related  
35 thereto.

36 Do we have a motion to move this forward?

37 CINDY WILSON: Second.

38 TOMMY DUNN: Motion  
39 Councilman Elgin; second Ms. Wilson. Open the floor up  
40 for discussion. I know our Emergency Preparedness  
41 Director is here. You got anything you'd like to say  
42 or add or anything?

43 JOSHUA HAWKINS: Yes, sir. This  
44 is a very difficult plan to write. It's a very large  
45 plan. James McAdams, our Emergency Preparedness  
46 specialist led that charge with our part-time  
47 employees. And I'd like to say that by his effort and  
48 efforts of our employees, we actually did this entire  
49 plan without costing the county any money. We got a  
50 \$51,000.00 grant from the state that allowed us to

1 employ more part-time employees to help us write this  
 2 plan. And this plan actually brings in millions of  
 3 dollars in grant money a year. It's a required plan to  
 4 have for any mitigation grant, whether that be for  
 5 Public Works, for federal reimbursement after a  
 6 disaster, any of that.

7 So I'm very proud of my staff. I think they've  
 8 done a great job. And I appreciate y'all's support  
 9 with this plan, as well.

10 TOMMY DUNN: Want to thank  
 11 you and your team for what y'all do. Mr. McAdams has  
 12 been there a while and appreciate what all you do  
 13 working and the whole team what all y'all do. Anderson  
 14 County is very proud of our Emergency Preparedness  
 15 Department and have been since I've been on Council, it  
 16 continues to improve and get better. And we appreciate  
 17 y'all very much.

18 Anybody make a motion to move this forward?

19 BRETT SANDERS: So moved.

20 TOMMY DUNN: Motion

21 Councilman Sanders and -- we've done done that. I'm  
 22 sorry. Anymore discussion? We've done had a motion  
 23 and second. Anymore discussion? Seeing and hearing  
 24 none, all in favor of the motion show of hands. All  
 25 opposed like sign. Show the motion carries  
 26 unanimously.

27 We're going to move on now to item number 10,  
 28 approval of Memorandum of Understanding between  
 29 Anderson County and TTI involving the extension of  
 30 Orange Way.

31 Mr. Burns, do you just want to touch on this?

32 RUSTY BURNS: (Inaudible.)

33 TOMMY DUNN: Do we have a

34 motion to move this forward?

35 CINDY WILSON: So moved.

36 BRETT SANDERS: So moved.

37 TOMMY DUNN: Motion Mr.

38 Sanders; second Ms. Wilson. Open the floor up for  
 39 discussion. I just want to say this is a great private  
 40 public partnership. This ain't only just going to help  
 41 TTI up there. This is going to help the whole Anderson  
 42 County at that intersection up there. And it's going  
 43 to save lives. Appreciate it. I also want to thank,  
 44 if I haven't touched on this before, Mr. Steve Newton  
 45 for putting this together and helping out under Mr.  
 46 Burns' leadership and directorial in getting this grant  
 47 for us and everything; helping get this. It's a big  
 48 feather -- big get for us and something to be very  
 49 proud of.

50 CINDY WILSON: May I?

1 TOMMY DUNN: Ms. Wilson.  
2 CINDY WILSON: In addition to  
3 all the other nice things that are said for that, the  
4 traffic stacks up at that intersection pretty bad right  
5 now. So this improvement should help the traffic and  
6 safety and the efficiency, of course, so thank you to  
7 all that made that happen.  
8 TOMMY DUNN: Thank you.  
9 Anymore discussion? All in favor of the motion show of  
10 hands. All opposed like sign. Show the motion carries  
11 unanimously.  
12 We're going to move on to item number 11, change  
13 order/bid approvals. Who wants to take care of this?  
14 We're go on to number one, bid number 23-041, Upper  
15 Five Mile Sewer Project. Take it away, Mr. Burns.  
16 RUSTY BURNS: ... low bid  
17 \$1,477,460.00, and they are the low bidder. We had  
18 another bid \$1,600,000.00. We request that Council  
19 award this. This is that project that we've been  
20 working on now for 12 years, taking it one piece at a  
21 time to take care of our main truck line and sewer for  
22 Anderson County.  
23 TOMMY DUNN: Do we have a  
24 motion to move this forward?  
25 BRETT SANDERS: So moved.  
26 CINDY WILSON: Second.  
27 TOMMY DUNN: Motion Mr.  
28 Sanders; second Ms. Wilson. Any discussion? All in  
29 favor of the motion show of hands. All opposed like  
30 sign. Show the motion carries unanimously.  
31 We're going to move on to item number 11(b), number  
32 23-055, Etix, Incorporated, Etix, Incorporated,  
33 Anderson Sports and Entertainment Complex. Mr. Burns.  
34 RUSTY BURNS: Mr. Chairman,  
35 our previous agreement with our ticket agent has  
36 expired. We put together a bid package. We put it out  
37 for people to examine. We received those results. We  
38 had a team of professionals examine this. We decided  
39 to go with Etix because it gives us much more  
40 flexibility. It also has a revenue sharing option in  
41 there and it also has an instance where they can help  
42 advertise for us. So we recommend Etix to be our  
43 ticket agent.  
44 TOMMY DUNN: Okay. Do we  
45 have a motion to move this forward.  
46 BRETT SANDERS: So moved.  
47 TOMMY DUNN: Motion Mr.  
48 Sanders; second Ms. Wilson. Any discussion on this?  
49 All in favor of the motion show of hands. All opposed  
50 like sign. Show the motion carries unanimously.

1       We're going to move on to item number 11(c),  
2       Professional Service Agreement with RAS for road study  
3       in all districts. That's what Mr. Matt Hogan just  
4       talked about. Mr. Burns.

5       RUSTY BURNS:                               Mr. Chairman,  
6       this is the price of \$337,740.00 to employ RAS for the  
7       road study. This is a professional service. Request  
8       approval for this by Council. The money will come from  
9       the infrastructure fund.

10       TOMMY DUNN:                               Do we have a  
11       motion to move this forward?

12       JIMMY DAVIS:                               Second.  
13       TOMMY DUNN:                               Motion Mr.  
14       Sanders; second Councilman Jimmy Davis. Any  
15       discussion?

16       JIMMY DAVIS:                               Mr. Chair?  
17       TOMMY DUNN:                               Mr. Davis,  
18       Jimmy Davis.

19       JIMMY DAVIS:                               Did I read in  
20       there correctly, it said if we approve this they will  
21       have this done by the end of this month? It said June  
22       2023.

23       TOMMY DUNN:                               That's it.  
24       MATT HOGAN:                               It starts  
25       tomorrow if approved.

26       CINDY WILSON:                               The other  
27       important thing about this is that their technology  
28       integrates with the county's existing road software,  
29       and that would preclude our staff having to enter our  
30       system manually.

31       We had a presentation before the Planning and  
32       Public Works Committee, I guess it's been a couple or  
33       three months ago. It was very informative. Thank you.

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

38       Moving on to item number 12. We need a motion to  
39       go into executive session to take legal advice subject  
40       to attorney/client privilege regarding Emergency  
41       Medical contract matters, memorandum of understanding  
42       with the town of Pendleton regarding the Cheney Mill  
43       Project, Cooperative Agreement Grant Contract between  
44       DHEC and Anderson County. Do we have a motion?

45       CINDY WILSON:                               So moved.  
46       BRETT SANDERS:                               So moved.  
47       TOMMY DUNN:                               Motion Mr.  
48       Sanders; second by Mr. Elgin. All in favor of the  
49       motion show of hands. All opposed like sign. Show the  
50       motion carries unanimously.

1 We'll go right back here.

2 **EXECUTIVE SESSION**

3 CINDY WILSON: ... come out of  
4 executive session, having been provided legal advice  
5 subject to attorney/client privilege regarding  
6 emergency medical services contract matters, a  
7 memorandum of understanding with the town of Pendleton  
8 regarding the Cheney Mill Project, and the Cooperative  
9 Agreement Grant Contract between DHEC and Anderson  
10 County, with no action taken during our discussions.

11 TOMMY DUNN: Thank you, Ms.  
12 Wilson. We have a motion by Ms. Wilson. Have a  
13 second?

14 BRETT SANDERS: Second.

15 TOMMY DUNN: Second by  
16 Councilman Elgin. All in favor of the motion to come  
17 out of executive session show of hands. All opposed  
18 like sign. Show the motion carries unanimously.

19 Do we have a motion? Mr. Elgin.

20 GREG ELGIN: Yes, sir, I  
21 have a motion. I make a motion to provide for an  
22 increase in EMS contract with MedShore/Priority to the  
23 ambulance transport fee of three percent for ALS and  
24 BLS transports.

25 TOMMY DUNN: We have a  
26 motion. Do we have a second?

27 BRETT SANDERS: Second.

28 TOMMY DUNN: Second  
29 Councilman Sanders. Open the floor up for discussion.

30 CINDY WILSON: Mr. Chairman?

31 TOMMY DUNN: Ms. Wilson.

32 CINDY WILSON: May we note  
33 that that is a billing increase but not what the county  
34 pays for those services.

35 TOMMY DUNN: They have come  
36 before us in a contract to get a billing increase,  
37 coming before Council. They've requested this and  
38 implied the things. Keep them -- I think it's just the  
39 best thing to do, unfortunately, the way we are now.  
40 No tax money or nothing on this. It's just individual  
41 cost to the things.

42 You got anything to add to that?

43 GREG ELGIN: That's what I  
44 was going to echo, that there's no money coming from  
45 the county at all. This is just -- they have to come  
46 before us to get the ability to get that increase. And  
47 from what we were told, it's basically going to even  
48 out with what everybody else is charging around us now.  
49 Puts us more in line.

50 TOMMY DUNN: All in favor of

1 the motion show of hands. All opposed like sign. Show  
2 the motion carries unanimously.  
3 Councilman Sanders, do you have a motion?  
4 BRETT SANDERS: Yes, Mr.  
5 Chairman. I make a motion to approve a Memorandum of  
6 Understanding with the town of Pendleton and the Cheney  
7 Mill Project to lay \$75,000.00 of the cost of building  
8 permits for the Cheney Mill Project and authorize our  
9 County Administrator to sign the Memorandum of  
10 Understanding. And like I said, that's in the form of  
11 a motion.  
12 CINDY WILSON: Second.  
13 TOMMY DUNN: Have a motion  
14 Mr. Sanders; second Ms. Wilson. Any further  
15 discussion?  
16 BRETT SANDERS: Mr. Chairman?  
17 TOMMY DUNN: Mr. Sanders.  
18 BRETT SANDERS: I'd just like  
19 to thank Council for their support on this. It will  
20 help clean up a blighted area in the town of Pendleton.  
21 I know my Pendleton constituents and the Pendleton Town  
22 Council would surely appreciate it and send their  
23 thanks. Thank you.  
24 TOMMY DUNN: Thank you. And  
25 this is a good \$75,000.00 spent. Number one, we  
26 wouldn't -- this project probably wouldn't happen if  
27 they didn't get this thing. And it's going to help our  
28 tax base in the long-run.  
29 Anymore discussion? All in favor of the motion  
30 show of hands. All opposed like sign. Show the motion  
31 carries unanimously.  
32 Moving on, Mr. Glenn Davis, do you have a motion?  
33 GLENN DAVIS: Yes, sir.  
34 Thank you, Mr. Chairman. I make a motion to approve  
35 the Cooperative Agreement Contract between DHEC and  
36 Anderson County to provide for \$15,000.00 to acquire a  
37 portable fit test machine for respirators for first  
38 responders, and to authorize the County Administrator  
39 to sign the agreement. And I put that in the form of a  
40 motion, sir.  
41 BRETT SANDERS: Second.  
42 TOMMY DUNN: Motion Mr.  
43 Glenn Davis and second by Councilman Sanders. Any  
44 discussion? This is getting money from DHEC getting us  
45 to buy a piece of equipment. We don't never want to  
46 turn down no money if we can't and that's our Emergency  
47 Preparedness Director over there and he put in for  
48 this. We're very proud of it and very good. It'll  
49 help our first responders out because they have to be  
50 fit tested to wear these things.



1           Anymore discussion? All in favor of the motion  
2 show of hands. All opposed like sign. Show the motion  
3 carries unanimously.  
4           We're going to move on now, report from the RV Park  
5 Ad Hoc Committee, Councilman Sanders.  
6           BRETT SANDERS:                               Thank you, Mr.  
7 Chairman.  
8           TOMMY DUNN:                                 I skipped over  
9 it. We're going to go back.  
10          BRETT SANDERS:                               Go ahead and go  
11 back to that?  
12          TOMMY DUNN:                                 No, we're going  
13 to do that.  
14          BRETT SANDERS:                               Okay. Well,  
15 thank you. The RV Park Ad Hoc Committee met. We met  
16 with some citizens and Mr. John Caime was also present,  
17 attorneys. We had some members of the public there, as  
18 well. We took the original ordinance that was  
19 presented, went through it line by line. There were  
20 some things in there that state law already covered.  
21 There were some changes and things that we all agreed  
22 upon. And the new one, everyone should have a copy  
23 emailed to them that was e-mailed out. The only vote  
24 that was taken at that time was to authorize or let Mr.  
25 John Caime rewrite everything with the changes that  
26 everyone had discussed and send it before you and  
27 Council for them to look at. And you should have it.  
28          TOMMY DUNN:                                 Hopefully we're  
29 going to bring this up for a vote for second reading  
30 next Council meeting. In the meantime, Mr. Harmon is  
31 going to meet with the chairman of the committee, Mr.  
32 Sanders, to go over a few things this week and get some  
33 clarification on some things.  
34          Thank y'all for that work, Mr. Sanders.  
35          BRETT SANDERS:                               Yes, sir.  
36          TOMMY DUNN:                                 And the  
37 citizens that was willing to serve on that. And the  
38 staff and the fine job of John Caime, who has wrote or  
39 help write RV ordinances in two other counties.  
40          We're going to move on now, report from the ACOG  
41 meeting held on May 26th, 2023, Councilman Wilson.  
42          CINDY WILSON:                                Mr. Sanders and  
43 Mr. Claramunt and Mr. Pinson and I represent our county  
44 on the Appalachian Council of Government's board. And  
45 we had an announcement and approved funding from what's  
46 called the South Carolina Infrastructure Investment  
47 Program that came from I guess ARPA and the South  
48 Carolina General Assembly, Senator Mike Gambrell and  
49 our county delegation helped move this forward, too.  
50 It's called the American Rescue Plan Act.

1 Anderson County -- and I'm just going to read the  
 2 projects off real quick because it's really a big help.  
 3 This is a shot in the arm of our county for  
 4 infrastructure projects in need. Some of the projects  
 5 have been going wanting for more than 20 years. So  
 6 having this funding available to upgrade, replace or  
 7 what have you, is a major improvement.

8 The Anderson Regional Joint Water System, which is  
 9 the Lake Hartwell filter plan improvement requests  
 10 \$10,000,000.00; city of Anderson Generosity Creek Sewer  
 11 upgrades \$10,000,000.00; town of Pendleton, the  
 12 Pendleton/Clemson Regional Wastewater Treatment Plant  
 13 upgrade, \$10,000,000.00; Powdersville Water District,  
 14 water main placement -- replacement and expansion  
 15 \$10,000,000.00; ReWa for the Pelzer and West Pelzer  
 16 sewer consolidation improvements \$10,000,000.00; city  
 17 of Belton, water distribution and sewer lift statement  
 18 replacement/improvements \$9,431,585.00; Sandy Springs  
 19 Water District, water main replacement \$7,693,228.00;  
 20 town of Honea Path, water distribution improvements and  
 21 Corner Creek Basin sewer rehabilitation, phase three,  
 22 \$7,341,797.00; town of Pelzer, regional water  
 23 improvements \$9,960,035.00; town of Williamston Waste  
 24 Water Treatment Plant trunk line replacement and pump  
 25 station \$1,870,000.00; town of Iva waste water line  
 26 grouting \$1,275,000.00; Belton/Honea Path Water  
 27 Authority water treatment plant improvements  
 28 \$5,261,925.00; for a total funding of \$92,833,570.00.

29 That is a real blessing for this county and we  
 30 thank Mr. Burns and Mr. Newton and all the staff that  
 31 helped put that in the form of applications. So thank  
 32 y'all.

33 TOMMY DUNN: Thank you.  
 34 Thank you, Ms. Wilson, thank you for reporting it and  
 35 getting the news out.

36 We're going to move on now to the Administrator's  
 37 report. Mr. Burns.

38 RUSTY BURNS: (Inaudible.)

39 TOMMY DUNN: Yeah, we're  
 40 going to do the Administrator's report and then we're  
 41 going to do -- okay.

42 Now, we're going to move on, requests by Council  
 43 members. Mr. Sanders.

44 BRETT SANDERS: (Inaudible.)

45 TOMMY DUNN: Five seventy?

46 Put your mic on. Five seventy?

47 BRETT SANDERS: Five seven

48 zero; correct. I'm sorry.

49 TOMMY DUNN: We have a

50 motion. Do we have a second?

1 CINDY WILSON: Second.  
2 TOMMY DUNN: Second Ms.  
3 Wilson. All in favor of the motion show of hands. All  
4 opposed like sign. Show the motion carries  
5 unanimously. Anything else, Mr. Sanders?  
6 BRETT SANDERS: That's all.  
7 Thank you, sir.  
8 TOMMY DUNN: Councilman  
9 Jimmy Davis.  
10 JIMMY DAVIS: Nothing, sir.  
11 TOMMY DUNN: Thank you.  
12 Councilman Glenn Davis.  
13 GLENN DAVIS: Thank you, Mr.  
14 Chairman. I have three I'd like to do if I could do  
15 all three at the same time.  
16 TOMMY DUNN: Yes, sir, you  
17 can.  
18 GLENN DAVIS: For the -- out  
19 of District 2's special appropriations account, I'd  
20 like to do \$1,000.00 for Men at Work; Anderson Jets  
21 Track Club \$1,500.00; Generation 4 \$1,000.00. Put that  
22 in the form of a motion.  
23 BRETT SANDERS: Second.  
24 CINDY WILSON: Second.  
25 TOMMY DUNN: We have a  
26 motion by Mr. Glenn Davis and second Ms. Wilson. Any  
27 discussion? All in favor of the motion show of hands.  
28 All opposed like sign. Show the motion carries  
29 unanimously. Anything else, Mr. Davis?  
30 GLENN DAVIS: That's all.  
31 Thank you.  
32 TOMMY DUNN: Thank you.  
33 Mr. Elgin?  
34 GREG ELGIN: Nothing.  
35 TOMMY DUNN: Councilman  
36 Wright?  
37 JOHN WRIGHT: Thank you, Mr.  
38 Chairman. From District 1's special rec account, I'd  
39 like to appropriate \$1,000.00 to the Anderson Jets  
40 Track Club, and put that in the form of a motion.  
41 CINDY WILSON: Second.  
42 TOMMY DUNN: Have a motion  
43 Mr. Wright and second Ms. Wilson. Any discussion? All  
44 in favor of the motion show of hands. All opposed like  
45 sign. Show the motion carries unanimously.  
46 Anything else, Mr. Wright?  
47 JOHN WRIGHT: No, sir.  
48 TOMMY DUNN: Move on to Ms.  
49 Wilson.  
50 CINDY WILSON: As District 7

1 has zero balance remaining in our recreation account, I  
2 will try to provide some funds for the track club  
3 probably in July. Thank you.

4 TOMMY DUNN: Thank you.

5 Out of District 5's special appropriation account,  
6 I'd like to appropriate \$1,500.00 for the Anderson Jets  
7 Track Club. I put that in the form of a motion.

8 CINDY WILSON: Second.

9 TOMMY DUNN: Second Ms.

10 Wilson. Any discussion? All in favor of the motion  
11 show of hands. All opposed like sign. Show the motion  
12 carries unanimously.

13 They do real good, and good luck, and hopefully  
14 with a lot of kids.

15 Moving on now, citizens comments. As Mr. Harmon  
16 calls your name, please state your name and district  
17 for the record and address the chair. And you have  
18 three minutes. Mr. Harmon?

19 LEON HARMON: Mr. Chairman,  
20 the first speaker is Bobby Simmons.

21 BOBBY SIMMONS: Bobby Simmons,  
22 District 2. What I wanted to speak on today was our  
23 kids. As you know the school is out and we have kids  
24 that's not in school, so they're going to be on the  
25 street. They're going to be in home. They're going to  
26 be doing a lot of different things. And maybe not for  
27 this year, but maybe for next year, I was hoping that  
28 the Council would maybe provide some kind of either job  
29 or incentive for companies to hire these children  
30 because when they're not in school and they're not  
31 doing anything, it's kind of like a waste of time. You  
32 know, they're not doing anything, so they're going to  
33 get -- what are they going to do? Get in trouble.

34 I think our detention center is already filled with  
35 people already, so we don't need anymore there. So we  
36 need to do something. We need an action word to get  
37 involved in doing things for our children because they  
38 are our future. And if we let them down, then we let  
39 ourself down. So we need to do something a little bit  
40 more.

41 And then you think about the whole thing that what  
42 are we -- what are the children missing out on?  
43 They're missing out on working with others, learning  
44 how to work. They learn how to be at work on time and  
45 to be accountable by having a job. They learn how to  
46 receive a pay check and also how to manage that pay  
47 check. So they learn a lot. If they're not doing any  
48 of these things, then they're not learning anything.

49 And one other thing I wanted to add is that if the  
50 county have some extra land they're not using, maybe

1 the county can have some kids to do some gardening  
2 there and may pay them a small stipend or whatever, and  
3 let them work and produce the crops. There are a lot  
4 of children, they don't know what a carrot look like in  
5 the ground. They don't know what a cabbage look like.  
6 They don't know what a tomato look like. And you give  
7 them an opportunity to do this and I'm sure it wouldn't  
8 be a lot of work -- you could ask for some volunteers  
9 to maybe be a head person or supervisor person as the  
10 kids are there.

11 So we can do a lot of things, but we need an action  
12 word. We need to do something. We don't need to just  
13 talk about something. We need to have an action word  
14 that really does something. That means something.  
15 Thank you very much.

16 TOMMY DUNN: Mr. Harmon?

17 LEON HARMON: Mr. Chairman,

18 no one else is signed up.

19 TOMMY DUNN: Thank you, Mr.

20 Harmon.

21 We're going to move on now to comments or remarks  
22 from Council members. Ms. Wilson.

23 CINDY WILSON: Thank you, Mr.

24 Chairman. Along with the growth of our county, we're  
25 kind of behind on trying to upgrade and update our  
26 development standards, so it's good to see us finally  
27 being able to make some progress there.

28 I know Mr. Wright and Mr. Burns who engineered a  
29 meeting at Ten at the Top a couple of weeks ago sharing  
30 I guess similar pains with Greenville and Spartanburg  
31 Counties. It was noted that a lot of development  
32 projects, we're now learning we can require a better  
33 quality and be provided it. For example, Walmart,  
34 McDonald's, all of those have several plans that they  
35 use to build their new projects. So we should be  
36 requesting a better quality. And that was one thing  
37 that I guess the deputy of Greenville County Planning  
38 Commission was recommending that they're planning to  
39 do, too.

40 But anyway, we have a wonderful county and  
41 wonderful people and we welcome most everybody here.  
42 So we just want to make sure we stay looking nice and  
43 being efficient. Thank you.

44 TOMMY DUNN: Thank you.

45 Councilman Wright.

46 JOHN WRIGHT: Thank you, Mr.

47 Chairman. I echo Ms. Wilson's comments. I thought it  
48 was a very good meeting. We had good attendance.

49 Anderson County was well represented from a Council and  
50 a staff perspective, and I thought it was a very good

1 and productive meeting with some good dialogue.

2 I also want to thank Mr. Hogan. He was very  
3 instrumental in helping a subdivision in my district  
4 that had been trying to get paving -- on the paving  
5 list for several years and thanks to Mr. Hogan and his  
6 help and Transportation Committee support, we were able  
7 to get that done. So thank you, Mr. Hogan, for all you  
8 do. I appreciate it. That's all.

9 TOMMY DUNN: Thank you.  
10 Councilman Elgin.

11 GREG ELGIN: Yes, sir. I  
12 just want to say thank you, again, to our staff, Mr.  
13 Hogan for being here tonight, our whole staff. I know  
14 we have a great county, great citizens and we have  
15 great employees that do a good job for us. So just  
16 want to say thank you to all our employees and all our  
17 heads of all of our departments, our administrator and  
18 everybody else. I think everybody is doing a good job.  
19 We're moving some things along that we've been looking  
20 at for a long time. So hopefully we're moving in the  
21 right direction and we want to keep moving that way.  
22 So thanks, everybody.

23 TOMMY DUNN: Thank you.  
24 Councilman Jimmy Davis.

25 JIMMY DAVIS: Thank you, Mr.  
26 Chair. You caught me off guard. We just had, this  
27 past Saturday, the 13th Saluda River Rally. It was  
28 well attended. We've had a little bit bigger crowd,  
29 but it was a great crowd, nevertheless. A lot of  
30 people had fun. Mr. Thayer floated. But one of the  
31 biggest compliments we had was people out there saying  
32 it's good to see the changes and the improvements  
33 happening in Dolly Cooper Park. And I want to thank  
34 each and every one of you for helping us get that park  
35 off the ground and up and running. We look forward to  
36 a number 14 next year for Saluda River Rally.

37 And I just can't say enough about our county staff  
38 that went up there and floated the river in kayaks and  
39 canoes with chainsaws to clean the river up to make  
40 sure that people had a good time and went down in a  
41 safe manner.

42 I look forward to next year, and I thank you all.

43 TOMMY DUNN: Thank you.  
44 Councilman Sanders.

45 BRETT SANDERS: Sorry, that  
46 mic, I keep leaving it off. I just wanted to thank our  
47 employees and our staff, as well. I do know our  
48 Balloon Festival, the Cancer Association and we had the  
49 big announcement with Martina McBride. Also our splash  
50 pad is now officially open. Is that correct, Mr.

1 Burns?  
2 RUSTY BURNS: Yes, sir.  
3 BRETT SANDERS: I think last  
4 week. So good things. Just hope our citizens have an  
5 employable and safe summer. Thank you.  
6 TOMMY DUNN: Thank you.  
7 Councilman Glenn Davis.  
8 GLENN DAVIS: Nothing at this  
9 time.  
10 TOMMY DUNN: Thank you. And  
11 I'll just echo what other Council members said,  
12 appreciate the staff, all the hard work by everybody.  
13 Mr. Burns has got an awesome team taking care of, and  
14 tries to improve and do what we can. Appreciate him  
15 and his staff. And everybody have a ...  
16

17 **(MEETING ADJOURNED AT 7:27 P.M.)**

**ORDINANCE NO. 2023-018**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO FEE IN LIEU OF TAX AND SPECIAL SOURCE CREDIT AGREEMENT BY AND BETWEEN ANDERSON COUNTY, SOUTH CAROLINA AND GRAY INDUSTRIAL REALTY 7, LLC FOR THE PURPOSE OF MODIFYING THE SPECIAL SOURCE CREDITS TO BE PROVIDED THEREUNDER; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS, ANDERSON COUNTY, SOUTH CAROLINA** (the “*County*”), acting by and through its County Council (the “*County Council*”), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 (the “*FILOT Act*”), Title 4, Chapter 1 (the “*Multi-County Park Act*”), and Title 4, Chapter 29, of the Code of Laws of South Carolina 1976, as amended, to enter into agreements with industry whereby the industry would pay fees-in-lieu-of taxes with respect to qualified projects; to provide infrastructure credits against payment in lieu of taxes for reimbursement in respect of investment in certain infrastructure enhancing the economic development of the County; through all such powers the industrial development of the State of South Carolina (the “*State*”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

**WHEREAS,** pursuant to the FILOT Act, and in order to induce investment in the County, the County did previously enter into an Inducement Agreement dated as of August 16, 2022 (the “*Inducement Agreement*”) with Gray Industrial Realty 7, LLC, a Kentucky limited liability company authorized to transact business in the State (the “*Company*”) (which was known to the County at the time as “*Project Little Brother*”), with respect to the acquisition, construction, and installation of land, buildings, improvements, fixtures, machinery, equipment, furnishings and other real and/or tangible personal property to constitute a new industrial (light manufacturing and/or distribution) facility in the County (collectively, the “*Project*”); and

**WHEREAS,** pursuant to the Inducement Agreement, and Ordinance No. 2022-037 enacted by County Council of the County on October 18, 2022, the County and the Company entered into a Fee in Lieu of Tax and Special Source Credit Agreement (the “*Fee Agreement*”) dated as of October 18, 2022, whereby the County agreed to receive and the Company agreed to pay fees-in-lieu-of taxes (“*FILOT Payments*”) by the Company with respect to the Project, and the County agreed to provide certain special source credits (the “*Special Source Credits*”) to be claimed by the Company against its FILOT Payments with respect to the Project pursuant to Section 4-1-175 of the Multi-County Park Act to support the project by offsetting related infrastructure costs to be incurred by the Company; and

**WHEREAS,** pursuant to the authority of Section 4-1-170 of the Multi-County Park Act and Article VIII, Section 13 of the South Carolina Constitution, the County intends to cause the Project, to the extent not already therein located, to be placed in a joint county industrial and business park (the “*Multi-County Park*”) such that the Project will receive the benefits of the Special Source Credits under the Multi-County Park Act; and

**WHEREAS,** the Company has informed the County that the infrastructure costs associated with the project exceed those originally anticipated, and the County wishes to modify the Special Source Credits provided under the Fee Agreement so as to increase the successive annual FILOT Payments which will be subject to a Special Source Credit equal to 85% of such FILOT Payments from for one additional FILOT



Payment (i.e., the 85% Special Source Credit will apply to the first six (6) FILOT Payments instead of the first five (5) FILOT Payments) to support the Project and help offset the increased infrastructure cost; and

**WHEREAS**, the County Council has caused to be prepared and presented to this meeting the form of the Amendment to Fee in Lieu of Tax and Special Source Credit Agreement (the “Amendment”) which the County and the Company propose to execute and deliver; and

**WHEREAS**, it appears that the Amendment attached hereto as Exhibit A, is in appropriate form and is an appropriate instrument to be executed and delivered or approved by the County for the purposes intended;

**NOW, THEREFORE, BE IT ORDAINED**, by the County Council as follows:

Section 1. The form, terms and provisions of the Amendment attached hereto as Exhibit A are hereby approved. The Chairman of County Council is hereby authorized, empowered and directed to execute, acknowledge and deliver the Amendment in the name of and on behalf of the County, and the County Administrator and Clerk to County Council are hereby authorized and directed to attest the same, and thereupon to cause the Amendment to be delivered to the Company and cause a copy of the same to be delivered to the Anderson County Auditor, Assessor and Treasurer. The Amendment is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the Chairman of County Council, upon advice of counsel, execution thereof by such signatories to constitute conclusive evidence of approval of any and all changes or revisions therein from the form of Amendment now before this meeting.

Section 2. The Chairman of County Council, the County Administrator and the Clerk to County Council, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Amendment and the performance of all obligations of the County under the Fee Agreement, as amended.

Section 3. The provisions of this ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 4. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This ordinance shall take effect and be in full force from and after its passage by the County Council.

[signature page follows]

**ENACTED** in meeting duly assembled this \_\_\_\_ day of \_\_\_\_\_, 2023.

**ANDERSON COUNTY, SOUTH CAROLINA**

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Chairman of County Council

Attest:

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County Administrator

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Clerk to County Council

First Reading: May 16, 2023

Second Reading: June 6, 2023

Public Hearing: July 18, 2023

Third Reading: July 18, 2023

Approved as to Form:

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Leon C. Harmon  
County Attorney

**STATE OF SOUTH CAROLINA**

**COUNTY OF ANDERSON**

I, the undersigned Clerk to County Council of Anderson County, South Carolina, do hereby certify that attached hereto is a true, accurate and complete copy of an ordinance which was given reading, and received unanimous approval, by the County Council at its meetings of May 16, 2023, June 6, 2023, and July 18, 2023, 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.

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Clerk to County Council,  
Anderson County, South Carolina

Dated: \_\_\_\_\_, 2023

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**AMENDMENT TO FEE IN LIEU OF TAX AND  
SPECIAL SOURCE CREDIT AGREEMENT**

**between**

**ANDERSON COUNTY, SOUTH CAROLINA**

**and**

**GRAY INDUSTRIAL REALTY 7, LLC**

**Dated as of \_\_\_\_\_, 2023**

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**AMENDMENT TO FEE IN LIEU OF TAX AND  
SPECIAL SOURCE CREDIT AGREEMENT**

**THIS AMENDMENT TO FEE IN LIEU OF TAX AGREEMENT** (this "Amendment") is dated as of \_\_\_\_\_, 2023 by and between **ANDERSON COUNTY, SOUTH CAROLINA** (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, and **GRAY INDUSTRIAL REALTY 7. LLC** (the "Company"), a limited liability company organized and existing under the laws of the State of Kentucky and authorized to do business in the State of South Carolina, for the purpose of amending that certain Fee in Lieu of Tax and Special Source Credit Agreement by and between the County and the Company dated as of October 18, 2022 (the "Fee Agreement").

**WITNESSETH:**

**WHEREAS**, the Code of Laws of South Carolina, 1976, as amended, (the "Code"), and particularly Title 12, Chapter 44 thereof (as amended through the date hereof, the "Act"), in order to create jobs and promote prosperity within the State of South Carolina, empowers the several counties of the State of South Carolina to induce investors ("Project Sponsors") to acquire, enlarge, improve, and expand certain types of industrial and commercial property ("Economic Development Property") within their jurisdictional limits and thereafter operate, maintain and improve such Economic Development Property by, among other things, entering into agreements providing for payments with respect to Economic Development Property by Project Sponsors in lieu of *ad valorem* taxes at favorable rates ("FILOT Payments"); and

**WHEREAS**, the County, acting by and through its County Council (the "County Council") is authorized by Titles 4 and 12 of the Code to provide special source revenue financing by providing a credit against or payment derived from FILOT Payments due from a Project Sponsor pursuant to Article VIII, Section 13 of the South Carolina Constitution, Section 4-1-170 of the Code, and the Act, for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County or the project, and for improved or unimproved real estate used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County; and

**WHEREAS**, the Company has acquired and is acquiring by construction and purchase certain facilities, consisting of land (if any), buildings, apparatus, machinery, equipment, furnishings, fixtures, and materials in the County (the "Project"), to be used primarily for the purpose of distribution or light manufacturing operations; and

**WHEREAS**, pursuant to Ordinance No. 2022-037 of the County enacted on October 18, 2022, the County and the Company executed and entered into: (i) the Fee Agreement dated as of October 18, 2022 under which the Company agreed, among other things, to make FILOT Payments to the County, subject to certain Special Source Credits (as such term is defined in the FILOT Agreement) to be applied to reduce such FILOT Payments to help offset the cost of infrastructure supporting the Project; and

**WHEREAS**, the Company has indicated to the County that the cost of infrastructure serving the Project which the Company must incur is higher than originally anticipated, and requested that the Special Source Credits to be provided under the Fee Agreement be adjusted to help offset such increased cost; and

**WHEREAS**, the Company and the County now wish to amend the Fee Agreement for the purposes of adjusting the Special Source Credits provided thereunder as set forth herein;

**NOW, THEREFORE**, in consideration of the respective representations and agreements hereinafter contained, and the sum of \$10.00 in hand, duly paid by the Company to the County, the

receipt and sufficiency of which are hereby acknowledged, the County and the Company agree as follows:

## **ARTICLE I DEFINITIONS**

**SECTION 1.01. Definitions.** Each capitalized term used in this Amendment shall have the definition given for such term herein or in the preamble hereto, or, if no definition is given herein, the definition(s) given for such term in the Fee Agreement.

**SECTION 1.02. References to Amendment.** The words "hereof", "herein", "hereunder", and other words of similar import refer to this Amendment as a whole, unless the context clearly requires otherwise.

## **ARTICLE II AMENDMENTS**

**SECTION 2.01. Amendments to Fee Agreement.** The terms and provisions of the Fee Agreement shall be and hereby are amended as follows:

(a) Section 3 of the Summary of Contents of the Fee Agreement is amended to refer to a Special Source Credit of 85% for the first six (6) FILOT Payments, and 35% for the next twenty-four (24) FILOT Payments.

(b) Section 4.02(a) of the Fee Agreement is deleted in its entirety and replaced with the following quoted language:

“(a) In accordance with and pursuant to Section 12-44-70 of the FILOT Act and Section 4-1-175 of the MCIP Act, in order to reimburse the Company for qualifying capital expenditures incurred for costs of the Infrastructure during the Investment Period, the Company shall be entitled to receive, and the County agrees to provide, annual Special Source Credits against the Company’s first six (6) consecutive FILOT Payments in an amount equal to eighty-five percent (85%), and the Company’s next twenty-four (24) consecutive FILOT Payments thereafter in an amount equal to thirty-five percent (35%), of that portion of FILOT Payments payable by the Company with respect to the Project (that is, with respect to investment made by the Company in the Project during the Investment Period), calculated and applied after payment of the amount due the non-host county under the MCIP Agreement.”

**SECTION 2.02. Conflict with Inducement Agreement.** To the extent the terms and provisions of the Fee Agreement, as amended by this Amendment (the “Amended Fee Agreement”) conflict with the terms and provisions of the Inducement Agreement, the terms and provisions of the Amended Fee Agreement shall control.

**SECTION 2.03. No Further Amendment.** Except for the amendments to the Fee Agreement expressly set forth in this Amendment, all terms and provisions of the Fee Agreement remain unchanged and in full force and effect between the parties thereto.

### **ARTICLE III MISCELLANEOUS**

**SECTION 3.01. Entire Understanding.** This Amendment expresses the entire understanding and all agreements of the parties hereto with each other as to the amendments to the Fee Agreement set forth herein, and neither party hereto has made or shall be bound by any agreement or any representation to the other party with respect to such amendments which is not expressly set forth herein.

**SECTION 3.02. Severability.** In the event that any clause or provision of this Amendment shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

**SECTION 3.03. Headings and Table of Contents; References.** The headings of this Amendment are for convenience of reference only and shall not define or limit the provisions of this Amendment or the Amended Fee Agreement or affect the meaning or interpretation hereof or thereof. All references in this Amendment to particular Articles or Sections or subdivisions of this Amendment or of the Fee Agreement are references to the designated Articles or Sections or subdivisions of this Amendment or the Fee Agreement, as applicable.

**SECTION 3.04. Multiple Counterparts.** This Amendment may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument. Facsimile signatures may be relied upon as if originals.

[signature page follows]

**IN WITNESS WHEREOF**, Anderson County, South Carolina, has caused this Amendment to be executed by the Chairman of its County Council and its corporate seal to be hereunto affixed and attested by the County Administrator and the Clerk of its County Council, all as of the day and year first above written.

**ANDERSON COUNTY, SOUTH CAROLINA**

(SEAL)

By: \_\_\_\_\_  
Chairman of County Council

**ATTEST:**

\_\_\_\_\_  
County Administrator

\_\_\_\_\_  
Clerk to County Council of  
Anderson County, South Carolina

*[Signature Page 1 to Amendment to Fee in Lieu of Tax and Special Source Credit Agreement]*



**IN WITNESS WHEREOF**, Gray Industrial Realty 7, LLC has caused this Amendment to be executed by its authorized signatory as of the day and year first above written.

**GRAY INDUSTRIAL REALTY 7, LLC**

By: GRAY INDUSTRIAL REALTY I, INC.  
Its: Sole Member

By: \_\_\_\_\_  
Joseph C. Hargrove  
Its: President

*[Signature Page 2 to Amendment to Fee in Lieu of Tax and Special Source Credit Agreement]*

**ORDINANCE NO. 2023-019**

**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.**

**WHEREAS**, pursuant to Ordinance No. 2010-026 enacted November 16, 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 Anderson County to a certain company currently or formerly known to Anderson County as Project Little Brother, it is now desired that the boundaries of the Park be enlarged to include certain parcels in Anderson County;

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

**DONE** in meeting duly assembled this 18th day of July, 2023.

**ANDERSON COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Chairman of County Council

Attest:

\_\_\_\_\_  
County Administrator

\_\_\_\_\_  
Clerk to County Council

First Reading: May 16, 2023  
Second Reading: June 6, 2023  
Public Hearing: July 18, 2023  
Third Reading: July 18, 2023

Approved as to Form:

\_\_\_\_\_  
Leon C. Harmon  
County Attorney

Addition to Exhibit B 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

Project Little Brother (Gray Industrial Realty 7, LLC) Property Description

ALL THAT CERTAIN piece, parcel or tract of land, situate, lying and being in the Township of Williamston, County of Anderson, State of South Carolina, lying at the intersection of S. C. Highway No. 8 (Easley Highway), and Durham Road, containing 38.40 acres, more or less, according to a plat of survey entitled "Recombination Plat for Gray Industrial Realty 7, LLC", prepared by Jay C. Hipp, PLS Reg. No. 29115, with H & M Surveying, LLC, dated August 19, 2022, and recorded in the Office of the Register of Deeds for Anderson County, South Carolina in Plat Book S2954 at Page 5, and having the following metes and bounds, to-wit:

Beginning at a 1/2" Crimp Top on the northern right-of-way of Durham Road labeled P.O.B. thence running along said right-of-way bearing S 72°05'12" W a distance of 55.06 feet to a 1/2" Crimp Top; thence bearing S 75°46'20" W a distance of 94.94 feet to a 1/2" Rebar with cap; thence bearing S 84°45'38" W a distance of 135.17 feet to a 1/2" Open Top; thence bearing N 74°08'31" W a distance of 84.35 feet to a 1/2" Rebar with cap; thence bearing S 35°18'10" W a distance of 87.00 feet to a 1/2" Rebar with cap; thence bearing S 39°53'46" W a distance of 55.52 feet to a 1/2" Open Top; thence bearing S 86°46'45" W a distance of 148.07 feet to a Concrete Monument; thence bearing S 84°03'23" W a distance of 69.53 feet to a 1/2" Rebar with cap; thence bearing S 76°27'26" W a distance of 72.12 feet to a 1/2" Crimp Top; thence bearing S 70°32'01" W a distance of 71.72 feet to a 1/2" Crimp Top; thence bearing S 65°13'23" W a distance of 48.21 feet to a 3/4" Crimp Top; thence bearing S 61°31'42" W a distance of 64.50 feet to a 1/2" Rebar with cap; thence bearing N 89°11'45" W a distance of 79.37 feet to a Concrete Monument on the northern right-of-way of Easley Highway (SC-8); thence continuing along said right-of-way bearing N 55°42'06" W a distance of 122.94 feet to a 1" Open Top; thence N 56°51'39" W a distance of 94.89 feet to an iron pin found 1" crimp top bent; thence N 46°33'31" W a distance of 32.31 feet to an iron pin found 1" Open Top; thence N 47°22'35" W a distance of 181.17 feet to an iron pin found 1/2" Rebar; thence N 50°59'49" W a distance of 339.03 feet to an iron pin found 3/4" Open Top; thence leaving said right of way N 36°03'12" E a distance of 315.30 feet to an iron pin found 3/4" Open Top; thence N 46°44'28" W a distance of 209.98 feet to an iron pin found 1" Open Top; thence N 36°07'32" E a distance of 472.86 feet to an iron pin found 3/4" Open Top; thence S 84°08'12" E a distance of 247.26 feet to an iron pin found 3/4" Open Top; thence N 84°52'51" E a distance of 144.86 feet to an iron pin found 3/4" Open Top; thence S 86°05'45" E a distance of 305.52 feet to an iron pin found 5/8" Rebar; thence S 80°47'37" E a distance of 825.93 feet to an iron pin set 1/2" rebar with cap; thence S 16°05'23" W a distance of 202.04 feet to an iron pin found 1" crimp top; thence S 14°47'04" W a distance of 246.36 feet to an iron pin 5/8" solid rod found; thence S 16°19'25" W a distance of 430.67 feet to the POINT AND PLACE OF BEGINNING.

**COUNTY OF ANDERSON**

Clerk, Anderson County Council

49508812 v1

**ORDINANCE NO.: 2023-017**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, ANDERSON COUNTY, SOUTH CAROLINA, BY ADDING A NEW SECTION WITHIN CHAPTER 24, ARTICLE II, DIVISION 5 TO ADDRESS RV PARK DESIGN STANDARDS; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the Anderson County Council has the authority and duty to provide for the general health, safety and welfare of Anderson County citizens and to exercise its police powers to achieve these ends;

**WHEREAS**, Anderson County Council, pursuant to the Code of Laws of South Carolina, specifically § 4-9-30(9), has authority to provide for land use and promulgate regulations consistent with provisions of state law;

**WHEREAS**, Anderson County Council has previously adopted within its Code of Ordinances, Chapter 24 which pertains to land use;

**WHEREAS**, the Anderson County Code of Ordinances. Chapter 24, contains within Article II, Division 5 which contains supplemental development standards for certain land uses and large scale projects;

**WHEREAS**, there has been increased interest in the development of RV Parks within Anderson County; and

**WHEREAS**, Anderson County Council desires to amend the Code of Ordinances, Chapter 24, Article II, Division 5 to provide standards for the development of RV Parks within Anderson County.

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

1. Chapter 24, Article II, Division 5 of the Code of Ordinances, Anderson County, South Carolina is hereby amended by adding a section to Division 5 to be numbered 24-151, which section is titled RV Parks and reads as provided in **EXHIBIT A** attached hereto.

2. All Orders and Ordinances in conflict herewith are, to the extent of such conflict only, hereby repealed and rescinded.

3. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked and rescinded.

4. This Ordinance shall take effect and be in full force upon Third Reading and Enactment by Anderson County Council.

**ENACTED** in a duly assembled meeting this \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

**FOR ANDERSON COUNTY:**

\_\_\_\_\_  
By: Rusty Burns  
Its: Administrator

\_\_\_\_\_  
By: Tommy Dunn  
Its: Chairman, Anderson County Council

\_\_\_\_\_  
Renee Watts, Clerk to Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Leon C. Harmon, County Attorney

First Reading:  
Second Reading:  
Third Reading:  
Public Hearing:

**EXHIBIT A**  
**ORDINANCE NO. 2023-017**

24-151 **RV PARKS.**

24-151 (a) **GENERAL CONDITIONS.**

24-151 (a)(i) **Authority.**

This section and the land use and development standards and subdivision regulations pertaining thereto are enacted under the authority of and pursuant to S.C. Code 1976, title 6, chapter 29, as amended.

(Code 2000, § 38-1; Ord. No. 99-006, § 1, 7-20-1999)

24-151 (a)(ii) **Purpose.**

The purpose of this section is to establish rules, regulations, and minimum design standards for RV parks in Anderson County in order to better accommodate RVs, and to provide for an orderly, safe and healthy environment for park occupants.

24-151 (a)(iii) **Definitions.**

The following words, terms, and phrases, when used in this section, shall have the meanings as described to them in this section. Unless specifically defined below, words and phrases used in this section shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application.

- *Buffer* means a designated space inside and along RV park boundaries, in which no structures, parking areas, RV spaces or recreational equipment shall be constructed.
- *Commercial business* means an individual or business, occupation, profession, or activity who provides a service, sells physical products, engages in with the object of financial gain, benefit, or advantage, either directly or indirectly. RV parks are considered commercial businesses.
- *Motorhomes* are a type of recreational vehicle offering mobile living accommodation, which have their own motor power. They may also be designated as motor coaches, campers or camper vans.
- *Open Space* means any area within an RV park that is primarily intended for the common enjoyment and recreational use of RV park occupants. Open space is not to include park buffers, interior roads, parking areas, service buildings or park offices.
- *Park model RV* is a trailer type RV that is designed to provide temporary accommodation for recreation, camping or seasonal use. PMRVs are built on single chassis, mounted on wheels and have a gross trailer area not exceeding 400 square feet.
- *Park office* means any structure for the purpose of keeping and maintaining all records pertinent to the use, operation and maintenance of

- an RV park. This shall be the office of the park attendant.
- *Permanent habitation* means occupying an RV space for a period of two (2) or more months.
- *RV park* means a parcel of land in which 3 or more RVs can stay overnight, or longer, in allotted spaces known as RV spaces. RV parks usually provide water, sewer, electricity, sanitary facilities, and outdoor recreational facilities.
- *RV Space* means a space or area within an RV park designated for temporary occupancy by RV, tiny home, or tent campers. Also referred to as "site."
- *RV stands for Recreational Vehicles*. RVs can be motor vehicles or trailers that are designed with temporary living quarters for recreational, camping or travel use.
- *Service building* means any structure within an RV park which contains toilets, lavatories, and bathing facilities. It may also include laundry facilities, a vending area or other service type facilities for park occupant use.
- *Trailers* are vehicles equipped with living accommodations that require to be mounted on or drawn by another vehicle. They may also be designated as caravans.

24-151 (a)(iv) **Administration and Enforcement.**

- *Applicability to all lands in unincorporated areas subject to Anderson County Code of Ordinance Chapter 24 Land Use and Development Standards Ordinance.* No land shall be used, occupied, or developed, for RV park purposes except in conformity with the regulations and standards as herein established.
- *Permits.* No development permit shall be issued for any parcel or plat of land for the development of a RV park after the effective date of, and not in conformance with, the provisions of this article; and no excavation of land or construction of any public or private improvements shall occur or be commenced except in conformity with the provisions of this article.
- *Amendments.* The Planning Commission or County Council may, from time to time, propose amendments for adoption by the Anderson County Council to alter the provisions imposed by these recreational vehicle park regulations and standards. Public hearings on all proposed amendments shall be held by the Planning Commission or County Council in the manner as prescribed by state law.

24-151 (b) **RV PARK STANDARDS AND REQUIREMENTS.**

24-151 (b)(i) **General.**

After the effective date of this article, no RV park within the jurisdiction of unincorporated areas subject to Anderson County Code of Ordinances, Chapter 24 Land Use and Development Standards Ordinance shall be established or expanded



to cover more land or add additional spaces until provisions of this article have been satisfied. This chapter shall apply to all RV Parks as defined herein. Facilities provided in existing RV Parks may be continued in use provided such facilities do not constitute a recognized health or safety hazard.

RV sites where the property (individual RV sites) is transferred to an individual property owner(s) are regulated under the Anderson County Mobile Home Regulations.

**24-151 (b)(ii) Application Procedures.**

Whenever a new recreational vehicle park or the extension of an existing park is proposed, before any contract is made for the construction, and before any permit shall be granted, the owner/developer of the proposed RV park shall apply for and secure approval of such proposed RV park in accordance with the following procedure set forth herein.

**24-151 (c) REVIEW, SUBMISSION, AND APPROVAL OF PLANS.**

**24-151 (c)(i) Preliminary Park Plan.**

The planning department shall advise the developer of general compliance with the requirements of this article. The Preliminary Plan shall contain such information as:

- Name of park,
- owner's name and address,
- boundaries of the property and total acreage of the property and area to be developed,
- conceptual space layout, street layout and cross sections, setbacks and buffers, open space
- utility easements, streams, boundary of flood hazard areas, wetlands, watershed,
- type and location of water and sewer facilities,
- proposed uses on the property other than Park Model RV,
- general location and types of buildings,
- and proposed open space.

The preliminary park plan must have health department and SCDHEC approval.

**24-151 (c)(ii) Submission Following Preliminary Plat Approval.**

Following the preliminary park plan review and prior to the construction or alteration of the RV park, the park developer shall make application with the planning department for a permit to construct or expand a park. The developer shall present two copies of the development plans containing the information to support issuance of necessary permits. The owner of the RV park shall provide documentation identifying how the park will provide adequate facilities for solid waste storage, collection and disposal.

24-151 (c)(iii) **Approval.**

The Anderson County Planning Commission shall review RV Preliminary Park Plans in accordance with the Administrative Procedure of Section 24-335.

24-151 (c)(iv) **Variances.**

Whenever, in the opinion of the Planning Commission, the strict application of the requirements of the RV Park Design Standards would result in substantial or excessive difficulties and hardships or injustices, the Planning Commission may modify such requirements or standards so that the park developer is allowed to develop his property in a reasonable manner provided that the public interest of the County and its citizens are protected and the general intent and spirit of the RV design regulations and standards are preserved.

24-151 (d) **INSPECTION OF RV PARKS.**

Before occupancy of the RV park may occur, a final inspection of the RV park for conformance with the approval plan shall be conducted by the state health authority and by the county land use office.

The Building and Codes Department is hereby authorized to make periodic inspections to determine the condition of the RVs and RV parks located within the jurisdiction of this article in order that they may perform their duties of safeguarding the health and safety of occupants of RV parks and of the general public.

24-151 (e) **NOTICES, HEARINGS, AND ORDERS.**

Whenever the Building and Codes Department determines that there are reasonable grounds to believe that there has been a violation of any provision of this article, notice of such alleged violation shall be given to the owner or agent of the park, as hereinafter provided.

Such notice shall:

- be in writing.
- include a statement of the reasons for its issuance.
- allow 15 days for the performance of any act it requires.
- contain necessary language to effect compliance with the provisions of these regulations.

Upon receipt of such petition, the Buildings and Codes Department shall set a time and place within ten days for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard, and to show why such notice should be modified or withdrawn, provided that upon application of the petitioner, the inspector may postpone the date of the hearing for a reasonable time.

When a permit to operate a RV park has been revoked, the property owner is responsible to notify all occupants of the revocation and give notice that they must vacate the park within 30 days.

#### **24-151(f) GENERAL OPERATION AND MAINTENANCE REQUIREMENTS.**

##### **24-151(f)(i) General Operation.**

A park attendant must be on duty within the park at all times. An administrative park office within the RV park is required. Registration records must be kept on the occupancy of all RV parks. As a minimum, the registration form must have space for name, date, and permanent mailing address.

Permanent habitation is not permitted. Permanent habitation means occupying a space for a period of two (2) or more months as defined in the Definitions herein. Recreation vehicles are not designed for such purpose. RV park operators shall provide proof of the temporary nature of users upon request from the enforcement officer. RVs shall be fully licensed and must be ready for highway use. To be ready for highway use, the RV shall be on wheels or a jacking system, be attached to the RV space only by quick disconnect type utilities.

Operator shall provide for continued maintenance of landscaping and buildings and shall comply with all SCDHEC rules and regulations governing the sanitation and operation of RV parks. Service buildings shall be maintained in a sanitary condition at all times. Park areas shall be kept free of litter at all times. The operator shall be responsible for the control of nuisances within the park and will ensure that rules of order are posted and enforced. The operator will ensure provisions of this code are followed.

##### **24-151(f)(ii) Accessory uses and amenities.**

Common facilities (laundry, dining, etc.) and bathhouses, administrative or management park offices shall be placed no closer than 150 feet from any exterior park boundary.

RV parks are allowed to have one caretaker to reside within the park. This will be the only permanent residential structure within the RV park.

##### **24-151 (f)(iii) Grounds maintenance and solid waste.**

The storage, collection, and disposal of solid waste in the RV park shall be so conducted as to create no health hazards or pollution.

All solid waste shall be stored in standard fly-tight, watertight, rodent-proof containers, with a capacity of not more than ninety (95) gallons, and be located not more than one hundred fifty (150) feet from any RV space. In the alternative, a commercially acceptable dumpster or compactor container may be used.

All solid waste shall be collected at least weekly. Where suitable collection service is not available from municipal or private agencies, the RV park operator shall provide this service. All solid waste shall be collected in covered vehicles and disposed of in accordance with the county solid waste ordinance.

#### 24-151 (h) **TRAFFIC CIRCULATION AND STREET DESIGN.**

RV Park streets and roadways shall be designed to provide safe and convenient access to all spaces and park facilities.

Parking shall not be allowed on streets. Interior roads must

- Be privately owned by the RV park and designed to accommodate all types of RVs.
- Have a minimum width of 24 feet for a two-way road or 12 feet for a one-way road. Have a turning radius of 45 feet on all curves.
- Be either paved or graveled to a width of at least twenty (20) feet. If streets are to be graveled, a minimum of four (4) inches of aggregated base course (ABC) No. 7 stone shall be used.
- Be a continuous path of travel throughout the park. No roadway shall dead-end.
- Meet the design standards of public street line if they are connected to the latter, for a distance of 40 feet from the property.
- Have speed limits coherent with their surroundings. Vehicle speeds must be kept slow due to the pedestrian nature of parks and local wildlife. Speed reduction humps or dips are permissible in the roadway, but they must be painted with appropriate signs indicating the hump or dip along the roadway.
- Each RV Park must have only one (1) entrance with the exception for emergency vehicles or if traffic conditions require a second entrance based upon a traffic study. Entrance must have enough queuing space to prevent vehicles from blocking traffic.
- Safe pedestrian access must be offered throughout the park.
- Provide a parking pad for each RV and must not be smaller than 10' in width by 35' length.
- Roads are to be maintained by the owner or operator of the park in a manner to be free from potholes, ponding of water during rainy periods, excessive washing of drainage ditches, and other associated problems which would impede or cause hazards to motor vehicles.

#### 24-151 (i) **RV PARKS NAME, ROADNAMES, AND ADDRESSES.**

The names of RV parks and roads within such parks shall not duplicate or be phonetically similar to the names of existing mobile home parks, RV parks and road names in the county.

- Where proposed streets are continuations of existing streets; the existing road names shall be used.
- Property address numbers shall conform to the street naming and house numbering ordinance and shall be assigned by the E-911 addressing department.

An application "ANDERSON COUNTY E911 ADDRESSING REQUEST FORM" must be submitted, according to the development plans.

**21-151(j) OPEN SPACE.**

The developer shall preserve open space, tree cover, scenic vistas, natural drainageways, and outstanding natural topography, whenever possible. RV spaces, accessory structures, administrative park offices, among other structures may be clustered to protect sensitive areas, such as wetlands, historic sites/cemeteries, endangered species habitat, or prime agricultural land. In these cases, the developer and the general public would not have access to these preserved areas. The following requirements shall be met:

- All property designated as open space shall be delineated on the preliminary plan.
  - A breakdown of open space in floodplain and on steep slopes should be shown on the preliminary plan in total acres and percentages of gross acres.
  - The open space on the preliminary plan should have meaningful dimensions, proportions, and placement.
- The required open space must be directly accessible to the largest practical number of lots within the development.
- A minimum of 20 percent of the total RV park area shall be set aside and maintained as landscaped open space which may be used for the recreational use of park occupants.
- Outdoor recreational facilities, such as open picnic structures, swimming pools, tennis courts, shuffleboard, volleyball courts, walking trails, playground equipment, horseshoe pits, etc., may be permitted in the landscaped open spaces.
- Parking spaces, driveways, access roads, RV spaces, or any area required for setbacks as set forth in this chapter, are not considered to be usable open space.

The owner or developer shall be responsible for its continuing upkeep and proper maintenance of the open space.

**21-151 (k) BUFFERS, SCREENING, AND SETBACKS.**

A minimum of 25-foot landscape buffer shall separate the RV park and a public road. The landscape buffer shall be maintained by the developer at all times. The landscape buffer shall include permanent structures, fences, or gates.

RV park construction shall provide for 50 feet of set back from adjoining neighboring properties or twenty-five (25) feet of set back from adjoining neighboring properties with an approved buffer (existing vegetation or structures may qualify for the buffer).

**21-151(l) RV PARK SIZE AND DENSITY RESTRICTIONS**

The site shall be at least 5 contiguous acres. RV sites if serviced by a septic tank shall comply

with SCDHEC guidelines.

If serviced by sewer, the sewer provider will determine the maximum number of spaces per acre based upon sewer capacity.

### **RV Space Design Standards**

- A minimum net space of five hundred forty (540) square feet is required for each RV space.
- In the location and spacing of RV spaces, there shall be a minimum of at least ten (10) feet between RV and/or structures. Any accessory structures or attachments shall, for the purpose of this requirement, be considered a part of the trailer or recreational vehicle.
- All grading activities for RV spaces must follow the county's land disturbance ordinance if the site disturbs one (1) acre or more and or SCDHEC where applicable to prevent runoff.
- Each RV space shall meet the requirements of the Anderson County Flood Damage Prevention Ordinance.
- Bathhouse facilities shall be located within 400 feet of any RV space. Handicapped access to restroom facilities is required.

### **21-151(m) UTILITIES, SIGNAGE, NAMES, AND INDICATION.**

RV park shall be supplied by water and public sewer systems or approved by the SCDHEC for septic tanks. All plans and specifications shall be submitted with the request.

#### **21-151(m)(i) Water supply.**

An accessible, adequate, safe, and potable supply of water under pressure shall be provided in every RV Park. Potable water supply from a public utility or a distributor holding a valid permit from the state shall be made available for each RV site. Water supplies from other sources shall be approved by the DHEC.

Fire flow requirements as required by the NFPA must be met. Fire hydrants shall be installed throughout all RV Parks as described in the FIRE PROTECTION ORDINANCE if proper size water main is available.

#### **25-151(m)(ii) Sewage disposal.**

Adequate and safe sewerage collection systems shall be provided in all RV parks for the conveyance and disposal of all sewage. Sewer hookup through the county's wastewater utility or private provider shall be made available for each RV space. All plumbing in the RV Park shall comply with state and local regulations. Sewerage facilities shall be placed at a minimum of 20 feet from adjacent property line. If public sewer is not available, the developer must obtain SCDHEC approval for a septic system.

#### **21-151 (m)(iii) Electricity.**

Each RV space shall be equipped with an electrical outlet supplying at least 110 volts up to 220 volts, installed in accordance with applicable state electrical codes. Adequate electric system shall be provided at all times.

21-151(m)(iv) **Safety.**

- **Fire protection**

Fires shall be made only in equipment intended for such purposes and placed in safe and convenient locations, where they will not constitute fire hazards to vegetation and RVs. No ground fires are allowed. Portable fire extinguishers shall be kept in service buildings and maintained in operating condition. Fire flow requirements as described by the NFPA must be met when setting up the park's water supply system where proper sizeable water mains are available.

- **Lighting**

All roadways, walkways, parking areas, sanitary facilities, storage areas, and recreational facilities within the park shall be adequately lighted at night, to provide safe access. Light shall be non-glaring, energy efficient, so arranged as to confine direct lighting downward and not leave the site.

## **Ordinance #2023-020**

**An Ordinance to amend Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone +/- 3.98 acres from R-20 (Single-Family Residential District) to C-2 (Highway Commercial District) on parcels of land, identified as 201 and 205 Memory Lane in the Denver-Sandy Springs Precinct shown in Deed Book 15896 page 111 and Deed Book 15897 page 121. The parcels are further identified as TMS #93-06-01-005 and 93-06-01-007.**

**Whereas**, Anderson County, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"), acting by and through its County Council (the "County Council") has previously adopted Anderson County Ordinance #99-004, the Anderson County Zoning Ordinance (the "Ordinance"), which Ordinance contains the Anderson County Official Zoning Map (the "Map"); and,

**Whereas**, the Ordinance contains provisions providing for the amendment of the Map; and,

**Whereas**, County Council desires to amend the Map by adopting a zoning map amendment from R-20 to C-2 for +/- 3.98 acres of TMS #93-06-01-005 and 93-06-01-007 described above; and,

**Whereas**, the Anderson County Planning Commission has held a duly advertised Public Hearing on May 9, 2023, during which it reviewed the proposed rezoning from to R-20 to C-2 for +/- 3.98 acres of TMS #93-06-01-005 and 93-06-01-007 described above; and,

**Whereas**, the Anderson County Council has duly advertised and held a Public Hearing on June 20, 2023, regarding said amendment of the Anderson County Official Zoning Map:

**REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK**



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

1. The Anderson County Council hereby finds that this proposed rezoning is consistent with the Anderson County Comprehensive Plan and in accord with requirements of the South Carolina Code of Laws Title 6, Chapter 29, Article 5.
2. The Anderson County Council hereby amends the Anderson County Official Zoning Map as previously adopted July 20, 1999, by Anderson County Ordinance #99-004 to rezone from R-20 to C-2 for +/- 3.98 acres of TMS #93-06-01-005 and 93-06-01-007 described above.
3. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.
4. All orders, resolutions, and enactments of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This ordinance shall take effect and be in full force and effect from and after third reading and enactment by Anderson County Council.

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ATTEST: Ordinance 2023-020

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Rusty Burns  
Anderson County Administrator

---

Tommy Dunn, District #5, Chairman

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Renee D. Watts  
Clerk to Council

**APPROVED AS TO FORM:**

---

Anderson County Attorney

|                          |                |
|--------------------------|----------------|
| 1 <sup>st</sup> Reading: | June 20, 2023  |
| 2 <sup>nd</sup> Reading: | July 18, 2023  |
| 3 <sup>rd</sup> Reading: | August 1, 2023 |
| Public Hearing:          | June 20, 2023  |

**Anderson County Planning Commission  
Staff Report  
May 9, 2023**

|                    |   |
|--------------------|---|
| Applicant:         | Welpine Properties, LLC                   |
| Current owner:     | same                                      |
| Property location: | 201 & 205 Memory Lane                     |
| Precinct:          | Five Forks                                |
| Council district:  | 4   |
| TMS#(s):           | 93-06-09-005 & -007                       |
| Acreage:           | +/- 3.98 acres total                      |
| Current zoning:    | R-20 (Single Family Residential District) |
| Requested zoning:  | C-2 (Highway Commercial District)         |

The Highway Commercial district is established to provide for the development on major thoroughfares of commercial land uses which are oriented to customers traveling by automobile. Establishments in this district provide goods and services for the traveling public and also for the convenience of local residents.

|                       |  |
|-----------------------|--|
| Surrounding zoning:   | North: R-20 (Single Family Residential District)<br>South: I-85 & S-1 (Services District)<br>East: C-2 (Highway Commercial District)<br>West: C-2 (Highway Commercial District)  |
| Evaluation:           | This request is to rezone from R-20 to C-2 for the purpose of providing the property owner "the highest and best use" and match the zoning to the east and west. Additionally, the property faces I-85.  |
| Public outreach:      | Staff hereby certifies that the required public notification actions have been completed, as follows: <ul style="list-style-type: none"><li>- April 24, 2022: Rezoning notification postcards sent to 72 property owners within 2,000' of the subject property;</li><li>- April 21, 2022: Rezoning notification signs posted on subject property;</li><li>- April 24, 2022: Planning Commission public hearing advertisement published in the <i>Independent-Mail</i>.</li></ul> |
| Staff recommendation: | At the Planning commission Meeting during which the rezoning is scheduled to be discussed, staff will present their recommendation at that time.   |



# Rezoning Application

## Anderson County Planning & Development

4-5-2023  
Date of Submission

Approved/Denied

### Applicant's Information

Applicant Name:

Mailing Address:

Telephone:

Email:

Welpine Properties LLC  
99 Phil Watson Rd Anderson SC 29625  
864-~~884~~ 884-3080  
MGProducts88@aol.com

### Owner's Information

(If Different from Applicant)

Owner Name:

Mailing Address:

Telephone:

Email:

Mike Green (contact)  
[Signature]  
[Blank]  
[Blank]

### Designation of Agent: (Complete only if owner is not the applicant)

I hereby appoint the person named the Applicant as my agent to represent me in this request for rezoning:

[Signature]  
Owner's Signature

4-5-23  
Date

### Project Information

Property Location:

Parcel Number(s)/TMS:

County Council District:

Total Acreage:

Requested Zoning:

Purpose of Rezoning:

201 & 205 Memory Lane  
93069007 + 93601005 093-06-01-007, 093-06-01-005  
4 School District: 4  
2.72 + 1.26 = 3.98 Current Land Use: RA Land with 11.4x  
C-2 Current Zoning: R-20  
Surrounding and adjacent property is C-2 Zoned  
Property is on Interstate 785 and East side of property is C-2

401 East River Street \* Anderson, South Carolina 29624 Phone: 864.260.4720

Email: [planning@andersoncountysc.org](mailto:planning@andersoncountysc.org)

not rec'd  
because of  
mistake

Are there any Private Covenants or Deed Restrictions on the

☐ Yes

☒ No

Property? If you indicated no, your signature is required.

Mulligan

4-5-23

Applicant's Signature

Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application, pursuant to State Law (Section 6-29-1145: July 1, 2007), determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Additional Information or Comments:

Property on both sides is C-2  
across the street is I-2 S-1 and C-2. Highest and best  
use would be C-2. Having difficult work with property  
boundaries along I-85.

An accurate plat (survey) of the property must be submitted with this application.

If pursuing a review district classification (IZOD, PC, PD, POD, RRD), a preliminary development plan, statement of intent and letters from appropriate agencies or districts verifying available and adequate public facilities must be submitted with the application.

Please refer to Chapter 48 of the Anderson County Code of Ordinances for further information regarding submission requirements.

As the applicant, I hereby confirm that all required information and materials for this application are authentic and have been submitted to the Planning & Development office.

Mulligan

4-5-23

Applicant's Signature

Date

\* A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator or County Council. \*

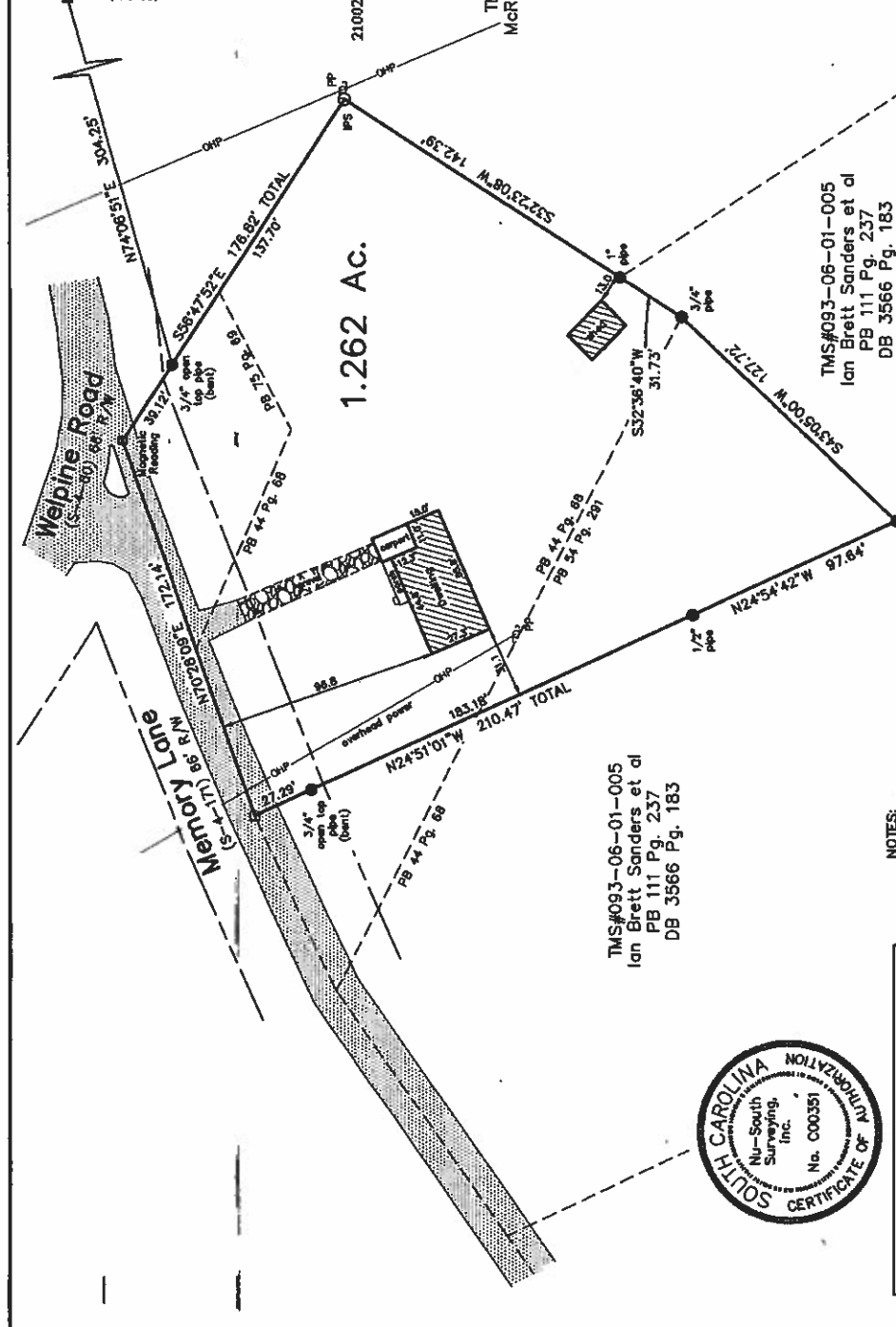
For Office Use Only:

Application Received By: \_\_\_\_\_

Complete Submission Date: \_\_\_\_\_

Commission Public Hearing: \_\_\_\_\_

Council Public Hearing: \_\_\_\_\_



Vicinity Map  
(NTS)

210029139 8/20/2021 Bk: S2824 Ps: 00010

TMS#093-06-01-009  
McRampick Holdings II LLC  
PB 87 Pg. 935  
DB 11500 Pg. 91

210029139 8/20/2021 11:52:13 AM  
FILED, RECORDED, INDEXED  
Bk: S2824 Ps: 00010 Pages: 001  
Rec Fee: 25.00 St Fee:  
Co Fee:  
REGISTER OF DEEDS, ANDERSON CO, SC  
Ashley Niles

Survey and Certification for

**INDEXED**  
**Ian Brett Sanders**

NON-Transferable

Anderson County South Carolina  
Scale 1" = 50' Date: Aug. 3, 2021



Legend

- (Old) (New)
- ○ 1/2" rebar
- □ Mag Nail
- △ Computed Pt.



**Nu-South  
Surveying Inc.**

115 E. Moulton St.  
Anderson, S.C. 29621  
(864) 224-2754  
nusouthsc@gmail.com

- NOTES:
- 1) TMS#093-06-01-007
  - 2) Physical Address: 201 Memory Lane
  - 3) Reference Plat Book 75 Pg. 69, Book 44 Pg. 68, Book 54 Pg. 291
  - 4) Reference Deed Book 3018 Pg. 170
  - 5) Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that an accurate and current title search may disclose.

| Map # | Surveyed By | Drawn By | Checked By |
|-------|-------------|----------|------------|
| 12453 | RH          | TA       | EBD        |

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF NU-SOUTH SURVEYING, INC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.

TMS#093-06-01-005  
Ian Brett Sanders et al  
PB 111 Pg. 237  
DB 3566 Pg. 183

TMS#093-06-01-005  
Ian Brett Sanders et al  
PB 111 Pg. 237  
DB 3566 Pg. 183



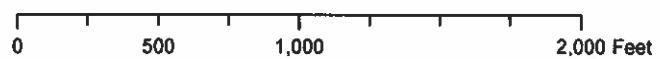
**EXEMPTION FROM REVIEW PROCESS**  
This plat is a RESURVEY of an existing lot of record.  
  
Earl B. O'Brien, PLS SC#10755

I, hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown.

Earl B. O'Brien R.L.S. No. 10755



0 500 1,000 2,000 Feet



0 500 1,000 2,000 Feet





0 500 1,000 2,000 Feet



# Planning Commission

May 09, 2023

Date of Planning Commission Meeting

☐ Land Use

☒ Rezoning

☐ Subdivision

☐ Variance

## Project Information

Name of Applicant/Project: Welpine Properties, LLC

Property Location: 201 & 205 Memory Lane

County Council District: 4 School District: \_\_\_\_\_

Total Acreage: +/- 3.98 acres Number of Lots: 2

Current Zoning: R-20 Requested Zoning: C-2

Purpose: To rezone property from residential to commercial use.

## Recommendation/ Decision Rendered

☒ Approval ☐ Denial ☐ Tied ☐ Tabled Vote 5 to 0

☒ Compatibility with Future Land Use Map

☒ The recommendations of staff

☐ Compatibility with Traffic Levels

☐ Compatibility with Surrounding Properties

☐ Compatibility with Density Levels

☐ Use and Value of Surrounding Properties

☐ Concerns for public, health, safety, convenience, prosperity & general welfare

☐ Concerns for the balance of the interest of sub dividers, homeowners and public

☐ Concerns for the effects of the proposed development on the local tax base

☐ The ability of existing or planned infrastructure and transportation system to serve the proposed development

☐ Other (please elaborate): \_\_\_\_\_

Planning Commission Chairman: \_\_\_\_\_

Date: 5-9-23

Anderson County Planning & Development  
401 East River Street

Anderson, South Carolina 29624 | Phone: (864) 260-4720

## **Ordinance #2023-021**

**An Ordinance to amend Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone +/- 2.28 acres from R-20 (Single-Family Residential District) to C-2 (Highway Commercial District) on a parcel of land, identified as Memory Lane in the Denver-Sandy Springs Precinct shown in Deed Book 16636 page 213. The parcel is further identified as TMS #93-06-01-001.**

**Whereas**, Anderson County, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"), acting by and through its County Council (the "County Council") has previously adopted Anderson County Ordinance #99-004, the Anderson County Zoning Ordinance (the "Ordinance"), which Ordinance contains the Anderson County Official Zoning Map (the "Map"); and,

**Whereas**, the Ordinance contains provisions providing for the amendment of the Map; and,

**Whereas**, County Council desires to amend the Map by adopting a zoning map amendment from R-20 to C-2 for +/- 2.28 acres of TMS #93-06-01-001 described above; and,

**Whereas**, the Anderson County Planning Commission has held a duly advertised Public Hearing on May 9, 2023, during which it reviewed the proposed rezoning from to R-20 to C-2 for +/- 2.28 acres of TMS #93-06-01-001 described above; and,

**Whereas**, the Anderson County Council has duly advertised and held a Public Hearing on June 20, 2023, regarding said amendment of the Anderson County Official Zoning Map:

**REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK**

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

1. The Anderson County Council hereby finds that this proposed rezoning is consistent with the Anderson County Comprehensive Plan and in accord with requirements of the South Carolina Code of Laws Title 6, Chapter 29, Article 5.
2. The Anderson County Council hereby amends the Anderson County Official Zoning Map as previously adopted July 20, 1999, by Anderson County Ordinance #99-004 to rezone from R-20 to C-2 for +/- 2.28 acres of TMS #93-06-01-001 described above.
3. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.
4. All orders, resolutions, and enactments of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This ordinance shall take effect and be in full force and effect from and after third reading and enactment by Anderson County Council.

**REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK**

ATTEST: Ordinance 2023-021

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Rusty Burns  
Anderson County Administrator

---

Tommy Dunn, District #5, Chairman

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Renee D. Watts  
Clerk to Council

**APPROVED AS TO FORM:**

---

Anderson County Attorney

|                          |                |
|--------------------------|----------------|
| 1 <sup>st</sup> Reading: | June 20, 2023  |
| 2 <sup>nd</sup> Reading: | July 18, 2023  |
| 3 <sup>rd</sup> Reading: | August 1, 2023 |
| Public Hearing:          | June 20, 2023  |

**Anderson County Planning Commission  
Staff Report  
May 9, 2023**

|                    |   |
|--------------------|---|
| Applicant:         | Hembree Creek, LLC                        |
| Current owner:     | same                                      |
| Property location: | Memory Lane                               |
| Precinct:          | Five Forks                                |
| Council district:  | 4   |
| TMS#(s):           | 93-06-01-001                              |
| Acreage:           | +/- 2.28 acres                            |
| Current zoning:    | R-20 (Single Family Residential District) |
| Requested zoning:  | C-2 (Highway Commercial District)         |

The Highway Commercial district is established to provide for the development on major thoroughfares of commercial land uses which are oriented to customers traveling by automobile. Establishments in this district provide goods and services for the traveling public and also for the convenience of local residents.

|                       |  |
|-----------------------|--|
| Surrounding zoning:   | North: R-20 (Single Family Residential District)<br>South: I-85 & S-1 (Services District)<br>East: R-20 (Single-Family Residential District)<br>West: C-2 (Highway Commercial District)  |
| Evaluation:           | This request is to rezone from R-20 to C-2 for the purpose of providing the property owner "the highest and best use." Additionally, the property faces I-85.  |
| Public outreach:      | Staff hereby certifies that the required public notification actions have been completed, as follows: <ul style="list-style-type: none"><li>- April 24, 2022: Rezoning notification postcards sent to 86 property owners within 2,000' of the subject property;</li><li>- April 21, 2022: Rezoning notification signs posted on subject property;</li><li>- April 24, 2022: Planning Commission public hearing advertisement published in the <i>Independent-Mail</i>.</li></ul> |
| Staff recommendation: | At the Planning commission Meeting during which the rezoning is scheduled to be discussed, staff will present their recommendation at that time.   |

2135 3A700



## Rezoning Application

Anderson County Planning & Development

4-5-2023

Date of Submission

Approved/Denied

### Applicant's Information

Applicant Name:

Hembree Creek LLC

Mailing Address:

~~1000 1st St~~ 99 Phil Watson Rd Anderson SC 29625

Telephone:

864 884-3080

Email:

MCProducts88@AOL.com

### Owner's Information

(If Different from Applicant)

Owner Name:

Mike Green (Contact)

Mailing Address:

Telephone:

Email:

### Designation of Agent: (Complete only if owner is not the applicant)

I hereby appoint the person named the Applicant as my agent to represent me in this request for rezoning:

Owner's Signature

4-5-23

Date

### Project Information

Property Location:

Memory Lane @ ISS

Parcel Number(s)/TMS:

930601001

County Council District:

4

School District:

4

Total Acreage:

2.28

Current Land Use:

R20 (K&L land)

Requested Zoning:

C-2

Current Zoning:

R-20

Purpose of Rezoning:

~~Adjacent~~ Adjacent property is C-2 zoned property is on ISS. Best and highest use of property is C-2.

401 East River Street \* Anderson, South Carolina 29624 Phone: 864.260.4720

Email: [planning@andersoncountysc.org](mailto:planning@andersoncountysc.org)

Are there any Private Covenants or Deed Restrictions on the

☐ Yes

☒ No

Property? If you indicated no, your signature is required.

M. Green

Applicant's Signature

4-5-23

Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application, pursuant to State Law (Section 6-29-1145: July 1, 2007), determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Additional Information or Comments:

Property beside is C-2 Highest and  
best use would be C-2. Property is C-2 next door and  
Property Faces I-85.

An accurate plat (survey) of the property must be submitted with this application.

If pursuing a review district classification (IZOD, PC, PD, POD, RRD), a preliminary development plan, statement of intent and letters from appropriate agencies or districts verifying available and adequate public facilities must be submitted with the application.

*Please refer to Chapter 48 of the Anderson County Code of Ordinances for further information regarding submission requirements.*

As the applicant, I hereby confirm that all required information and materials for this application are authentic and have been submitted to the Planning & Development office.

M. Green

Applicant's Signature

4-5-23

Date

\* A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator or County Council. \*

For Office Use Only:

Application Received By: C. H. Hinton

Complete Submission Date: 4/5/23

Commission Public Hearing: May 9, 2023

Council Public Hearing: \_\_\_\_\_



# Anderson County



April 11, 2023 Disclaimer accepted.

|               |                   |              |                     |
|---------------|-------------------|--------------|---------------------|
| TMS           | 930601001         |              |                     |
| Owner         | HEMBREE CREEK LLC |              |                     |
| Owner Address | 103 WELPINE RD    |              |                     |
| City/State    | PENDLETON SC      | Zip Code     | 29670               |
| Deed Book     | 16636             | Deed Page    | 213                 |
| Tax District  | 4                 | Current Plat | CP 115/238          |
| Sale Year     | 2023              | Description  | MEMORY LANE 2.28 AC |
|               |                   | Sale Price   | \$10                |
|               |                   | Market Value | \$54,260            |



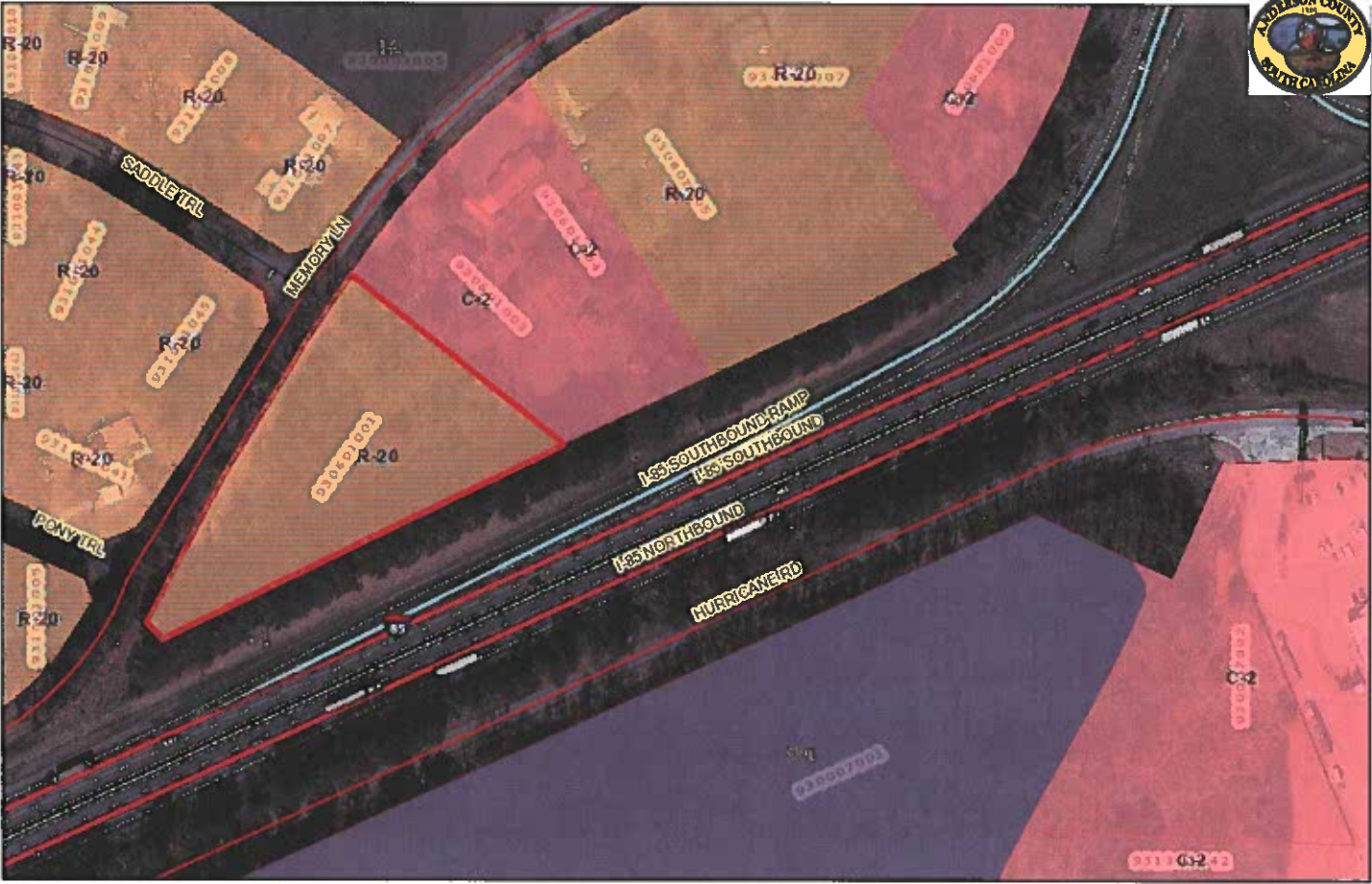
1 in = 166 ft

0 0.015 0.03 0.06 mi

0 0.025 0.05 0.1 km

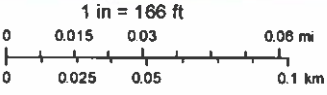
ESRI, Highland Mapping, and Anderson County GIS

Anderson County



April 11, 2023 Disclaimer accepted.

|                |                     |
|----------------|---------------------|
| TMS:           | 930601001           |
| Owner:         | HEMBREE CREEK LLC   |
| Owner Address: | 103 WELPINE RD      |
| City/State:    | PENDLETON SC        |
| Deed Book:     | 16636               |
| Tax District:  | 4                   |
| Sale Year:     | 2023                |
| Deed Page:     | 213                 |
| Description:   | MEMORY LANE 2.28 AC |
| Zip Code:      | 29670               |
| Current Plat:  | CP 115/238          |
| Sale Price:    |                     |
| Market Value:  |                     |



ESRI, Highland Mapping, and Anderson County GIS





0 500 1,000 2,000 Feet



# Planning Commission

May 09, 2023

Date of Planning Commission Meeting

☐ Land Use

☒ Rezoning

☐ Subdivision

☐ Variance

## Project Information

Name of Applicant/Project: Hembree Creek, LLC

Property Location: Memory Lane

County Council District: 4

School District: \_\_\_\_\_

Total Acreage: +/- 2.28 acres

Number of Lots: 1

Current Zoning: R-20

Requested Zoning: C-2

Purpose: To rezone property from residential to commercial use.

## Recommendation/ Decision Rendered

☒ Approval ☐ Denial ☐ Tied ☐ Tabled Vote 5 to 2

☒ Compatibility with Future Land Use Map

☐ The recommendations of staff

☒ Compatibility with Traffic Levels

☐ Compatibility with Surrounding Properties

☐ Compatibility with Density Levels

☒ Use and Value of Surrounding Properties

☐ Concerns for public, health, safety, convenience, prosperity & general welfare

☐ Concerns for the balance of the interest of sub dividers, homeowners and public

☐ Concerns for the effects of the proposed development on the local tax base

☐ The ability of existing or planned infrastructure and transportation system to serve the proposed development

☐ Other (please elaborate): \_\_\_\_\_

Planning Commission Chairman: \_\_\_\_\_

Date: 5-9-23

Anderson County Planning & Development  
401 East River Street

Anderson, South Carolina 29624 | Phone: (864) 260-4720

**ORDINANCE NO. 2023-024**

**AN ORDINANCE TO TRANSFER AN INTEREST IN REAL PROPERTY TO WILLIAM R. MCCLELLION III; AND OTHER MATTERS RELATED THERETO.**

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

**WHEREAS**, Anderson County is the current owner of a 0.395 acre of land located between Frances Cannon Drive (C-10-197) and Brown Road (C-10-155) and being adjoined to tax map number 120-09-01-043; and

**WHEREAS**, Anderson County previously expressed its intent, under Resolution No. 2017-023, to release said property to the property owner who owns the property on both sides of the old right-of-way; and

**WHEREAS**, the referenced right-of-way consists of land owned on both sides by William R. McClellion III and identified by tax map numbers 120-09-01-043 and 120-10-01-056.

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

1. Anderson County desires to transfer its entire property interest in the “Abandoned Frances Cannon Drive” to William R. McClellion III, as the property owner who owns property on both sides of the right-of-way, for a nominal fee. The property is more particularly described in a survey conducted by Glenn Surveyors, Inc., and attached hereto as Exhibit “A.”
2. The Anderson County Administrator is hereby authorized and directed to execute any documents necessary to effectuate the transfer of this parcel of real property as described herein.
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.

**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: June 20, 2023

Second Reading: July 18, 2023

Third Reading: \_\_\_\_\_

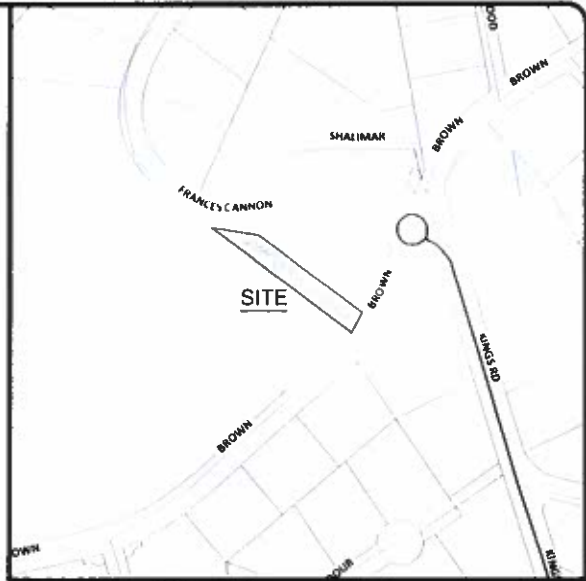
Public Hearing: \_\_\_\_\_

LEGEND:

|                            |         |
|----------------------------|---------|
| Iron Pin, New              | ○       |
| Iron Pin, Old              | ●       |
| PK Nail, new unless noted. | △       |
| Computed Point             | △       |
| Above Grade                | (A.G.)  |
| Below Grade                | (B.G.)  |
| Power Pole                 | ○       |
| Overhead Power             | — OHP — |
| Underground Power          | — UGP — |
| Underground Telephone      | — UGT — |
| Telephone MH               | ⊕       |
| Telephone Pedestal         | ⊕       |
| Existing Gas Main          | — GAS — |
| Existing Gas Meter         | ⊕       |
| Existing Water Main        | — W —   |
| Existing Fire Hydrant      | ⊕       |
| Existing Water Meter       | ⊕       |
| San. Sewer MH              | ⊕       |
| Metal Light Pole           | ⊕       |
| Chain Link Fence           | —       |

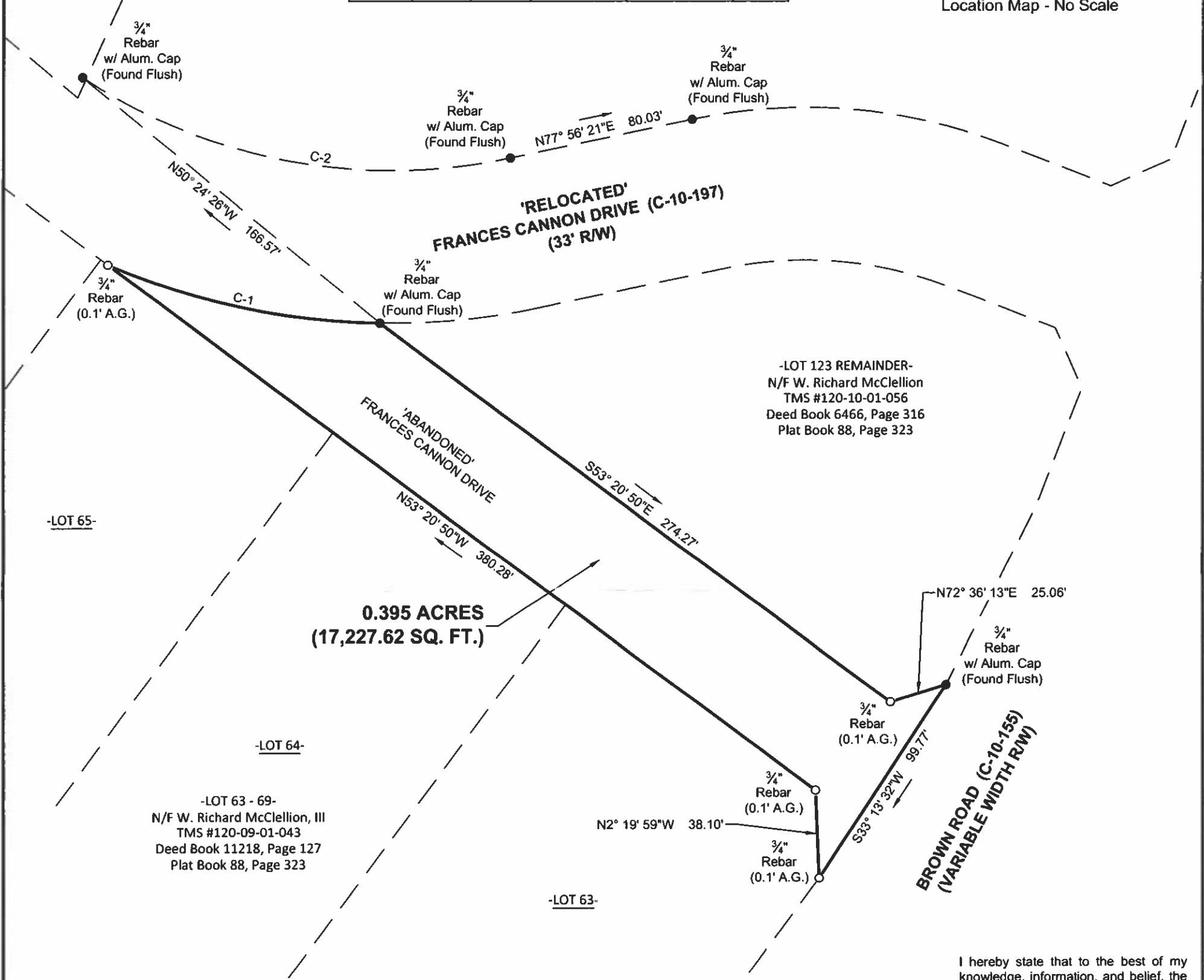
230013405 6/06/2023 Bk: S3035 Pg: 00005

230013405 6/06/2023 11:11:35 AM  
FILED, RECORDED, INDEXED  
Bk: S3035 Pg: 00005 Pages: 001  
Rec Fee: St Fee:  
Co Fee:  
REGISTER OF DEEDS, ANDERSON CO, SC  
Cynthia D. Radford



Location Map - No Scale

| Curve Table |         |         |              |                 |        |
|-------------|---------|---------|--------------|-----------------|--------|
| Curve #     | Length  | Radius  | Chord Length | Chord Direction | Delta  |
| C-1         | 120.84' | 308.00' | 120.84'      | S77° 47' 47"E   | 22.48° |
| C-2         | 192.75' | 242.00' | 192.75'      | S79° 17' 54"E   | 45.63° |



THIS IS NOT A SUBDIVISION AS DEFINED BY  
ANDERSON COUNTY SUBDIVISION REGULATIONS  
6/6/23  
DATE

I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein; also there are no visible encroachments or projections other than those shown.

Samuel B. Glenn Jr.  
PLS No. 24277

This survey is subject to any rights of way and easements of record, and any facts which may be disclosed by a full and accurate title search.

EXHIBIT 'A'

Job No: 2023.057

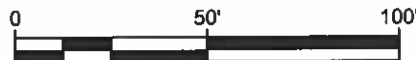
South Carolina  
Anderson County

Boundary Survey of 0.395 Acre  
Located on Brown Road  
Designated as the Abandoned Frances Cannon Dr.  
Surveyed at the Request of  
-Anderson County-

References:  
TMS No. 120-09-01-043  
Plat Bk 88, Pg. 323; Slide 2499, Pg. 8  
SCDOT Plans Project 0042275

Date: 20 March 2023

Scale: 1"= 50'



119 Lakewood Drive  
Townville, S.C. 29689  
864.844.1195  
www.glenncivil.com

## **ORDINANCE 2023-025**

**AN ORDINANCE TO PROVIDE APPROVAL FOR ANDERSON COUNTY, SOUTH CAROLINA, TO GRANT AN EASEMENT UNTO DUKE ENERGY CAROLINAS, LLC ACROSS PROPERTY OWNED BY ANDERSON COUNTY AND BEARING TAX MAP NUMBER 047-03-01-002 FOR INSTALLATION OF ELECTRIC AND COMMUNICATION LINES; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Anderson County, South Carolina, has authority pursuant to the South Carolina Code of Laws, 1976, as amended, and specifically § 4-9-30, to lease, sell, or otherwise dispose of real property;

**WHEREAS**, Anderson County, South Carolina is required under S.C. Code Ann. § 4-9-130 to hold a public hearing on notice to sell, lease or contract to sell or lease real property owned by the County;

**WHEREAS**, Anderson County is the owner of a parcel of real property bearing the tax map number 047-03-01-002;

**WHEREAS**, Anderson County, South Carolina desires to grant an easement to Duke Energy Carolinas, LLC for the purpose of installation and maintenance of electrical and communication lines which, in part, will service the Green Pond Landing facility.

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

1. Anderson County Council hereby approves the grant of the Easement to Duke Energy Carolinas, LLC as described and set forth on that certain document titled Easement, attached hereto as Exhibit A, for the purpose of construction and operation of electrical and communication lines.

2. All Orders and Ordinances in conflict herewith are, to the extent of such conflict only, hereby repealed and rescinded.

3. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked and rescinded.

4. This Ordinance shall take effect and be in full force upon Third Reading and Enactment by Anderson County Council.



**ENACTED** in a duly assembled meeting this \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

**FOR ANDERSON COUNTY:**

\_\_\_\_\_  
By: Rusty Burns  
Its: Administrator

\_\_\_\_\_  
By: Tommy Dunn  
Its: Chairman, Anderson County Council

\_\_\_\_\_  
Renee Watts, Clerk to Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Leon C. Harmon, County Attorney

First Reading: June 20, 2023  
Second Reading: July 18, 2023  
Third Reading:  
Public Hearing:

Prepared by: Duke Energy Carolinas, LLC  
Return To: Duke Energy Carolinas, LLC  
Attn: Brian Whiting  
117 Laurel Avenue W.  
Greenwood, SC 29649

Parcel # P/O: 047-03-01-002

## EASEMENT

State of South Carolina  
County of Anderson

THIS EASEMENT ("**Easement**") is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, from **ANDERSON COUNTY, SOUTH CAROLINA**, a body corporate and politic organized under the laws of the state of South Carolina ("**Grantor**", whether one or more), to **DUKE ENERGY CAROLINAS, LLC**, a North Carolina limited liability company ("**Grantee**").

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "**Facilities**").

Grantor is the owner of that certain property described in that instrument recorded in **Deed Book 16738, Page 70**, also shown as Lot A, containing .254 acres, more or less, as recorded in **Plat Slide 2916, Page 6**, Anderson County Register of Deeds ("**Property**").

The Facilities may be both overhead and underground and located in, upon, over, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land thirty feet (30') in uniform width for the overhead portion of said Facilities and a strip of land twenty feet (20') in uniform width for the underground portion of said Facilities, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).

2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
8. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Witnesses:

**ANDERSON COUNTY, SOUTH CAROLINA**  
a body corporate and politic organized under the  
laws of the state of South Carolina

\_\_\_\_\_  
(Witness #1)

\_\_\_\_\_  
(SEAL)  
RUSTY BURNS, COUNTY ADMINISTRATOR

\_\_\_\_\_  
(Witness #2)

Attest:

\_\_\_\_\_  
Name of Signer2, Attest

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, State of \_\_\_\_\_, certify that RUSTY BURNS personally appeared before me this day and acknowledged that he/she is COUNTY ADMINISTRATOR of ANDERSON COUNTY, SOUTH CAROLINA, a body corporate and politic organized under the laws of the state of South Carolina, and that by authority duly given and as the act of said body corporate and politic organized under the laws of the state of South Carolina, the foregoing EASEMENT was signed in its name by its COUNTY ADMINISTRATOR, sealed with its official seal, and attested by herself/himself as its Title2.

Witness my hand and notarial seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



Notary Public: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

**ORDINANCE NO.: 2023-026**

**AN ORDINANCE TO LEASE REAL PROPERTY TO THE ANDERSON COUNTY DISABILITIES AND SPECIAL NEEDS BOARD; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Anderson County has authority pursuant to the South Carolina Code of Laws, 1976, as amended, and specifically section 4-9-30, to lease, sell or otherwise dispose of real property;

**WHEREAS**, Anderson County is required under S.C. Code Ann. § 4-9-130 to hold a public hearing on notice to sell, lease or contract to sell or lease real property owned by the County;

**WHEREAS**, Anderson County is the owner of a parcel of real property bounded by Camson Road, Powell Road, McGee Road, and Hembree Road, which is a portion of a larger tract with tax map number 122-00-01-001;

**WHEREAS**, the Anderson County Disabilities and Special Needs Board is a non-profit corporation registered with South Carolina Secretary of State's Office; and

**WHEREAS**, the property leased by the Anderson County Disability and Special Needs Board will be used for conducting agricultural training activities for persons with disabilities and special needs.

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

1. Anderson County desires to lease the following property to the Anderson County Disabilities and Special Needs Board for a nominal fee:

The parcel of real property bounded by Camson Road, Powell Road, McGee Road, and Hembree Road which is a portion of a larger tract with TMS No. 122-00-01-001.

2. The Anderson County Administrator is hereby authorized to 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 Orders and Ordinances in conflict herewith are, to the extent of such conflict only, hereby repealed and rescinded.

4. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked and rescinded.

5. This Ordinance shall take effect and be in full force upon Third Reading and Enactment by Anderson County Council.

**ENACTED** in a duly assembled meeting this \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

**FOR ANDERSON COUNTY:**

\_\_\_\_\_  
By: Rusty Burns  
Its: Administrator

\_\_\_\_\_  
By: Tommy Dunn  
Its: Chairman, Anderson County Council

\_\_\_\_\_  
Renee Watts, Clerk to Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Leon C. Harmon, County Attorney

First Reading: June 20, 2023

Second Reading: July 18, 2023

Third Reading:

Public Hearing:

**Exhibit A**  
**(Contract under Negotiation)**

**ORDINANCE NO. 2023-027**

**AN ORDINANCE TO AMEND AN AGREEMENT FOR THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (WORKFORCE HOUSING) OF ANDERSON AND GREENVILLE COUNTIES SO AS TO ENLARGE THE PARK TO INCLUDE CERTAIN PROPERTY OF GORDON STREET AFFORDABLE, LP; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, pursuant to Ordinance No. 2020-042 enacted by Anderson County Council on December 15, 2020 and Ordinance No. 5239 enacted on December 1, 2020 by Greenville County Council, Anderson and Greenville Counties entered into an Agreement for the Development of a Joint County Industrial and Business Park (Workforce Housing) dated as of December 15, 2020, as amended (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 to Gordon Street Affordable, LP, a South Carolina limited partnership, it is now desired that the boundaries of the Park be enlarged to include certain parcels in Greenville County;

**NOW, THEREFORE**, be it ordained by Anderson County Council that:

1. 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 Council of a corresponding ordinance, the Agreement shall be deemed amended to so include such property and Exhibit A as so revised, without further action by either county.

2. The remaining terms and provisions of the Anderson County Code of Ordinances not revised or affected hereby remain in full force and effect.

3. 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.

4. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force upon the Third Reading and Enactment by Anderson County Council.



**ATTEST:**

\_\_\_\_\_  
Rusty Burns  
Anderson County Administrator

\_\_\_\_\_  
Renee Watts  
Clerk to Council

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leon C. Harmon  
County Attorney

1<sup>st</sup> Reading: July 18, 2023

2<sup>nd</sup> Reading: \_\_\_\_\_

3<sup>rd</sup> Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

**FOR ANDERSON COUNTY:**

\_\_\_\_\_  
Tommy Dunn, Chairman

Addition to Exhibit A to  
Agreement for the Development of a Joint County Industrial and  
Business Park dated as of December 15, 2020, as amended,  
between Anderson County and Greenville County

Greenville County Tax Map Numbers:

0229000700100  
0116000600400

**STATE OF SOUTH CAROLINA** )  
 )  
**COUNTY OF ANDERSON** )

I, the undersigned Clerk to County Council of Anderson County, South Carolina, do hereby certify 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 \_\_\_\_\_, 2023, \_\_\_\_\_, 2023 and \_\_\_\_\_, 2023, 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.

Clerk, Anderson County Council

Dated: \_\_\_\_\_, 2023

**ORDINANCE NO. 2023-028**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN ANDERSON COUNTY, SOUTH CAROLINA AND SOLI ORGANIC INC., WITH RESPECT TO SPECIAL SOURCE REVENUE CREDITS TO BE APPLIED AGAINST FEE IN LIEU OF TAX PAYMENTS RELATED TO CERTAIN INVESTMENTS IN THE COUNTY; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Anderson County, South Carolina (the “County”) is authorized by Article VIII, Section 13 of the South Carolina Constitution and Title 4, Chapter 1, Code of Laws of South Carolina 1976, as amended (the “Multi-County Park Act”), to enter into agreements with one or more contiguous counties for the creation and operation of joint county industrial and business parks, whereby the industrial development of the State of South Carolina (the “State”) will be promoted and trade developed by inducing new industries to locate in the State and by encouraging industries now located in the State to expand their investments and thus utilize and employ manpower and other resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

**WHEREAS**, the County is authorized by Section 4-1-175 of the Multi-County Park Act to provide special source revenue credits against payments in lieu of taxes to provide reimbursement to companies in respect of investment in property, including infrastructure, improved and unimproved real estate and certain personal property consisting of machinery and equipment used in the operation of a manufacturing or commercial enterprise, within the meaning of Section 4-29-68, Code of Laws of South Carolina 1976, as amended (“Infrastructure”); and

**WHEREAS**, the County Council of Anderson County (“County Council”) agreed to assist Decennial SC, LLC, a Delaware limited liability company (the “Developer”), in the establishment by the Developer of one or more distribution/manufacturing facilities in the County (the “Project”) by (i) maintaining the Project in a joint county industrial and business park established by the County with an adjoining South Carolina county pursuant to Article VIII, Section 13 of the South Carolina Constitution and Section 4-1-170 of the Multi-County Park Act (a “Park”) and (ii) pursuant to the Section 4-1-175 of the Multi-County Park Act, providing for certain special source revenue credits against payments in lieu of taxes by the Company from and with respect to the Project in qualified Infrastructure used in the establishment and operation of the Project; and

**WHEREAS**, the County and the Developer entered into that certain Fee in Lieu of Tax and Special Source Credit Agreement dated as of August 3, 2021; and

**WHEREAS**, Soli Organic Inc., a Virginia corporation (the “Company”), has represented that it will make additional investment in the Project, which will result in an expected aggregate investment of \$5,000,000 by the Company; and

**WHEREAS**, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Section 4-1-170 of the Multi-County Park Act, the County has previously entered into or will enter into an agreement with an adjoining South Carolina county adding the Project to a Park, and pursuant to such agreement, the Company will be obligated to make or cause to be made payments in lieu of taxes in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Project within the Park; and

**WHEREAS**, the County Council has agreed, pursuant to Section 4-1-175 of the Multi-County Park Act, to provide special source revenue credit financing of the Infrastructure with respect to the Project by providing an annual ninety-five (95%) percent base credit to the Company against payments in lieu of taxes for the Project in the Park (the “FILOT Payments”) for a period of thirty (30) consecutive years beginning the year following the first year which any portion of the Project is first placed in service and running through the 30th year after the first year which any portion of the Project is first placed in service, as set forth more fully in the Special Source Revenue Credit Agreement between the County and the Company presented to this meeting (the “SSRC Agreement”); and

**WHEREAS**, the County has determined and found, on the basis of representations of the Company, that the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and, that the Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either; that the purposes to be accomplished by the Project, i.e., economic development, retention of jobs, and addition to the tax base of the County, are proper governmental and public purposes;

**WHEREAS**, it appears that the SSRC Agreement above referred to, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered or approved by the County for the purposes intended.

**NOW, THEREFORE, BE IT ORDAINED**, by the County Council of Anderson County, in meeting duly assembled, as follows:

Section 1. The Chairman, for and on behalf of the County, is hereby authorized to execute and deliver the SSRC Agreement, in substantially the form attached hereto, or with such minor changes as are not materially adverse to the County and as such official shall determine and as are not inconsistent with the matters contained herein, his execution thereof to constitute conclusive evidence of his approval of any and all changes or revisions therein from the form of the SSRC Agreement now before this meeting, and the Chairman and the County Administrator are directed to do anything otherwise necessary to effect the execution and delivery of the SSRC Agreement and the performance of all obligations of the County under and pursuant to the SSRC Agreement.

Section 2. The provisions of this ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 3. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This ordinance shall take effect and be in full force from and after its passage by the County Council.

**ENACTED** in meeting duly assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**ANDERSON COUNTY, SOUTH CAROLINA**

(SEAL)

By: \_\_\_\_\_  
Tommy Dunn  
Chairman of County Council

ATTEST:

By: \_\_\_\_\_  
Rusty Burns  
County Administrator

By: \_\_\_\_\_  
Clerk to County Council  
Anderson County, South Carolina

Approved as to Form:

\_\_\_\_\_  
Leon C. Harmon  
County Attorney

First Reading: \_\_\_\_\_, 2023  
Second Reading: \_\_\_\_\_, 2023  
Third Reading: \_\_\_\_\_, 2023  
Public Hearing: \_\_\_\_\_, 2023

**STATE OF SOUTH CAROLINA**

**COUNTY OF ANDERSON**

I, the undersigned Clerk to County Council of Anderson County, South Carolina, do hereby certify that attached hereto is a true, accurate and complete copy of an ordinance which was given reading, and received unanimous approval, by the County Council at its meetings of \_\_\_\_\_, 2023, \_\_\_\_\_, 2023 and \_\_\_\_\_, 2023, 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.

\_\_\_\_\_  
Clerk, County Council of Anderson County

Dated: \_\_\_\_\_, 2023

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**SPECIAL SOURCE REVENUE CREDIT AGREEMENT**

between

**ANDERSON COUNTY, SOUTH CAROLINA,**

and

**SOLI ORGANIC INC.,**  
a Virginia corporation

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Dated as of \_\_\_\_\_, 2023

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## SPECIAL SOURCE REVENUE CREDIT AGREEMENT

**THIS SPECIAL SOURCE REVENUE CREDIT AGREEMENT**, dated as of \_\_\_\_\_, 2023 (the "Agreement"), between **ANDERSON COUNTY, SOUTH CAROLINA**, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"), and **SOLI ORGANIC INC.**, a corporation organized and existing under the laws of the State of Virginia (the "Company").

### W I T N E S S E T H :

**WHEREAS**, the County Council of Anderson County ("County Council") agreed to assist Decennial SC, LLC, a Delaware limited liability company (the "Developer"), in the establishment by the Developer of one or more distribution/manufacturing facilities in the County (the "Project") by (i) maintaining the Project in a joint county industrial and business park established by the County with an adjoining South Carolina county pursuant to Article VIII, Section 13 of the South Carolina Constitution and Section 4-1-170 of the Multi-County Park Act (a "Park") and (ii) pursuant to Section 4-1-175 of the Code ("Infrastructure Credit Act"), providing for certain special source revenue credits against payments in lieu of taxes by the Company from and with respect to the Project in qualified Infrastructure used in the establishment and operation of the Project; and

**WHEREAS**, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Section 4-1-170 of the Multi-County Park Act, the County and Greenville County entered into that certain Agreement for the Development of a Joint County Industrial and Business Park, dated as of December 1, 2010, as amended, and the Project was added to the Park by Ordinance No. 2022-030 enacted by the County on August 16, 2022 and by Ordinance No. 5439 enacted by Greenville County on September 6, 2022, and pursuant to such agreement, the Developer and its successors and assigns will be obligated to make or cause to be made payments in lieu of taxes in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Project within the Park; and

**WHEREAS**, the County and the Developer entered into that certain Fee in Lieu of Tax and Special Source Credit Agreement dated as of August 3, 2021; and

**WHEREAS**, the Company will make additional investments at the Project on the land in the County described in Exhibit A hereto, owned by the Developer (the "Land"); and

**WHEREAS**, the Company has represented that it intends to invest in the acquisition, construction and installation of buildings, improvements, fixtures, machinery, equipment, furnishings and other real and/or tangible personal at the Project, which will result in an expected aggregate investment of \$5,000,000 by the Company, all by December 31 of the fifth (5<sup>th</sup>) year after the year in which any portion of the Project is first placed in service (the "Investment Period"); and

**WHEREAS**, pursuant to the Infrastructure Credit Act, the County has agreed to provide certain credits to the Company in respect of the payments in lieu of taxes to be made by the Company as a result of its investment in the Infrastructure with respect to the Project, and is delivering this Agreement in furtherance thereof; and

**WHEREAS**, the County Council has duly authorized execution and delivery of this Agreement by ordinance duly enacted by the County Council on \_\_\_\_\_, 2023, following conducting a public hearing on \_\_\_\_\_, 2023;

**NOW, THEREFORE**, in consideration of the respective representations and agreements hereinafter contained, the County and the Company agree as follows:

## ARTICLE I

### DEFINITIONS

The terms defined in this Article I shall for all purposes of this Agreement have the meanings herein specified, unless the context clearly otherwise requires. Except where the context otherwise requires, words importing the singular number shall include the plural number and *vice versa*.

*"Affiliate of the Company"* shall mean each of the Persons that directly or indirectly, through one or more intermediaries, owns or controls, or is controlled by or under common control with, the Company. For the purpose of this definition, "control" means the possession, directly or indirectly, of the power to direct or cause the direction of management and policies, whether through the ownership of voting securities, by contract or otherwise.

*"Agreement"* shall mean this Agreement, as the same may be amended, modified or supplemented in accordance with the terms hereof.

*"Code"* shall mean the Code of Laws of South Carolina 1976, as amended.

*"Company"* shall have the meaning set forth with respect to such term in the recitals to this Agreement.

*"Cost of the Infrastructure"* shall mean to extent permitted by law, the cost of acquiring, by construction and purchase, the Infrastructure and shall be deemed to include, whether incurred prior to or after the date of this Agreement: (a) obligations incurred for labor, materials, and other expenses to builders and materialmen in connection with the acquisition, construction, and installation of the Infrastructure; (b) the cost of design and engineering of the Infrastructure; (c) the cost of construction bonds and of insurance of all kinds that may be required or necessary during the course of construction and installation of the Infrastructure, which is not paid by the contractor or contractors or otherwise provided for; (d) the expenses for test borings, surveys, test and pilot operations, estimates, plans and specifications and preliminary investigations therefor, and for supervising construction, as well as for the performance of all other duties required by or reasonably necessary in connection with the acquisition, construction, and installation of the Infrastructure; (e) all other costs which shall be required under the terms of any contract for the acquisition, construction, and installation of the Infrastructure; and (f) all legal, accounting and related costs properly capitalizable to the cost of the Infrastructure.

*"County"* shall mean Anderson County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina and its successors and assigns.

*"Fee Payments"* shall mean the payments in lieu of taxes made by the Company with respect to the Project by virtue of the Project's location in (a) the Park or (b) in any joint county industrial park created by the County and a partner county pursuant to the Park Agreement qualifying under Section 4-1-170 of the Multi-County Park Act or any successor provision.

*"Infrastructure"* shall mean infrastructure serving the County and improved or unimproved real estate and personal property, including machinery and equipment, used in the operation of the Project, within the meaning of Section 4-29-68 of the Code.

*"Infrastructure Credit Act"* shall have the meaning set forth with respect to such term in the recitals to this Agreement.

*“Infrastructure Credits”* shall mean the annual special source revenue credits provided to the Company pursuant to Section 3.02 hereof.

*“Investment Period”* shall mean the period commencing on January 1 of the year after the first year in which the Project is first placed into service and ending on December 31 of the fifth year after the first year in which the Project is first placed into service.

*“Investment Target”* shall mean the investment by the Company of at least \$5,000,000 in the Project.

*“Land”* shall have the meaning set forth with respect to such term in the recitals to this Agreement.

*“Multi-County Park Act”* shall mean Title 4, Chapter 1 of the Code, and all future acts amendatory thereto.

*“Ordinance”* shall mean the ordinance enacted by the County Council on \_\_\_\_\_, 2023, authorizing the execution and delivery of this Agreement.

*“Park”* shall mean (i) the joint county industrial park established pursuant to the terms of the Park Agreement and (ii) any joint county industrial park created pursuant to a successor park agreement delivered by the County and a partner county in accordance with Section 4-1-170 of the Act, or any successor provision, with respect to the Project.

*“Park Agreement”* shall mean the Agreement for the Development of a Joint County Industrial and Business Park, dated as of December 1, 2010, between the County and Greenville County, South Carolina, as the same may be further amended or supplemented from time to time or such other agreement as the County may enter with respect to the Project to offer the benefits of the Infrastructure Credit Act to the Company hereunder.

*“Person”* shall mean an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization, or a government or political subdivision.

*“Project”* shall have the meaning set forth with respect to such term in the recitals to this Agreement.

## ARTICLE II

### REPRESENTATIONS AND WARRANTIES

**SECTION 2.01. Representations by the County.** The County makes the following representations and covenants as the basis for the undertakings on its part herein contained:

(a) The County is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized and empowered by the provisions of the Act to enter into the transactions contemplated by this Agreement and to carry out its obligations hereunder. By proper action by the County Council, the County has been duly authorized to execute and deliver this Agreement and any and all agreements collateral thereto.

(b) The County proposes to provide the Infrastructure Credits to reimburse the Company for a portion of the Cost of the Infrastructure for the purpose of promoting economic development of the County.

(c) To the best knowledge of the undersigned representatives of the County, the County is not in violation of any of the provisions of the laws of the State of South Carolina, where any such default would affect the validity or enforceability of this Agreement.

(d) To the best knowledge of the undersigned representatives of the County, the authorization, execution and delivery of this Agreement, the enactment of the Ordinance, and performance of the transactions contemplated hereby and thereby do not and will not, to the best knowledge of the County, conflict with, or result in the violation or breach of, or constitute a default or require any consent under, or create any lien, charge or encumbrance under the provisions of (i) the Constitution of the State or any law, rule, or regulation of any governmental authority, (ii) any agreement to which the County is a party, or (iii) any judgment, order, or decree to which the County is a party or by which it is bound.

(e) To the best knowledge of the undersigned representatives of the County, there is no action, suit, proceeding, inquiry, or investigation, at law or in equity, or before or by any court, public body, or public board which is pending or threatened challenging the creation, organization or existence of the County or its governing body or the power of the County to enter into the transactions contemplated hereby or wherein an unfavorable decision, ruling or finding would adversely affect the transactions contemplated hereby or would affect the validity, or adversely affect the enforceability, of this Agreement, or any other agreement or instrument to which the County is a party and which is to be used in connection with or is contemplated by this Agreement, nor to the best of the knowledge of the undersigned representatives of the County is there any basis therefor.

SECTION 2.02. Representations and Covenants by the Company. The Company makes the following representations, warranties and covenants as the basis for the undertakings on its part herein contained:

(a) The Company is a corporation organized, validly existing, and in good standing under the laws of the State of Virginia and qualified to do business in the State of South Carolina, has power to enter into this Agreement and to carry out its obligations hereunder, and by proper corporate action has been duly authorized to execute and deliver this Agreement.

(b) Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement, will result in a material breach of any of the terms, conditions, or provisions of any corporate restriction or any agreement or instrument to which the Company is now a party or by which it is bound, or will constitute a default under any of the foregoing, or result in the creation or imposition of any lien, charge, or encumbrance of any nature whatsoever upon any of the property or assets of the Company, other than as may be created or permitted by this Agreement.

(c) The Company shall use commercially reasonable efforts to cause the Investment Target to be achieved during the Investment Period.

(d) To the best knowledge of the Company, there is no action, suit, proceeding, inquiry, or investigation, at law or in equity, or before or by any court, public body, or public board which is pending or threatened challenging the power of the Company to enter into the transactions contemplated hereby or wherein an unfavorable decision, ruling or finding would adversely affect the transactions contemplated hereby or would affect the validity, or adversely affect the enforceability, of this Agreement, or any other agreement or instrument to which the Company is a party and which is to be used in connection with or is contemplated by this Agreement, nor to the best of the knowledge of the Company is there any basis therefore.

(e) The Company agrees to reimburse the County for all reasonable expenses, including attorney's fees, to which it might be put in the review of this Agreement and in the fulfillment of its obligations under this Agreement and in the implementation of its terms and provisions.

(f) The Company agrees to maintain such books and records with respect to the Project as will permit verification of the Company's compliance with the terms of this Agreement and the certifications submitted to the County pursuant to Section 3.02(c) hereof. The Company may, by clear, written designation, conspicuously marked, designate with respect to any book and records delivered or made available to the County segments thereof that the Company believes contain proprietary, confidential, or trade secret matters. The County shall comply with all reasonable, written requests made by the Company with respect to maintaining the confidentiality of such designated segments. Except to the extent required by law, the County shall not release information which has been designated as confidential or proprietary by the Company.

#### SECTION 2.03. Covenants of the County.

(a) To the best of its ability, the County will at all times maintain its corporate existence and will use its best efforts to maintain, preserve, and renew all its rights, powers and privileges; and it will comply with all valid acts, rules, regulations, orders, and directions of any legislative, executive, administrative, or judicial body applicable to this Agreement.

(b) In the event of the termination of the Park Agreement prior to December 31, 2053, the County agrees to use its best reasonable efforts to cause the Project, at the Company's expense, pursuant to Section 4-1-170 of the Act or any successor provision, to be included in a duly authorized, executed and delivered successor joint county industrial park agreement with an adjoining South Carolina county, which successor agreement shall contain a termination date occurring no earlier than the final year as to which any Infrastructure Credit shall be payable under this Agreement.

(c) The County covenants that it will from time to time, at the request and expense of the Company, execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the purpose of this Agreement; provided, however, that such instruments or actions shall never create or constitute a general obligation or an indebtedness of the County within the meaning of any State constitutional provision (other than the provisions of Article X, Section 14(10) of the South Carolina Constitution) or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power or pledge the full faith, credit or taxing power of the State, or any other political subdivision of the State.

### **ARTICLE III**

#### **INFRASTRUCTURE CREDITS**

##### SECTION 3.01. Payment of Costs of Infrastructure.

The Company and Developer shall be responsible for payment of all Costs of the Infrastructure with respect to the Project as and when due.

##### SECTION 3.02. Infrastructure Credits.

(a) In order to reimburse the Company for a portion of the Cost of the Infrastructure with respect to the Project, commencing with the annual Fee Payment to be first payable on or before the January 15<sup>th</sup> immediately following the year immediately following the first year in which any portion of the Project is first

placed in service, the County shall provide to the Company Infrastructure Credits for a period of thirty (30) consecutive years in an amount equal to ninety-five percent (95%) of that portion of Fee Payments payable by the Company with respect to the Project (that is, with respect to investment made by the Company in the Project during the Investment Period) calculated and applied after payment of the amount due the non-host county under the Park Agreement.

(b) Notwithstanding anything herein to the contrary, under no circumstances shall the Company be entitled to claim or receive any abatement of *ad valorem* taxes for any portion of the investment in the Project for which an Infrastructure Credit is taken.

(c) In no event shall the aggregate amount of all Infrastructure Credits claimed by the Company exceed the amount expended by it collectively with respect to the Infrastructure at any point in time. The Company shall be responsible for making written annual certification as to compliance with the provisions of the preceding sentence through the delivery of a certification in substantially the form attached hereto as Exhibit B. Further, any amount of reimbursement of the Company for Infrastructure expenditure by way of an Infrastructure Credit may not be duplicated through an infrastructure credit to the Company for the same expenditure.

(d) In the event the Company fails to meet the Investment Target by the end of the fifth (5<sup>th</sup>) year after the Project is placed in service, the Infrastructure Credits will terminate.

(e) In the event the Company meets the Investment Target by the end of the sixth (6<sup>th</sup>) year after the Project is placed in service, the Infrastructure Credits shall apply to the Project for the remainder of the thirty (30) year term, but no lost Infrastructure Credits, if any, may be captured by the Company.

(f) As provided in Section 4-29-68 of the Code, to the extent any Infrastructure Credit is used as a payment for personal property, including machinery and equipment, and the personal property is removed from the Project at any time during the term of this Agreement (and not replaced with qualifying replacement property), the amount of the fee in lieu of taxes due on the personal property for the year in which the personal property was removed from the Project shall be due for the two (2) years immediately following such removal.

(g) THIS AGREEMENT AND THE INFRASTRUCTURE CREDITS BECOMING DUE HEREUNDER ARE LIMITED OBLIGATIONS OF THE COUNTY PROVIDED BY THE COUNTY SOLELY FROM THE FEE PAYMENTS RECEIVED BY THE COUNTY FOR THE PROJECT PURSUANT TO THE PARK AGREEMENT, AND DO NOT AND SHALL NEVER CONSTITUTE A GENERAL OBLIGATION OR AN INDEBTEDNESS OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL PROVISION (OTHER THAN THE PROVISIONS OF ARTICLE X, SECTION 14(10) OF THE SOUTH CAROLINA CONSTITUTION) OR STATUTORY LIMITATION AND DO NOT AND SHALL NEVER CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY ARE NOT PLEDGED FOR THE INFRASTRUCTURE CREDITS.

(h) No breach by the County of this Agreement shall result in the imposition of any pecuniary liability upon the County or any charge upon its general credit or against its taxing power. The liability of the County under this Agreement or of any warranty herein included or for any breach or default by the County of any of the foregoing shall be limited solely and exclusively to the Fee Payments for the Project in the Park. The County shall not be required to execute or perform any of its duties, obligations, powers, or covenants hereunder except to the extent of the Fee Payments.

## ARTICLE IV

### CONDITIONS TO DELIVERY OF AGREEMENT; TITLE TO PROJECT

SECTION 4.01. Documents to be Provided by County. Prior to or simultaneously with the execution and delivery of this Agreement, the County shall provide to the Company:

- (a) A copy of the Ordinance, duly certified by the Clerk of the County Council to have been duly enacted by the County and to be in full force and effect on the date of such certification; and
- (b) A copy of the Park Agreement, duly certified by the Clerk of the County Council to have been duly enacted by the County and to be in full force and effect on the date of such certification; and
- (c) Such additional related certificates, instruments or other documents as the Company may reasonably request in a form and substance acceptable to the Company and the County.

SECTION 4.02. Transfers of Project; Assignment of Interest in this Agreement by the Company. The County hereby acknowledges that the Company may from time to time and in accordance with applicable law, sell, transfer, lease, convey, or grant the right to occupy and use the Project, in whole or in part, or assign its interest in this Agreement, to others; provided, however, that the Company will give notice of any transfer by the Company of any of its interest in this Agreement to an Affiliate of the Company, but such transfer may be done without the County's consent. A transfer to any other Person who is not an Affiliate of the Company shall require the prior written consent of the County or the subsequent ratification by the County, which shall not be unreasonably withheld. No such sale, lease, conveyance, grant or assignment shall relieve the County from the County's obligations to provide Infrastructure Credits to the Company or any assignee of the same, under this Agreement as long as such assignee is qualified to receive the Infrastructure Credits under the Infrastructure Credit Act.

SECTION 4.03. Assignment by County. The County shall not assign, transfer, or convey its obligations to provide Infrastructure Credits hereunder to any other Person, except as may be required by South Carolina law.

## ARTICLE V

### DEFAULTS AND REMEDIES

SECTION 5.01. Events of Default. If the County or the Company shall fail duly and punctually to perform any covenant, condition, agreement or provision contained in this Agreement on its part to be performed, which failure shall continue for a period of thirty (30) days after written notice by the County or the Company, respectively, specifying the failure and requesting that it be remedied is given to the County by the Company, or to the Company by the County, by first-class mail, the County or the Company, respectively, shall be in default under this Agreement (an "Event of Default").

SECTION 5.02. Remedies and Legal Proceedings by the Company or the County. Upon the happening and continuance of any Event of Default, then and in every such case the Company or the County, as the case may be, in their discretion may:

- (a) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of its or their rights and require the other party to carry out any agreements with or for its benefit and to perform its or their duties under the Act and this Agreement;

- (b) bring suit upon this Agreement;
- (c) exercise any or all rights and remedies provided by applicable laws of the State of South Carolina; or
- (d) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of its rights.

SECTION 5.03. Remedies Not Exclusive. No remedy in this Agreement conferred upon or reserved to the County or the Company hereunder is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

SECTION 5.04. Nonwaiver. No delay or omission of the County or the Company to exercise any right or power accruing upon any default or Event of Default shall impair any such right or power or shall be construed to be a waiver of any such default or Event of Default, or an acquiescence therein; and every power and remedy given by this Article V to any party may be exercised from time to time and as often as may be deemed expedient.

## **ARTICLE VI**

### **MISCELLANEOUS**

SECTION 6.01. Termination. Subject to Sections 5.01 and 5.02 above, this Agreement shall terminate on the date upon which all Infrastructure Credits provided for herein have been credited to the Company.

SECTION 6.02. Successors and Assigns. All the covenants, stipulations, promises, and agreements in this Agreement contained, by or on behalf of, or for the benefit of, the County, shall bind or inure to the benefit of the successors of the County from time to time and any officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County, shall be transferred.

SECTION 6.03. Provisions of Agreement for Sole Benefit of the County and the Company. Except as in this Agreement otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any Person other than the County and the Company any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the County and the Company.

SECTION 6.04. Severability. In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, the illegality or invalidity shall not affect any other provision of this Agreement, and this Agreement, the Infrastructure Credits shall be construed and enforced as if the illegal or invalid provisions had not been contained herein or therein.

SECTION 6.05. No Liability for Personnel of the County or the Company. No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of any member, agent, or employee of the County or its governing body or the Company or any of its officers, employees, or agents in his individual capacity, and neither the members of the governing body of the County nor any official executing this Agreement shall be liable personally on the Infrastructure Credits or this Agreement or be subject to any personal liability of accountability by reason of the issuance thereof.

SECTION 6.06. Notices. All notices, certificates, requests, or other communications under this Agreement shall be sufficiently given and shall be deemed given, unless otherwise required by this Agreement,



when (i) delivered or (ii) sent by United States certified mail, return-receipt requested, restricted delivery, postage prepaid, addressed as follows:

- (a) if to the County: Anderson County  
Attn: County Administrator  
P.O. Box 8002  
Anderson, South Carolina 29622-8002
- with a copy to:  
(which shall not  
constitute notice  
to the County) Anderson County Attorney  
P.O. Box 8002  
Anderson, South Carolina 29622-8002
- (b) if to the Company: Soli Organic Inc.  
Attn: Richard H. Owen  
3156 North Valley Pike  
Rockingham, Virginia 22802
- with a copy to:  
(which shall not  
constitute notice  
to the Company) Maynard Nexsen PC  
104 South Main Street, Suite 900  
Greenville, South Carolina 29601  
Attn: James K. Price

A duplicate copy of each notice, certificate, request or other communication given under this Agreement to the County or the Company shall also be given to the others. The County and the Company may, by notice given under this Section 6.06, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

SECTION 6.07. Applicable Law. The laws of the State of South Carolina shall govern the construction of this Agreement.

SECTION 6.08. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

SECTION 6.09. Amendments. This Agreement may be amended only by written agreement of the parties hereto.

SECTION 6.10. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement only in a writing signed by the waiving party.

SECTION 6.11. Indemnity.

(a) Notwithstanding the fact that it is the intention of the parties that the County, its members, officers, elected officials, employees, servants and agents (collectively, the “Indemnified Parties”) shall not incur pecuniary liability by reason of the terms of this Agreement, or the undertakings required of the County hereunder, by reason of the granting of the Infrastructure Credits, by reason of the execution of this Agreement, by the reason of the performance of any act requested of it by the Company, or by reason of the County’s relationship to the Project or by the operation of the Project by the Company, including all claims, liabilities or losses arising in connection with the violation of any statutes or regulations pertaining

to the foregoing, nevertheless, if the County or any of the other Indemnified Parties should incur any such pecuniary liability, then in such event the Company shall indemnify, defend and hold them harmless against all claims by or on behalf of any person, firm or corporation, arising out of the same, and all costs and expenses incurred in connection with any such claim or in connection with any action or proceeding brought thereon, and upon notice, the Company shall defend them in any such action or proceeding with legal counsel acceptable to the County (the approval of which shall not be unreasonably withheld); provided, however, that such indemnity shall not apply to the extent that any such claim is proximately caused by (i) the grossly negligent acts or omissions or willful misconduct of the County, its agents, officers or employees, or (ii) any breach of this Agreement by the County.

(b) Notwithstanding anything in this Agreement to the contrary, the above-referenced covenants insofar as they pertain to costs, damages, liabilities or claims by any Indemnified Party resulting from any of the above-described acts of or failure to act by the Company, shall survive any termination of this Agreement.

**IN WITNESS WHEREOF**, Anderson County, South Carolina, has caused this Agreement to be executed by the Anderson County Chairman of County Council and its corporate seal to be hereunto affixed and attested by the Clerk of its County Council and Soli Organic Inc. has caused this Agreement to be executed by an authorized manager/officer, all as of the day and year first above written.

**ANDERSON COUNTY, SOUTH CAROLINA**

(SEAL)

By: \_\_\_\_\_  
Chairman of County Council

**ATTEST:**

\_\_\_\_\_  
Clerk to County Council of  
Anderson County, South Carolina

*[Signature page 1 to Special Source Revenue Credit Agreement]*

**SOLI ORGANIC INC., a**  
Virginia corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

*[Signature page 2 to Special Source Revenue Credit Agreement]*

## **EXHIBIT A**

### **REAL PROPERTY DESCRIPTION**

#### **PARCEL 1:**

BEGINNING at a point in the center of U.S. Highway 29 (75' Right of Way) being the same point as the south east corner as shown on that certain Plat recorded in book 872, at page 9-A in the Anderson County Register of Deeds and also being the same corner as shown as the South West corner of the lands shown on that certain Plat of Lands for Dorothy M. Sullivan recorded in volume 91, page 956 in the Anderson County Registry of deeds. Thence running the following Fourteen (14) courses and distances along the center of said U. S. Highway 29.

1. S 40° 07' 53" W for a distance of 118.56 feet to a point on a line.
2. S 42° 49' 09" W for a distance of 118.63 feet to a point on a line.
3. S 45° 04' 20" W for a distance of 117.90 feet to a point on a line.
4. S 47° 21' 02" W for a distance of 117.29 feet to a point on a line.
5. S 49° 50' 07" W for a distance of 113.97 feet to a point on a line.
6. S 52° 02' 07" W for a distance of 118.41 feet to a point on a line.
7. S 54° 21' 56" W for a distance of 116.73 feet to a point on a line.
8. S 57° 10' 10" W for a distance of 123.11 feet to a point on a line.
9. S 59° 48' 59" W for a distance of 125.47 feet to a point on a line.
10. S 62° 02' 33" W for a distance of 112.47 feet to a point on a line.
11. S 64° 14' 30" W for a distance of 113.75 feet to a point on a line.
12. S 66° 36' 26" W for a distance of 231.79 feet to a point on a line.
13. S 66° 40' 45" W for a distance of 350.27 feet to a point on a line.
14. S 67° 00' 55" W for a distance of 304.76 feet to a point on a line.

Thence departing said centerline of U. S. Highway 29, N 37° 36' 36" W running past a found 3/4 inch Iron Pipe at 28.77 feet for a total distance of 611.24 feet to the south East corner of Lot 4 as shown on that Untitled Plat of 7 Lots recorded in Anderson County Registry of Deeds in Plat Book 42, Page 213, where a 3/4 inch was found. Thence turning North running along the East edge of said Plat, N 11° 33' 3" E for a distance of 462.80 feet to a found 3/4 inch Iron Pipe for corner. Thence, N 53° 28' 10" E for a distance of 225.05 feet to a found 3/4 inch Iron Pipe for corner. Thence, N 53° 08' 49" E for a distance of 112.12 feet to a found 1 inch Iron Pipe for corner. Thence, N 52° 33' 27" E for a distance of 375.89 feet to a found 3/4 inch Iron Pipe for corner. Thence, N 52° 27' 18" E a distance of 166.46 feet to a found 3/4 inch Iron Pipe for corner. Thence, N 52° 42' 25.8" E for a distance of 186.23 feet to a found 3/4 inch Iron Pipe for corner. Thence, N 52° 34' 02" E for a distance of 454.13 feet to a found 5/8 inch Iron Rod being the North East corner of the subject tract and the North West corner of the lands shown on that certain Plat of Lands for Dorothy M. Sullivan recorded in volume 91, page 956 in the Anderson County Registry of deeds. Thence running, S 51° 19' 59" E for a distance 684.37 feet past a found 5/8 inch Iron Rod being 4.02 feet West of the line, then 332.69 feet to a found 5/8 inch Iron Rod being on line, then to another found 5/8 inch Iron Rod at a point 54.10 feet from the centerline of said U. S. Highway 29 and The Point of Beginning, for a total distance of 1154.37 feet to the Point of Beginning. Containing 2,179,895 Square Feet or 50.04 Acres more or less.

TMS: 099-00-02-006

#### **PARCEL 2:**

BEGINNING at a found 3/4 inch Iron Pipe at the south East corner of Lot 4 as shown on that Untitled Plat of 7 Lots recorded in Anderson County Registry of Deeds in Plat Book 42, Page 213. Thence running N37°36'36"W a distance of 28.77 feet to the Centerline of Cleveland Drive. Thence running through the

centerline of Cleveland Drive along a curve to the right through an angle of  $17^{\circ}43'07''$ , with an Arc length of 417.20 feet and a radius of 1349.08 feet, and whose chord bears  $N09^{\circ}56'36''E$  for a distance of 415.54 feet to a point. Thence departing said roadway,  $N 53^{\circ} 28' 10'' E$  for a distance of 43.55 feet to found 3/4 inch Iron Pipe for corner. Thence run  $S 11^{\circ} 33' 30'' W$  a distance of 462.80 feet to the South East corner of said Lot 4 and the Point of Beginning a Containing 14,716 Square Feet or 0.34 Acres more or less.

TMS: 099-01-03-001

**EXHIBIT B**

**INFRASTRUCTURE INVESTMENT CERTIFICATION**

I \_\_\_\_\_, the \_\_\_\_\_ of Soli Organic Inc. (the "Company"), do hereby certify in connection with the Special Source Revenue Credit Agreement dated as of \_\_\_\_\_, 2023 (the "Agreement") between Anderson County, South Carolina and the Company, as follows:

(1) As of December 31, 20\_\_, the total amount of Infrastructure Credits received by the Company is \$\_\_\_\_\_.

(2) As of December 31, 20\_\_, the total amount of investment in Costs of Infrastructure by the Company is not less than \$\_\_\_\_\_.

All capitalized terms used but not defined herein shall have the meaning set forth in the Agreement.

**IN WITNESS WHEREOF**, I have set my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**SOLI ORGANIC INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

## **RESOLUTION R2023-023**

### **A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT AND CLOSURE OF THE END SECTION OF MCNEELY RD DESIGNATED AS C-03-0043; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, McNeely Road (the “Road”) is currently an asphalt Anderson County (the “County”) public road, designated as Anderson County Road C-03-0043; and,

**WHEREAS**, the Road extends 110 feet from McNeely Road C-03-0043; to dead end and exists on two parcels of property identified as Anderson County tax map numbers 113-00-06-047 and 113-00-06-048 all of which have common ownership, as shown on the map prepared by Anderson County Roads and Bridges Department on May 5, 2023 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 Road in order to deter unsolicited traffic. 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;

**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 cease County maintenance on, and to authorize County consent to judicial abandonment and closure 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 partial abandonment and closure of McNeely Road C-03-0043 by the property owners.
- 
2. In the event McNeely Road 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 20th day of June, 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



Exhibit A





PO Box 8002, Anderson, SC 29622-8002  
(864) 260-4190

Date: 4-3-23

[illegible]



# MEMORANDUM

## ROADS AND BRIDGES DEPARTMENT

**DATE:** June 13, 2023

**TO:** Mr. Rusty Burns  
County Administrator

**FROM:** Matt Hogan  
Road and Bridges Manager

**SUBJECT:** Proposed abandonment of the end section of McNeely Rd, C-3-43  
Council District Four

Please see attachments for information on the proposed abandonment of McNeely Road. Property owners have requested abandonment due to unsolicited activities and property damage caused by motorists turning around on their property.

The landowner's signed petition is enclosed. The owner was provided a copy of Anderson County's Ordinance of policies and procedures for abandoning and closing public roads, as well as a written notice of their responsibility for acquiring legal ownership to the road if Council approves abandonment by resolution.

On April 18, 2023, road closure notification sign(s) were/was posted on the road. Signs were in place for 30 days on May 18, 2023.

Notification of the proposed abandonment was mailed to Emergency Service providers and Anderson School District Four Transportation Department. There was no response from either.

Our department has conducted a thorough investigation of this road.

- Public notification signs were posted for 30 days
- There were no inquiries
- Section of road is in general public use
- Road runs McNeely Rd to end
- The asphalt road is 110 linear feet and 16 feet wide
- Prescriptive right-of-way
- Average Daily Traffic Count is 20 cars per day

With the information provided, I recommend Anderson County abandon interest in this section of McNeely Road.

**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



# MEMORANDUM

ANDERSON COUNTY DEPARTMENT NAME | PAGE 2

For your convenience, photographs and a location map are enclosed.

Enclosures

**Tommy Dunn**  
Chairman, District 5

**John B Wright Jr.**  
Council District 1

**Greg Elgin**  
Council District 4

**Cindy Wilson**  
Council District 7

**ANDERSON COUNTY**  
SOUTH CAROLINA

**Ray Graham**  
V. Chairman, District 3

**Glenn Davis**  
Council District 2

**Jimmy Davis**  
Council District 6

**Renee D. Watts**  
Clerk to Council

**Rusty Burns** | County Administrator  
rburns@andersoncountysc.org

## McNeely Road, C-3-34 Abandonment of End Section

## View of End Section





April 4, 2023

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 approximately the last 80 feet of McNeely Rd (C-03-0043).

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](mailto: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](mailto:rburns@andersoncountysc.org)



April 4, 2023

Kevin Kay, Fire Chief  
Walker McElmoyle Fire Department #16  
7101 Liberty Hwy  
Pendleton, South Carolina 29670

Dear Chief Kevin Kay:

We have received a request to abandon approximately the last 80 feet of McNeely Rd (C-03-0043).

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](mailto: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](mailto:rburns@andersoncountysc.org)





April 4, 2023

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 approximately the last 80 feet of McNeely Rd (C-03-0043).

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](mailto: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](mailto:rburns@andersoncountysc.org)



## **RESOLUTION R2023-027**

### **A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT AND CLOSURE OF ADREN RD DESIGNATED AS C-16-52; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Adren Rd (the “Road”) is currently an asphalt Anderson County (the “County”) public road, designated as Anderson County Road C-16-52; and,

**WHEREAS**, the Road extends 584 feet between Flatrock Rd (S-4-49) and Gillespie Rd (S-4-476) and exists on one parcels of property identified as Anderson County tax map numbers 157-00-03-002 all of which have common ownership, as shown on the map prepared by Anderson County Roads and Bridges Department on July 6, 2023 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 Road in order to deter loitering and vandalism. 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;

**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 cease County maintenance on, and to authorize County consent to judicial abandonment and closure 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 Adren Rd (C-16-52) by the property owners.
2. In the event Adren Rd 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 18th day of July, 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

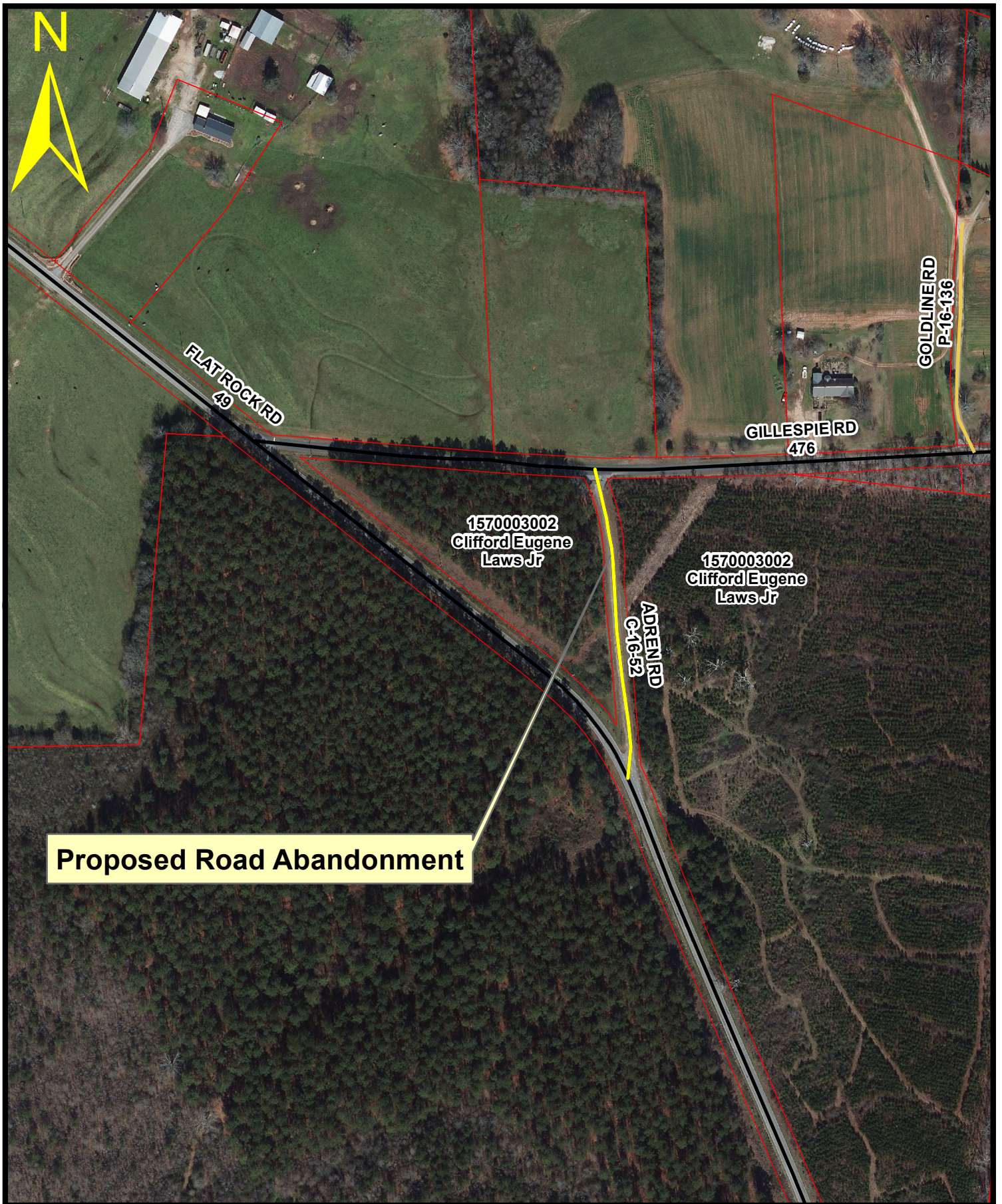
**APPROVED AS TO FORM:**

---

Leon C. Harmon  
Anderson County Attorney



# Exhibit A









# MEMORANDUM

## ROADS AND BRIDGES DEPARTMENT

**DATE:** July 18, 2023

**TO:** Mr. Rusty Burns  
County Administrator

**FROM:** Matt Hogan  
Road and Bridges Manager

**SUBJECT:** Proposed abandonment of Adren Rd (C-16-52)  
Council District Three

Please see attachments for information on the proposed abandonment of Adren Rd (C-16-52). Property owners have requested abandonment due to loitering and vandalism.

The landowner's signed petition is enclosed. The owner was provided a copy of Anderson County's Ordinance of policies and procedures for abandoning and closing public roads, as well as a written notice of their responsibility for acquiring legal ownership to the road if Council approves abandonment by resolution.

On May 17, 2023, road closure notification signs were posted on the road. Signs were in place for 30 days on June 16, 2023.

Notification of the proposed abandonment was mailed to Emergency Service providers and Anderson School District Three Transportation Department. Emergency Services & Anderson School District did not bring forward any issues with the abandonment. Flat Rock – Bowen Fire Department has no issues with abandonment in regards to fire response.

Our department has conducted a thorough investigation of this road.

- Public notification signs were posted for 30 days
- There was 1 inquiry.
- Section of road is in general public use.
- Road runs from Flatrock Rd (S-4-49) to Gillespie Rd (S-4-476)
- The asphalt road is 584 linear feet and 16 feet wide.
- Prescriptive right-of-way
- Average Daily Traffic Count is 6 cars per day.

**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



# MEMORANDUM

ANDERSON COUNTY DEPARTMENT NAME | PAGE 2

With the information provided, I recommend Anderson County abandon interest in Adren Rd.

For your convenience, photographs and a location map are enclosed.

Enclosures

**Sincerely,**

**Matt Hogan**

**Tommy Dunn**  
Chairman, District 5

**John B Wright Jr.**  
Council District 1

**Greg Elgin**  
Council District 4

**Cindy Wilson**  
Council District 7

**ANDERSON COUNTY**  
SOUTH CAROLINA

**Ray Graham**  
V. Chairman, District 3

**Glenn Davis**  
Council District 2

**Jimmy Davis**  
Council District 6

**Renee D. Watts**  
Clerk to Council

**Rusty Burns** | County Administrator  
rburns@andersoncountysc.org



## Proposed Abandonment of Adren Rd (C-16-52)



Figure 1 - View from FLatrock Rd (S-4-49)



Figure 2 - View from Gillespie Rd (S-4-476)

Phone Log for Adren Rd (C-16-0052)

| Date      | Name           | Address          | Phone    | Comments  |
|-----------|----------------|------------------|----------|---|
| 5/23/2023 | Rodge Estridge | 151 Gillespie Rd | 276-7501 | Rodge lives up the road and uses Adren road to make an easier turn with equipment and trailers onto Gillepsie and Flatrock. OPPOSES Abandonement. |
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May 19, 2023

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 Adren Rd C-16-0052.

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](mailto: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](mailto:rburns@andersoncountysc.org)



May 19, 2023

Eric Norris  
Flat Rock Bowen Station #25  
3135 Airline Rd  
Anderson, South Carolina 29624

Dear Chief Norris:

We have received a request to abandon Adren Rd, C-16-0052.

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](mailto: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](mailto:rburns@andersoncountysc.org)



May 19, 2023

Sandra Lollis, Director of Transportation  
Anderson County School District Three  
9104 Highway 81 South  
Iva, South Carolina 29655

Dear Mrs. Lollis:

This letter is to inform you that we have received a request to abandon Adren Rd, C-16-0052.

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](mailto: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](mailto:rburns@andersoncountysc.org)

## **RESOLUTION R2023-028**

### **A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT AND CLOSURE OF NONE RD; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, None Rd (the “Road”) is currently an asphalt strip that runs between Jackson St (S-04-71) and Simmons St (C-09-250);

**WHEREAS**, the Road extends 195 feet between Simmons St (C-9-250) and Jackson St (S-4-71) and exists on two parcels of property identified as Anderson County tax map numbers 123-11-03-002 and 123-11-03-003 all of which have common ownership, as shown on the map prepared by Anderson County Roads and Bridges Department on June 1, 2023; attached hereto as **Exhibit A** and incorporated herein by reference;

**WHEREAS**, Anderson County (the “County”) is seeking judicial abandonment of this Road due to a contractual agreement approved by Anderson County Council;

**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;

**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 cease County maintenance on, and to authorize County consent to judicial abandonment and closure 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 None Rd by the property owners.
2. In the event None Rd 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 18th day of July, 2023, in a 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



# Proposed Abandonment of Unnamed Asphalt Strip Located Between Simmons St (C-9-250) & Jackson St (S-4-71)







# MEMORANDUM

## ROADS AND BRIDGES DEPARTMENT

**DATE:** July 18, 2023

**TO:** Mr. Rusty Burns  
County Administrator

**FROM:** Matt Hogan  
Road and Bridges Manager

**SUBJECT:** Proposed abandonment of None Rd, part of Equinox Mill  
Council District Two

Please see attachments for information on the proposed abandonment of None Rd which is an asphalt strip that runs between Simmons Street and Jackson Street. Anderson County is requesting judicial abandonment due to a contractual agreement approved by Anderson County Council.

On June 1, 2023, road closure notification signs were posted on the road. Signs were in place for 30 days on July 1, 2023 in accordance to South Carolina Code of Law, section 57-9-10.

Public Notice was advertised in the Independent Mail once a week for 3 consecutive weeks. Notices ran on June 11th, 18th and 25th, 2023.

Notice was also mailed to Emergency Service providers, Anderson School District Five Transportation Department, South Carolina Department of Transportation. There were no utilities abutting this road, therefore no notice was mailed to any utility companies. There were no comments regarding issues from any of the above.

Our department has conducted a thorough investigation of this road.

- Public notification signs were posted for 30 days
- There were no inquiries
- The road is in general public use
- The road runs from Simmons St (C-09-520) to Jackson St (S-04-71)
- The asphalt road is 195 linear feet and 16 feet wide
- Right-of-way: N/A
- Average Daily Traffic Count is 9 cars per day

**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



# MEMORANDUM

ANDERSON COUNTY DEPARTMENT NAME | PAGE 2

With the information provided, I recommend Anderson County abandon interest of this unnamed road.

For your convenience, photographs and a location map are enclosed.

Enclosures

Sincerely,

**Matt Hogan**

**Tommy Dunn**  
Chairman, District 5

**John B Wright Jr.**  
Council District 1

**Greg Elgin**  
Council District 4

**Cindy Wilson**  
Council District 7

**ANDERSON COUNTY**  
SOUTH CAROLINA

**Ray Graham**  
V. Chairman, District 3

**Glenn Davis**  
Council District 2

**Jimmy Davis**  
Council District 6

**Renee D. Watts**  
Clerk to Council

**Rusty Burns** | County Administrator  
rburns@andersoncountysc.org



**Proposed Judicial Abandonment of None Rd**  
***An asphalt strip that is part of Equinox Mill***



*Figure 1 - View of Entire Asphalt Strip*



**June 6, 2023**

**Chief Greg Dunn  
Centerville Fire Station #9  
125 Shannon Dr  
Anderson, South Carolina 29625**

**Re: Notice of Intention to Petition for Judicial Abandonment of Road**

**Dear Chief Dunn:**

**Anderson County proposes permanently closing and seeking judicial abandonment of an unnamed road for a length of 195 feet, the entire road, which runs from Simmons Street, C-9-250 to Jackson Street, S-4-71. The unnamed road is located between Anderson County Tax Maps 123-11-03-002 and 123-11-03-003.**

**Enclosed is a map for an overview of the road closure.**

**Thank you in advance for your assistance with this matter. You may contact me via email at [wmhogan@andersoncountysc.org](mailto:wmhogan@andersoncountysc.org) or the Anderson County Roads and Bridges department at 864-260-4190.**

**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](mailto:rburns@andersoncountysc.org)



**June 6, 2023**

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

**Re: Notice of Intention to Petition for Judicial Abandonment of Road**

**Dear Chief Sutherland:**

**Anderson County proposes permanently closing and seeking judicial abandonment of an unnamed road for a length of 195 feet, the entire road, which runs from Simmons Street, C-9-250 to Jackson Street, S-4-71. The unnamed road is located between Anderson County Tax Maps 123-11-03-002 and 123-11-03-003.**

**Enclosed is a map for an overview of the road closure.**

**Thank you in advance for your assistance with this matter. You may contact me via email at [wmhogan@andersoncountysc.org](mailto:wmhogan@andersoncountysc.org) or the Anderson County Roads and Bridges department at 864-260-4190.**

**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](mailto:rburns@andersoncountysc.org)



**June 6, 2023**

**SCDOT**

**Michael Anders, RME**

**4740 Liberty Highway**

**Anderson, South Carolina 29621**

**Re: Notice of Intention to Petition for Judicial Abandonment of Road**

**Dear Mr. Anders:**

**Anderson County proposes permanently closing and seeking judicial abandonment of an unnamed road for a length of 195 feet, the entire road, which runs from Simmons Street, C-9-250 to Jackson Street, S-4-71. The unnamed road is located between Anderson County Tax Maps 123-11-03-002 and 123-11-03-003.**

**Enclosed is a map for an overview of the road closure.**

**Thank you in advance for your assistance with this matter. You may contact me via email at [wmhogan@andersoncountysc.org](mailto:wmhogan@andersoncountysc.org) or the Anderson County Roads and Bridges department at 864-260-4190.**

**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](mailto:rburns@andersoncountysc.org)



**June 6, 2023**

**Darryl K. Webb, Director of Transportation  
Anderson County School District Five  
PO Box 439  
Anderson, South Carolina 29622**

**Re: Notice of Intention to Petition for Judicial Abandonment of Road**

**Dear Mr. Webb:**

**Anderson County proposes permanently closing and seeking judicial abandonment of an unnamed road for a length of 195 feet, the entire road, which runs from Simmons Street, C-9-250 to Jackson Street, S-4-71. The unnamed road is located between Anderson County Tax Maps 123-11-03-002 and 123-11-03-003.**

**Enclosed is a map for an overview of the road closure.**

**Thank you in advance for your assistance with this matter. You may contact me via email at [wmhogan@andersoncountysc.org](mailto:wmhogan@andersoncountysc.org) or the Anderson County Roads and Bridges department at 864-260-4190.**

**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](mailto:rburns@andersoncountysc.org)



## RESOLUTION NO. 2023-031

### **A RESOLUTION APPROVING, RATIFYING AND CONSENTING TO THE TRANSFER AND PARTIAL ASSIGNMENT TO, AND ASSUMPTION BY, EVERGREEN LOGISTICS I LLC OF A CERTAIN EXISTING FILOT AGREEMENT TO WHICH THE COUNTY IS A PARTY (THE “FILOT AGREEMENT”) AND OTHER MATTERS RELATING THERETO.**

**WHEREAS**, Anderson County, South Carolina (the “County”), acting by and through its County Council (the “Council”), pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the “Code”), particularly Title 12, Chapter 44 of the Code (the “Negotiated FILOT Act”); Title 4, Chapter 1 of the Code (the “Multi-County Park Act”) or, as to Section 4-1-175 thereof, the “Special Source Act”) (collectively, the “Act”) and Ordinance No. 2021-043 duly enacted by Council on November 16, 2021 (the “FILOT Ordinance”), entered into a Fee in Lieu of Tax and Special Source Credit Agreement, dated as of November 16, 2021 (the “FILOT Agreement”), with Anderson Land, LLC (the “Assignor”) pursuant to which Assignor agreed to make, and the County agreed to accept, negotiated fee in lieu of tax payments (“FILOT”) with respect to certain eligible property constituting one or more new facilities in the County for manufacturing/distribution manufacturing (collectively, the “Project”) and pursuant to which the County granted Special Source Revenue Credits to Assignor as set forth in the FILOT Agreement; and

**WHEREAS**, the Assignor has conveyed to Evergreen Logistics I LLC (the “Assignee”) a portion of the Project (the “Assigned FILOT Property”) and the Assignor desires to assign to the Assignee all of its interests in the Fee Agreement and the FILOT Ordinance related to Assigned FILOT Property; and

**WHEREAS**, in accordance with Section 5.09 of the Fee Agreement and the Transfer Provisions defined therein, the Assignor and the Assignee have requested the County’s approval, ratification and consent to the assignment to the Assignee by the Assignor of all of the Assignor’s right, title and interest in and to the Assigned FILOT Property and all of the Assignor’s interest in the FILOT Ordinance and the FILOT Agreement related to the Assigned FILOT Property.

**WHEREAS**, upon the acquisition of the Assigned FILOT Property, Assignee will assume all of the rights and obligations of Assignor under the FILOT Ordinance and the FILOT Agreement as to the Assigned FILOT Property and has agreed to be liable for all fees in lieu of taxes and other payments due thereunder.

**NOW, THEREFORE, BE IT RESOLVED** by the Council, as follows:

**Section 1.** The County hereby approves, ratifies and consents to (i) the assignment of the Assignor’s right, title and interest in and to the Assigned FILOT Property and all of the Assignor’s interest in the FILOT Ordinance and the FILOT Agreement related to the Assigned FILOT Property and (ii) the assumption by Assignee on and after the assignment of any and all obligations associated with the FILOT Ordinance and the FILOT Agreement related to the Assigned FILOT Property from and after the date of such assignment. The Assignor shall be fully released and discharged from any and all of its obligations under the FILOT Ordinance and FILOT Agreement related to the Assigned FILOT Property except as to those obligations that arose directly from Assignor’s actions or inactions which occurred prior to the Effective Date of the Assignment.

**Section 2.** The County approves the designation of the Assignee as a sponsor under the Fee Agreement with all the rights and obligations of the Assignor under the Fee Agreement related to the Assigned FILOT Property.

**Section 3.** The County Council Chairman and/or the County Administrator are each hereby authorized and directed to execute the Consent as Schedule 1 to the Assignment and Assumption of Fee in Lieu of Tax Agreement attached hereto, with such changes as do not adversely impact the County and as are recommended by counsel for the County, in the name of and on behalf of the County, and the Clerk to County Council is hereby authorized and directed to attest the same. The County Council Chairman and/or the County Administrator are each hereby further authorized and directed to execute and deliver any other documents as may be necessary or desirable to assist in the partial assignment of the FILOT Ordinance, the FILOT Agreement and the Assigned FILOT Property, all as consistent with this Resolution.

**Section 3.** All orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

**Section 4.** The authorization of the execution and delivery of the Consent and the other documents or obligations of the County required by the FILOT Agreement is subject to the compliance by the County Council with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances and resolutions.

*[remainder of page intentionally left blank]*

Done in meeting duly assembled on July 18, 2023.

**ANDERSON COUNTY, SOUTH CAROLINA**

(SEAL)

By: \_\_\_\_\_  
Tommy Dunn  
Chairman, Anderson County Council

Attest:

By: \_\_\_\_\_  
Rusty Burns  
Anderson County Administrator

By: \_\_\_\_\_  
Renee Watts  
Clerk to Anderson County Council

FORM APPROVED BY:

\_\_\_\_\_  
Leon Harmon  
County Attorney



## **PARTIAL FILOT ASSIGNMENT AND ASSUMPTION AGREEMENT**

**THIS PARTIAL FILOT ASSIGNMENT AND ASSUMPTION AGREEMENT** (the “Agreement”) is entered into as of this 13<sup>th</sup> day of July, 2022 by and between **ANDERSON LAND, LLC**, a South Carolina limited liability company (the “Assignor”) and **EVERGREEN LOGISTICS I LLC**, a Delaware limited liability company (the “Assignee”). Further, **ANDERSON COUNTY, SOUTH CAROLINA** (the “County”) has given its consent to this Agreement as evidenced by the annexed Schedule 1, which is made a part hereof.

### **RECITALS**

**WHEREAS**, the County, acting by and through its County Council (the “Council”), pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the “Code”), particularly Title 12, Chapter 44 of the Code (the “Negotiated FILOT Act”); Title 4, Chapter 1 of the Code (the “Multi-County Park Act”) or, as to Section 4-1-175 thereof, the “Special Source Act”) (collectively, the “Act”) and Ordinance No. 2021-043 duly enacted by Council on November 16, 2021 (the “FILOT Ordinance”), entered into a Fee in Lieu of Tax and Special Source Credit Agreement, dated as of November 16, 2021 (the “FILOT Agreement”), with Assignor pursuant to which Assignor agreed to make, and the County agreed to accept, negotiated fee in lieu of tax payments (“FILOT”) with respect to certain eligible property constituting one or more new facilities in the County for manufacturing/distribution manufacturing (collectively, the “Project”) and pursuant to which the County granted Special Source Revenue Credits to Assignor as set forth in the FILOT Agreement; and

**WHEREAS**, the Assignor has conveyed to the Assignor the portion of the Project located on the land described on Exhibit A and incorporated herein by reference as the “Assigned FILOT Property” and the Assignor desires to assign to the Assignee all of its interests in the FILOT Agreement and the FILOT Ordinance related to Assigned FILOT Property; and

**WHEREAS**, the County has considered the Assignor’s request to assign all of its interests and, by Resolution adopted by the County on July 18, 2023 the County approved, consented and ratified to the assignment to the Assignee by the Assignor of all of the Assignor’s right, title and interest in and to the Assigned FILOT Property and all of the Assignor’s interest in the FILOT Ordinance and the FILOT Agreement related to the Assigned FILOT Property.

**NOW, THEREFORE, FOR VALUE RECEIVED**, it is agreed as follows:

1. The Assignor hereby assigns, transfers and delivers to the Assignee all of the Assignor’s right, title and interest in and to the Assigned FILOT Property and all of the Assignor’s interest in the FILOT Ordinance and the FILOT Agreement related to the Assigned FILOT Property, and all matters related thereto, on and after the date first written above (the “Effective Date”), including all rights, duties, and obligations conferred by the FILOT Ordinance and the FILOT Agreement upon the Assignor as to the Assigned FILOT Property. On and after the Effective Date, Assignors shall be fully released and discharged from any and all of Assignor’s obligations under the FILOT Ordinance and FILOT Agreement as to the Assigned FILOT Property except as those obligations that arose directly from Assignors’ actions or inactions which occurred prior to the Effective Date.

2. The Assignee hereby accepts the assignment of all of the Assignor’s right, title and interest in and to the Assigned FILOT Property and all of the Assignor’s interest in the FILOT Ordinance and the

FILOT Agreement related to the Assigned FILOT Property, and agrees to be bound by and perform, observe, and otherwise comply with all of the obligations, covenants and undertakings of the Assignor with respect to the FILOT Ordinance, the FILOT Agreement and the Assigned FILOT Property from and after the Effective Date.

3. Any notice, election, demand, request, or other communication to be provided to the "Company" (the Assignee) in accordance with Section 7.01 of the FILOT Agreement shall be to:

EVERGREEN LOGISTICS I LLC  
c/o Hunt Midwest Real Estate Development, Inc.  
8300 N.E. Underground Drive, Suite 100  
Kansas City, Missouri 64161

4. This Agreement shall be binding upon and inure to the benefit of the Assignor and the Assignee, their respective successors and assigns.

5. This Agreement may be executed in counterparts, each of which shall constitute an original and taken together shall constitute but one and the same instrument.

*[Signatures appear on the following pages]*

IN WITNESS WHEREOF, the Assignor and the Assignee have executed this Agreement effective as of the day and year first above written.

Signed sealed and delivered  
In the presence of:

Billy J. Bauer  
Witness

**Assignor:**

**ANDERSON LAND, LLC,**  
a South Carolina limited liability company

By: Hunt Midwest Real Estate Development, Inc. a Missouri  
Its: Sole Member corporation

By: V-T Johnston  
Name: Vincent T Johnston  
Title: Sr Vice President

Signed sealed and delivered  
In the presence of:

Lee Vonschik  
Witness

**Assignee:**

**EVERGREEN LOGISTICS I LLC**  
a South Carolina limited liability company

By: Anderson Land, LLC  
a South Carolina limited liability company  
Its: Sole Member

By: Hunt Midwest Real Estate Development, Inc.  
a Missouri corporation  
Its: Sole Member

By: V-T Johnston  
Name: Vincent T Johnston  
Title: Sr Vice President

**EXHIBIT A**

**(ASSIGNED FILOT PROPERTY)**

ALL that certain piece, parcel or tract of land lying, being and situate on Scotts Bridge Road in Anderson County, State of South Carolina, containing 29.70 acres, more or less, and being shown as Parcel 1 on that certain plat prepared for "Hunt Midwest" by EAS Professionals, Inc. on March 28, 2022 and recorded in the Register of Deeds Office for Anderson County in Plat Book 2927 at Page 5, and having the metes and bounds as shown thereon.

Tax Map No. 1440004001

**SCHEDULE 1**

**CONSENT AND AGREEMENT TO ASSIGNMENT**

Anderson County, South Carolina approves, ratifies and consents to the above partial assignment and assumption of the FILOT Ordinance, the FILOT Agreement and the Assigned FILOT Property and hereby releases the Assignor from any and all of its obligations under the FILOT Ordinance and FILOT Agreement as to the Assigned FILOT Property except as to those obligations arising directly from the Assignor's actions or inactions which occurred prior to the Effective Date of the Assignment.

Date: \_\_\_\_\_

**ANDERSON COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Chairman of County Council

ATTEST:

\_\_\_\_\_  
County Administrator

\_\_\_\_\_  
Clerk to County Council of  
Anderson County, South Carolina



To: Mr. Rusty Burns

From: Robert E. Carroll *REE*

Date: 7/12/2023

Subject: Staff Recommendation for RFQ #23-044

The Anderson County Purchasing Department advertised for and sent out a Request for Qualifications for a Company to Provide Landscape Architectural & Engineering Services for the New Anderson County Piedmont Riverfront Park. The County received six responses by the due date of March 16th. Three individuals then evaluated the firms based on the evaluation criteria included in the RFQ. Staff recommends that the County award the Contract to ADC Engineering.



## RECREATION FUND APPROPRIATIONS APPLICATION

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: 7

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

**Ray Graham**  
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:

*Watkins Community Center, Inc*

2. Amount of request (If requesting funds from more than one district, annotate amount from each district):

*\$ 1500.00*

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

*Organize & promote Childrens Theater Camp for 2023*

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*

5. Contact Person:

*AL Young*

Mailing Address:

*104 Hillcrest Circle, Honey Path, SC 29654*

Phone Number:

*864-314-6586*

Email:

*j.allard.young@gmail.com*

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

*Watkins Community Center will cover all expenses beyond amount of request. Budget attached.*

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.

*J. Allard Young*  
Signature

Print Name

*J. Allard Young*

Date

*06/20/2023*

# *The State of South Carolina*



*Office of Secretary of State Mark Hammond*

## **Certificate of Incorporation, Nonprofit Corporation**

**I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:**

WATKINS COMMUNITIY CENTER, INC.,  
a nonprofit corporation duly organized under the laws of the State of South Carolina on September 6th, 2005, and having a perpetual duration unless otherwise indicated below, has as of the date hereof filed a Declaration and Petition for Incorporation of a nonprofit corporation for Religious, Educational, Social, Fraternal, Charitable, or other eleemosynary purpose.

Now, therefore, I Mark Hammond, Secretary of State, by virtue of the authority in me vested by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto, do hereby declare the organization to be a body politic and corporate, with all the rights, powers, privileges and immunities, and subject to all the limitations and liabilities, conferred by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto.

Given under my Hand and the Great  
Seal of the State of South Carolina this  
28th day of September, 2005.

A handwritten signature in cursive script that reads "Mark Hammond".

Mark Hammond, Secretary of State



## Budget for Theater Camp 2023

|   |           |
|---|-----------|
| Director and support personnel                  |           |
| Amy Moore, Director                             | \$1000.00 |
| Lindsey Johnson, assistant director             | \$ 500.00 |
| Jason Cunningham, graphics designer             | \$ 500.00 |
| Set builder                                     | \$ 100.00 |
| Monday lunch (food, paper products)             | \$ 175.00 |
| Snacks (apples, carrots, healthy chips, drinks, | \$ 160.00 |
| Paper products)                                 |           |
| Cleaning fee                                    | \$ 150.00 |
| Printing fees                                   |           |
| Posters   | \$ 75.00  |
| School fliers                                   | \$ 8.50   |
| Tickets, programs                               | \$125.00  |
| Tee shirts for campers                          | \$420.00  |
| Purchase of Play                                | \$130.00  |
| Paint, brushes, rollers, canvas,                |           |
| Canvas primer, paint buckets                    | \$350.00  |
| Meal for campers night of play                  | \$300.00  |
| Misc.   | \$ 50.00  |

Total projected expenditures: \$4,043.5

Projected revenue: \$1575.00 ( from enrollment fees and sales of tee shirts to parents)

A shortfall of: \$ 2468.50

30 young people have signed up to participate.

Ad Young Chin.



## RECREATION FUND APPROPRIATIONS APPLICATION

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: 3

**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:

Belton Center For the Arts

2. Amount of request (If requesting funds from more than one district, annotate amount from each district): **\$500**

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

Sponsorship for the 25th Belton Standpipe Heritage & Arts Festival Juried Art Show

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, BCA is in good standing with SCSOS. Attached is letter

5. Contact Person: Sharon P Karriker

Mailing Address: PO Box 368, Belton SC 29627

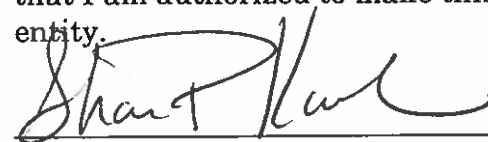
Phone Number: 864-338-8556

Email: Sharon@beltonarts.org

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

Matching funds will be provided.

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.

  
Signature

Sharon P. Karriker

Print Name

5-26-2023

Date



# Recreation Fund Appropriations Form

Anderson County Council Clerk P. O. Box 8002 Anderson, SC 29622

Email: [lacroegaert@andersoncountysc.org](mailto:lacroegaert@andersoncountysc.org)

Fax: 864-260-4356

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM: 3

1. Name of entity requesting recreation fund appropriation:

Belton Area Museum Association

2. Amount of request (If requesting funds from more than one district, annotate amount from each district):

\$1000

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

The Belton Area Museum Association announces that the 19th annual Heritage Days at the Depot, a living history event, will host education days Oct. 5 and 6, and be open to the public free of charge on Saturday, Oct. 7. This event provides both recreational, educational, and cultural opportunities for Anderson County residents of all ages. Thirteen heritage skills artisans will provide hands-on experiences in the skills and artistry of our forefathers for everyone who comes by the depot from 10:30 am - 3:30 pm on Saturday. Funds will be used to feed the artisans lunch and pay a portion of their daily stipend (\$100 per day).

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, see attached copy of Secretary of State report

5. Contact Person: Alison Darby, BAMA Educational Coordinator

Mailing Address: Historic Belton Train Depot, 100 N. Main Street, Belton, SC 29627

Phone Number: 864-338-7400

Email: beltonmuseum@bellsouth.net

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

We have already received monies from Foothills Community Foundation (\$1500) and Publix (\$100), and have applied for grant funding from WebbCraft Family Foundation (\$2500), SC Humanities (\$5000), City of Belton HTAX (\$3900), and Duke Energy (\$2000)

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.

Alison A. Darby

Alison A. Darby

5/24/23

Signature

Print Name

Date



## RECREATION FUND APPROPRIATIONS APPLICATION

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: 2 and 5

Mail/Email/Fax to:

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

Terry Dunn  
Chairman, District 3

Brett Sanders  
V. Chairman, District 4

John B. Wright, Jr.  
Council District 1

Glenn A. Davis  
Council District 2

Greg Egan  
Council District 3

Jimmy Davis  
Council District 6

Cindy Wilson  
Council District 7

Lonnie Watts  
Clerk to Council

Betsy Burns  
County Administrator

1. Name of entity requesting recreation fund appropriation:

Homeland Park Fire Department

2. Amount of request (if requesting funds from more than one district, annotate amount from each district): \$2,500 Mr. Dunn (District 5)

\$2,500 Mr. Davis (District 2)

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

our 4th of July Celebration Event

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

5. Contact Person: Ronald R. Wood

Mailing Address: P.O. Box 13138 Anderson, S.C. 29624

Phone Number: 864.844.1264

Email: hpvfd3@gmail.com

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

NO

I certify that the foregoing 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.

Signature

Ronald R. Wood

Print Name

Ronald R. Wood

Date

06-26-2013



## RECREATION FUND APPROPRIATIONS APPLICATION

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: 2 & 5

**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

**Ray Graham**  
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:

**Homeland Park Community Watch**

2. Amount of request (If requesting funds from more than one district, annotate amount from each district):

**\$1,500 Per district. \$3,000 total**

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

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: **Walter Lanier**

Mailing Address: **3703 Allston Street Anderson SC 29624**

Phone Number: **864-933-3787**

Email: **WLANIER@homelandpark.org**

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

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.

Signature

**Walter Lanier**

**7-2-2023**

Print Name

Date



## RECREATION FUND APPROPRIATIONS APPLICATION

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: 5

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:  
CENTER ROCK VOLUNTEER FIRE DEPARTMENT
2. Amount of request (If requesting funds from more than one district, annotate amount from each district):  
\$ 2,000.00
3. The purpose for which the funds are being requested:  
Community Day Event June 24<sup>th</sup> 2023
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: Craig Merck  
Mailing Address: 5125 Dobbins Bridge Rd Anderson  
Phone Number: 864-934-5920  
Email: StevensMerck@gmail.com
6. Statement as to whether the entity will be providing matching funds:  
1644.00

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.

[Signature]  
Signature

Stevens C. Merck  
Print Name

7/7/23  
Date





## RECREATION FUND APPROPRIATIONS APPLICATION

WHAT DISTRICT(S) ARE YOU REQUESTING FUNDING FROM:

DISTRICT: 1, 2, 3, 4, 5, 6, 7

**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:  
American Red Cross Upstate South Carolina Chapter
2. Amount of request (If requesting funds from more than one district, annotate amount from each district):  
\$2,000
3. The purpose for which the funds are being requested:  
Support of tennis tournament with proceeds to be used toward Red Cross services in Anderson County.
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 of exempt status from SC Sec of State's office attached.
5. Contact Person: Jamie Raichel, Executive Director  
Mailing Address: 940 Grove Road, Greenville, SC 29605  
Phone Number: 864 399 4046  
Email: jamie.raichel@redcross.org
6. Statement as to whether the entity will be providing matching funds:  
Tournament sponsorships will provide matching funds.

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.

Jamie Raichel  
Signature

Jamie Raichel  
Print Name

7/12/23  
Date



## **AGENDA**

### **Planning and Public Works Meeting**

**Monday, July 10, 2023, at 12:15 pm**

**101 South Main Street**

**Anderson, SC**

**Anderson County Historical Courthouse -Administrator's Conference Room**

***Chairwoman Cindy Wilson, District Seven, Presiding***

***Honorable Jimmy Davis, District Six***

***Honorable John B. Wright, District One***

**1. Call to Order**

**Chairwoman Cindy Wilson**

**2. Prayer and Pledge of Allegiance**

**Honorable Cindy Wilson**

**3. Discussion of Anderson County Stormwater Permitting Ordinance:**

**a. Updates**

**Mr. Jon Batson**

**4. Old Business**

**5. New Business**

**6. Citizen Comments**

**7. Adjournment**

**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 D. Watts**  
Clerk to Council

  
**Rusty Burns**  
County Administrator



# ***STORMWATER DESIGN MANUAL***

***Anderson County***

***South Carolina***

***September 2016 July 2021***



*Stormwater Design Manual  
Anderson County  
South Carolina*

**TABLE OF CONTENTS**

| <b><u>Title</u></b>                                       | <b><u>Page</u></b> |
|---|--------------------|
| <b><u>SECTION 1 - GENERAL</u></b>                         |                    |
| 1.1 INTRODUCTION.....                                     | 1-1                |
| 1.2 APPLICABILITY.....                                    | 1-41-3             |
| 1.3 PURPOSE.....  | 1-41-3             |
| 1.4 AUTHORITY.....  | 1-51-4             |
| 1.5 MODIFICATIONS AND ADDENDA.....                        | 1-61-4             |
| 1.6 DEFINITIONS.....                                      | 1-61-5             |
| 1.7 ACRONYMS AND ABBREVIATIONS.....                       | 1-61-5             |
| <b><u>SECTION 2 - GENERAL STORMWATER REQUIREMENTS</u></b> |                    |
| 2.1 PERMIT.....   | 2-1                |
| 2.2 APPLICATION FOR PERMIT.....                           | 2-1                |
| 2.3 SWPPP REVIEW AND APPROVAL.....                        | 2-4                |
| 2.4 START OF CONSTRUCTION.....                            | 2-52-4             |
| 2.5 MAKING OS-SWPPPs AVAILABLE.....                       | 2-5                |
| 2.6 MODIFICATIONS.....                                    | 2-72-6             |
| 2.7 END OF CONSTRUCTION.....                              | 2-92-8             |
| <b><u>SECTION 3 - SWPPPS</u></b>                          |                    |
| 3.1 GENERAL CONTENTS.....                                 | 3-1                |
| 3.2 SPECIFIC REQUIREMENTS.....                            | 3-4                |
| 3.3 BMP DESIGN.....                                       | 3-133-12           |
| <b><u>SECTION 4 - INSPECTION</u></b>                      |                    |
| 4.1 CONSTRUCTION INSPECTION.....                          | 4-1                |
| 4.2 CONSTRUCTION MAINTENANCE.....                         | 4-4                |
| <b><u>SECTION 5 - OTHER PROCEDURES</u></b>                |                    |
| 5.1 WAIVER.....   | 5-1                |
| 5.2 VARIANCE.....   | 5-1                |
| <b><u>FIGURES</u></b>                                     |                    |

**Figure 1-1 Anderson County Resolution R2016-027... ..... 1-2**

## **TABLE OF CONTENTS**

**(continued)**

### **APPENDICES**

|                   |   |
|-------------------|---|
| <b>Appendix A</b> | <b><i>Stormwater Management and Sediment Control Ordinance</i></b>  |
| <b>Appendix B</b> | <b><i>Notification of Start of Land Disturbing Activity Form</i></b>  |
| <b>Appendix C</b> | <b><i>Stormwater Notice of Termination (NOT)</i></b>  |
| <b>Appendix D</b> | <b><i>Stormwater Notice of Intent (NOI)</i></b>   |
| <b>Appendix E</b> | <b><i>Stormwater Management and Sediment and Erosion Control Plan Review Checklist for Design Professionals</i></b> |
| <b>Appendix F</b> | <b><i>Permanent Stormwater System Maintenance and Responsibility Agreement</i></b>                                  |
| <b>Appendix G</b> | <b><i>Individual Lot Certifications</i></b>   |
| <b>Appendix H</b> | <b><i>Construction Inspection Form</i></b>  |
| <b>Appendix I</b> | <b><i>SC Regulations 61-9, Section 122.22 – Signatories to Permit Applications and Reports</i></b>                  |
| <b>Appendix J</b> | <b><i>Agriculture/Silviculture Exemption Certification</i></b>  |
| <b>Appendix K</b> | <b><i>Standard Specifications and Details</i></b>   |
| <b>Appendix L</b> | <b><i>Stormwater Management and Sediment Control Fees</i></b>   |

## ***SECTION 1 - GENERAL***

### ***1.1 INTRODUCTION***

The Stormwater Design Manual (SWDM) defines minimum standards, requirements and procedures for the design, permitting, construction, and maintenance of drainage systems within the jurisdiction of Anderson County (the County). As an integral part of the County's stormwater program, this SWDM applies to site developments to provide flood control, water quality improvement and visual appeal. The SWDM also contains appendices with detailed information to supplement the information included in the main portion of the manual. Resolution R2016-027 was adopted by the County on September 18, 2007, which approves this Stormwater Design Manual pursuant to Chapter ~~38-24~~ Article V of the Anderson County Code of Ordinances and is presented as Figure 1-1.

This SWDM presents minimum stormwater standards that apply to physical development within the County. However, the standards will not apply for all situations. Compliance with these standards does not relieve the applicant of the responsibility to use sound professional judgment or compliance with other local, state or federal requirements. The County intends for these standards to assist, but not substitute for, competent work by design professionals.

The purposes of stormwater management are:

1. limit peak during and post-development stormwater flows,
2. reduce stormwater pollutant loads,
3. mitigate the impacts of runoff due to additional impervious surfaces,
4. maximize infiltration (e.g., minimize runoff) from developed property,
5. facilitate groundwater recharge, and
6. protect groundwater quality.





## **1.2 APPLICABILITY**

The standards in this SWDM apply to new development and redevelopment projects. Certain projects require a comprehensive stormwater management and sediment control plan (comprehensive stormwater pollution prevention plan – C-SWPPP) submittal and approval by the County. The County has responsibility for plan review for all projects or larger common plans (LCP) that disturb equal to or greater than one acre.

The County will review all stormwater related submittals for general compliance with these specific standards. An acceptance by the County does not relieve the applicant from the responsibility of ensuring all systems are safe; that calculations, plans, specifications, construction, and record drawings comply with normal engineering standards; this SWDM; and other applicable local, state, and federal rules and regulations. Where any other law, ordinance, resolution, rule, or regulations of any kind also cover requirements in this document, the more restrictive shall govern.

The Stormwater Manager may require more stringent requirements than would normally be required under these standards depending on special conditions and/or environmental constraints. The Stormwater Manager has the option of accepting alternatives to the SWDM standard plans, specifications and design details if the alternatives proposed meet or exceed the adopted performance standards.

## **1.3 PURPOSE**

In order to protect the general health, safety, and welfare of the people of the county, to enhance the quality of water of the county, and to protect the natural assets and resources of the county for posterity, the Stormwater Management and Sediment Control Ordinance (the Ordinance) was enacted by the County to, among other things, protect the lands and waters from the effects of excessive soil erosion and sedimentation, to prevent siltation of streams and lakes, to prevent clogging of drainage channels, to prevent excessive flood damage, to prevent damage to the property of adjacent landowners, and reduce pollutants in stormwater



from new development and redevelopment. A copy of the Ordinance is provided in Appendix A. The SWDM specifies the detailed analysis that is needed to complete the C-SWPPP and comply with the intent of the Ordinance. The SWDM establishes allowable runoff criteria and drainage design standards for new development and redevelopment.

#### **1.4 AUTHORITY**

The Clean Water Act of 1972, as amended in 1987, prohibits the discharge of pollutants into waters of the United States unless the discharge complies with a National Pollutant Discharge Elimination System (NPDES) permit. The County is subject to the Phase 2 Stormwater NPDES permitting requirements and was issued general permit coverage by the South Carolina Department of Health and Environmental Control (SCDHEC) in July 2008 (SCR030702). The Federal and State NPDES permit program requires the County to “develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into your regulated SMS4.” Within this regulatory context, the County implements development requirements that reduce water pollution carried in stormwater runoff.

Laws that provide the County with the authority to regulate drainage within the County’s jurisdiction include, but are not limited to the following:

1. Constitutional authority as a municipal corporation to promulgate regulations governing the discharge of stormwater.
2. Section 48-14-10 et seq. of the Code of Laws of South Carolina, 1976, amended.
3. Article V., Section [38-51124-757](#) et seq. of the Anderson County Code of Ordinances.

## **1.5 MODIFICATIONS AND ADDENDA**

The County may revise and update this SWDM as necessary to reflect corrections and advances in the field of drainage engineering, water resources management, or as directed by the Environmental Protection Agency (EPA) or SCDHEC. Users who request changes to the SWDM need to provide data to the County that supports justification for the change.

## **1.6 DEFINITIONS**

Refer to Ordinance Section [38-51224-758](#); Section 72-301, Chapter 72 of SCDHEC Document No. 1416; or SC Regulation R61-9.122.2.

## **1.7 ACRONYMS AND ABBREVIATIONS**

BMP – Best Management Practice

CEPSCI – Certified Erosion Prevention and Sediment Control Inspector

CGP – Construction General Permit (SCR 100000)

County – Anderson County, specifically Public Works Division, Stormwater Management Department

EPA – Environmental Protection Agency

EQC – Environmental Quality Control

LCP – Larger Common Plan

LID – Low Impact Development

MTD – Manufactured Treatment Device

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

OCRM – Ocean and Coastal Resource Management

OS-SWPPP – On-site Stormwater Pollution Prevention Plan

Ordinance – Anderson County’s Ordinance, Article V., Section ~~38-51124-757~~ et seq.

SCDHEC – South Carolina Department of Health and Environmental Control

SCS – Soil Conservation Service

SMS4 – Small Municipal Separate Storm Sewer System

SWDM – Stormwater Design Manual

SWPPP / C-SWPPP – Comprehensive Stormwater Pollution Prevention Plan (complete application package including calculations)

USGS – United States Geological Survey

## ***SECTION 2 - GENERAL STORMWATER REQUIREMENTS***

### ***2.1 PERMIT***

Unless otherwise exempt, all land disturbing activities disturbing one or more acres of land, including sites smaller than one acre that are part of a larger common plan of development ultimately disturbing one or more acres, are required to obtain permit coverage for their stormwater discharges by submitting an approvable C-SWPPP. C-SWPPP generally refers to the complete package that will be sent to the County.

### ***2.2 APPLICATION FOR PERMIT***

The person responsible for the land disturbing activity must apply in writing to the County for a permit for such activity. One copy of the complete permit package should be submitted for initial review. This C-SWPPP should be prepared in accordance with the provisions of the SWDM and the Ordinance. Three additional copies of the plans will be required when the review is complete.

Specific requirements of the permit application and approval process are based upon the extent of the land disturbing activity. The permit application and approval procedures are as follows:

1. For land disturbing activities requiring a C-SWPPP, the use of appropriate BMPs for erosion prevention, sediment control, soil stabilization, and Post-Construction stormwater management are required. Upon receipt of a completed application for stormwater management and sediment control, the County will accomplish its review and have either the approval or review comments transmitted to the applicant within 20 working days. If notice is not given to the applicant or if action is not taken by the end of the 20-work-day period, the applicant may request that the Stormwater Management and Sediment Control Plan be signed and dated by an authorized person with the Appropriate Plan Approval Agency. Upon receiving such a request the Appropriate Plan Approval Agency will sign and stamp the Stormwater Management and Sediment Control Plan as submitted and promptly return it to the Applicant.

2. These requirements may be modified by the County on a case-by-case basis to address specific stormwater quantity or quality problems or to meet other regulatory requirements which are more stringent than the requirements of the Ordinance.
3. When the land disturbing activity consists of the construction of a pond, lake or reservoir which is individually built and not part of a permitted land disturbing activity, the following procedures apply:
  - A. A C-SWPPP will not be required if the pond, lake or reservoir is permitted under the state Dams and Reservoirs Safety Act (Regulation 72-1 thru 72-9) or has received a certificate of exemption under the state Dams and Reservoirs Safety Act. Best management practices must be used to minimize the impact of erosion and sediment.
4. If the application for a C-SWPPP is denied, written notification indicating the reason or reasons for denial should be forwarded to the applicant. However, the applicant may correct the deficiencies in conformance with the Ordinance and resubmit the application two additional times with no additional fee.
5. All re-submittals following the second re-submittal will be subject to an excessive review fee as defined in Appendix L. If the revised application is approved, the County will issue the C-SWPPP approval.
6. Any C-SWPPP approval may be suspended, revoked or modified by the County upon finding that the holder is not in compliance with the Ordinance.

A C-SWPPP, or application for waiver or variance, is to be submitted to the County by the person responsible for the land disturbing activity, unless otherwise exempted. The C-SWPPP is to contain supporting computations, drawings and sufficient information describing the manner, location and type of measures in which stormwater runoff will be managed from the entire land disturbing activity. The County will review the C-SWPPP to determine compliance with the requirements of these regulations prior to approval. The approved C-SWPPP will serve as the basis for water quantity and quality control on all subsequent construction activities specific to the site.

No permit will be required under the Ordinance for land disturbing activities that are conducted under a state or federal environmental permitting, licensing or certification program where the state or federal environmental permit, license or certification is conditioned upon compliance with the minimum standards and criteria of Chapter 14 Title 48, the Stormwater Management and Sediment Reduction Act.

All C-SWPPPs submitted for approval must contain a certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the approved C-SWPPP and that responsible personnel will be assigned to the project.

All C-SWPPPs must contain a certification by the person responsible for the land disturbing activity acknowledging the right of SCDHEC and the County to conduct on-site inspections.

The C-SWPPP will not be considered approved without an approval stamp signed and dated by an authorized person with the County. The stamp of approval on the plans is solely an acknowledgement of satisfactory compliance with the requirements of these regulations. The approval stamp does not constitute a representation or warranty to the applicant or any other person concerning the safety, appropriateness or effectiveness of any provision of or omission from the stormwater and sediment control plan.

A copy of the Notice of Intent (NOI), the County's acceptance letter, and the NPDES review fee will be forwarded to SCDHEC after the County has approved the application. SCDHEC has seven business days from the receipt of this information to issue a Construction General Permit (CGP) letter granting coverage, denying coverage or requesting additional information. The land disturbing activity must not begin until the Anderson County official approval and official stamped plans are delivered and SCDHEC has issued their NPDES permit. The Anderson County official approval and official stamped plans will not be released until a copy of the SCDHEC permit coverage is received by the County.

SCDHEC may request to review and comment on C-SWPPPs. The County cannot approve C-SWPPPs until SCDHEC permit coverage is received.

All C-SWPPPs submitted to the County for approval must be certified by a designer. The following disciplines may certify and stamp/seal plans as allowed by their respective licensing act and regulations:

1. Registered professional engineers as described in S.C. Code 1976, § 40-22-10 et seq.
2. Registered landscape architects as described in S.C. Code 1976, § 40-28-10(a).
3. Tier B land surveyor as described in S.C. Code 1976, § 40-22-10 et seq.

Pursuant to S.C. Code 1976, § 40-22-280, C-SWPPPs may also be prepared by employees of the federal government and submitted by the person responsible for the land disturbing activity to the County for approval.

The Ordinance does not prohibit other disciplines or certified professionals, including, but not limited to, certified professional erosion and sediment control specialists, which have appropriate background and experience from taking active roles in the preparation of the C-SWPPP and design process. All stormwater plans and specifications submitted to the County for approval must be stamped/sealed by one of those listed above.

Approved C-SWPPPs remain valid for three years from the date of approval. Extensions or renewals of C-SWPPP approvals may be granted by the County upon approval of an updated application by the person responsible for the land disturbing activity. If changes to the original C-SWPPP are not required only a completed NOI and the appropriate application fee are needed.

### ***2.3 SWPPP REVIEW AND APPROVAL***

The County will review all C-SWPPPs for compliance with SWDM requirements. Approval by the County does not relieve applicants from responsibility for ensuring system performance,

safety and compliance with other local, state and federal regulations. Applicants must ensure that calculations, designs, specifications, construction, and record drawings comply with acceptable engineering standards and this SWDM. County approval does not constitute a guarantee of system performance nor does it relieve the applicant of liability for the sufficiency, suitability or performance of facilities. For projects regulated by other jurisdictions, applicants must comply with any additional or varying requirements and receive approval from those entities. Applicants are to provide proof of approval to the County as deemed necessary.

#### **2.4 START OF CONSTRUCTION**

The applicant must notify the County at least two days prior to commencement of any land disturbing activity or construction under an approved C-SWPPP. The Start of Land Disturbing Activity Notification form in Appendix B may be ~~faxed~~ [emailed](mailto:jabatson@andersoncountysc.org) to the Stormwater Manager at [\(864\) 260-1002964-6745jabatson@andersoncountysc.org](mailto:jabatson@andersoncountysc.org), or call the Stormwater Management Department at (864) 716-3620.

The County requires that a pre-construction conference be performed onsite for all non-linear projects prior to the beginning of land disturbing activities to ensure all contractors performing the work know their responsibilities under the permit.

The County may attend any pre-construction conference; therefore, the time, date and location of the pre-construction conference must be provided on the Start of Land Disturbing Activity Notification form or scheduled with Stormwater Management staff by phone. At its discretion, the County may make Inspector attendance at the pre-construction conference a condition of approval.

#### **2.5 MAKING OS-SWPPPS AVAILABLE**

The OS-SWPPP must be retained at the construction site or other location easily accessible (not more than a 15-minute drive away) during normal business hours to: SCDHEC, EPA, local government officials, and the County from the date of commencement of construction activities to the date of final stabilization. If an on-site location is unavailable to store the OS-SWPPP when no personnel are present, notice of



the SWPPPs location along with any updated contact information, must be posted near the main entrance at the construction site.

The OS-SWPPP includes:

1. OS-SWPPP (The contents of the OS-SWPPP include all items required for the review and approval of the C-SWPPP except for the Engineering calculations),
2. NOI (stamped and approved copy), copy of the CGP coverage letter from SCDHEC,
3. Copy of local approvals (additional letters, approvals, or certifications necessary to implement the OS-SWPPP, when necessary),
4. Copy of USACOE approvals (certifications necessary to allow impacts to Waters of the State or Jurisdictional wetlands, when necessary),
5. Contractor certifications, (certifications necessary to allow contractors to conduct construction activities within the construction site),
6. Any logs necessary to track the progress, compliance, modifications and those associated with the construction site. These logs may include, but are not limited to, a pre-construction conference log, an inspection log, a stabilization log, a rain log, a contractor log and/or any additional record keeping as deemed necessary by the Permittee, Contractor, DHEC, MS4 or an entity delegated under Regulation 72-300, and
7. SCDHEC Construction General Permit (one copy, excluding the appendices. Provisions may be made for the copy of general permit to be accessed electronically as long as a hard copy can be made available by the end of the working day when required).

The person(s) responsible for day-to-day operational control over implementation, must have a copy of the OS-SWPPP available at a central location onsite for the use of all those

identified as having responsibilities under the OS-SWPPP whenever they are on the construction site.

For linear construction of roads or utilities (such as utility construction including electrical power lines, gas lines, main sewer trunk lines, and water distribution lines) that are not part of a larger common plan of development, where it is not practical to have the OS-SWPPP on location, the Permittee and/or Operator must upon request make the OS-SWPPP available by the end of normal business hours, or by the following business day under extenuating circumstances.

OS-SWPPPs must be made available upon request and at the time of a construction site inspection by the County. Updated copies of the approved OS-SWPPP must be sent to the appropriate SCDHEC Environmental Quality Control (EQC) Regional Office in situations where it is not practical to have the approved OS-SWPPP on location.

## ***2.6 MODIFICATIONS***

Each SWPPP must be modified if during inspections or investigations by local, state, tribal or federal officials, it is determined that the SWPPP is ineffective in either eliminating, when reasonably possible, or significantly minimizing pollutants in stormwater discharges from the construction site.

Each SWPPP must be modified as necessary to include additional or modified BMPs, which are designed to correct problems identified during the construction site inspection by any qualified inspector, or by local, state, tribal or federal officials. Revisions to each SWPPP must be completed within seven (7) calendar days following the inspection.

1. **Major Modifications** - Each C-SWPPP must be modified and submitted for review and receive approval by the County prior to implementation if any of the following conditions are met:
  - A. Whenever there is a significant change in design, construction, operation, or maintenance at the construction site resulting in discharges that will cause, have

the reasonable potential to cause, or contribute to violations to Water Quality Standards.

B. Whenever a change in the design, construction, operation, or maintenance calls for a revision of any approved C-SWPPP based on the following list of modifications:

- i. Modifications that will affect the hydrology or trapping efficiency calculations including:
  - a. Resizing Sediment or Detention Basins that either reduces the stormwater volume capacity and/or is resized to handle increase/decrease incoming peak flows or runoff volumes due to revised site development plans.
  - b. Deletion of Sediment or Detention Basin or Sediment Trap.
  - c. Relocation of Sediment or Detention Basins resulting in increases/decreases in receiving drainage area and/or resulting in a new/relocated basin outlet location, which is directed towards an outfall that was not approved within the C-SWPPP.
  - d. Addition/Removal of Sediment or Detention Basin.
  - e. Modification of Sediment or Detention Basin Outlet Structure.
  - f. Changes in grading that alter drainage patterns that may result in increased or decreased flow to a Sediment or Detention Basin.
  - g. Amending Construction Sequence in a fashion that the Detention Basin is not installed before Grubbing Operations begin.
- ii. Point Discharge or Outfall location changes.
- iii. Any modification to regulated water quality structural control measures.
- iv. Adding a new point discharge.
- v. Addition of Impervious Area due to revised site development plans.
- vi. Addition of Disturbed Area.
- vii. Changes to Navigable Water Crossing.

viii. Addition of Sediment Trap(s) when required to obtain 80% Trapping Efficiencies for disturbed areas not previously permitted or redirected away from an approved water quality BMP.

ix. Site layout changes that require redesigning the stormwater management system.

x. Any additional modifications as determined by the County.

2. **Minor Modifications** -The Permittee must modify the OS-SWPPP and keep a record of each modification within the OS-SWPPP if any of the following conditions are met:

A. Addition of BMPs - Addition of Silt Fence, Slope Drains, Inlet Protection, Outlet Protection that does not involve additional wetland impacts, or Check Dams to improve the overall stormwater management and sediment control at the construction site.

B. BMP Relocations - Relocation of construction entrance, pond inlet pipes (within a pond), and any other proposed BMP to improve the overall stormwater management and sediment control at the construction site.

C. Removal of Disturbed Areas - As long as the removal of the disturbed area does not also remove any BMPs required to meet Water Quality or Quantity Standards. Removal of disturbed area only qualifies for disturbed area that was included in the initial coverage approval and that was never disturbed (i.e., cleared, grubbed or graded).

D. Modifying Individual Lot Drainage - Unless the changes affect the inflow to a Detention Structure or Analysis Point, to which the lot drains, that was not previously approved.

## **2.7 END OF CONSTRUCTION**

Upon project completion related to the land disturbing activity, a Notice of Termination (NOT) should be sent to the Stormwater Manager so a final inspection can be conducted to review compliance with the approved C-SWPPP. A copy of the NOT is in Appendix C or can be obtained from the County.

The NOT may only be submitted after one or more of the following conditions have been met:

1. Final stabilization has been achieved on all portions of the site for which the permittee is responsible;
2. Another Operator has assumed control, according to §122.41(l)(3) of SC Regulation 61-9, over all areas of the site that have not been finally stabilized;
3. Coverage under an individual or alternative general NPDES permit has been obtained;
4. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.
5. For construction activities on land used for agricultural purposes (e.g., pipelines across crop or range land, staging areas for highway construction, etc.), either (1) final stabilization has been accomplished by returning the disturbed land to its preconstruction agricultural use, and (2) for any areas disturbed that were not previously used for agricultural activities and areas which are not being returned to their preconstruction agricultural use have achieved final stabilization; or
6. Land disturbance activities were never initiated on the construction site and the construction site remains permanently stabilized.

The NOT must be signed by the Permittee and submitted within 30 days of one of the above conditions being met.

The NOT is not valid until the County concurs and notifies the permittee of County acceptance of the NOT.

If an NOT has been submitted and the construction site does not meet the criteria for termination, then the construction site remains subject to the provisions of the OS-SWPPP.

If there are any permanent Best Management Practices (BMPs) on the site, a revised maintenance agreement must be submitted along with the NOT, when the responsible party(ies) or individual(s) accepting ownership or maintenance of permanent stormwater control devices have changed from what was originally approved.

For residential subdivisions, Primary Permittees do not need to terminate permit coverage in areas where Secondary Permittees have received permit coverage to perform work under this permit. Primary Permittees can request to terminate coverage when Secondary Permittees are authorized to conduct construction activities, independent of the Primary Permittee, for the remaining disturbed areas on the construction site and final stabilization has been achieved on all other areas of the construction site.

The person responsible for the land disturbing activity will submit as-built or record document plans for all plans that include any structural BMPs. In addition, the person responsible for the land disturbing activity is required to submit written certification from the professional engineer, landscape architect or tier B land surveyor responsible for the field supervision of the land disturbing activity that the land disturbing activity was accomplished in substantial accordance with the approved C-SWPPP.

## ***SECTION 3 - SWPPPs***

### ***3.1 GENERAL CONTENTS***

All C-SWPPPs shall contain the following information as applicable:

1. A fully completed Notice of Intent (NOI) form for a permit. The County's NOI is included in Appendix D.
2. A fully completed stormwater management and sediment and erosion control plan review checklist listing all current Anderson County design and submittal requirements. The County's checklist is included in Appendix E.
3. A vicinity map on 8.5-inch by 11-inch paper indicating north arrow, scale, property boundary, and other information necessary to locate the property or tax parcel.
4. The location of the land disturbing activity with the property boundary outlined shown on a USGS 7.5 minute topographic map or copy, with the route of stormwater runoff from site to nearest waterbody shown.
5. Project narrative.
6. Full-size (22-inch by 34-inch) plans at an appropriate scale accompanied by a design report and indicating at least:
  - A. The existing and proposed topography, overlaid on a current plat showing existing and proposed contours as required by the County. The plat and topographic map should conform to provisions of applicable state regulations.
  - B. Proposed grading and earth disturbance including:
    - i. Surface area involved; and
    - ii. Limits of grading, including limitation of mass clearing and grading, whenever possible.

C. Stormwater management and stormwater drainage computations, including:

- i. Pre-development, during-development, and post-development velocities, peak rates of discharge, and inflow and outflow hydrographs of stormwater runoff at all existing and proposed points of discharge from the site;
- ii. Twenty-five year, 24-hour storm capacity design for permanent drainage system;
- iii. Site conditions around points of all surface water discharge, including vegetation and method of flow conveyance from the land disturbing activity; and
- iv. Design details for structural controls.

D. Erosion and sediment control provisions, including:

- i. Provisions to minimize soil compaction, preserve topsoil, and limit disturbance;
- ii. Provisions to control stormwater volume and velocity within the site to minimize soil erosion during construction activity;
- iii. Provisions to control stormwater discharges, including both peak flow rates and total Stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion during construction activity;
- iv. Provisions to minimize the amount of soil exposed during construction activity;
- v. Provisions to Minimize-minimize the disturbance of existing steep slopes and protect created steep slopes (i.e., slopes of 30% (~3H:1V) or greater), unless infeasible;



- vi. Provisions to minimize sediment discharges from the site during construction activity;
  - vii. Provisions to provide and maintain natural buffers after stormwater runoff is treated by construction site BMPs, unless infeasible during construction activity;
  - viii. Details of site grading; and
  - ix. Design details for structural controls, which include diversions and swales.
- E. Description of all post-construction stormwater management measures that will be installed during the construction process to address water quality in stormwater discharges after the construction operations have been completed.
- F. Project specifications (where applicable) for work related to stormwater management and sediment control.
- i. Provisions to provide soil stabilization (temporary and permanent);
  - ii. Provisions to minimize the discharge of pollutants from dewatering trenches and excavations. Discharges are prohibited unless managed by appropriate BMPs for stormwater and non-stormwater discharges;
  - iii. Provisions to design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants during construction activity; and
  - iv. Provisions to manage the following prohibited discharges
    - a. Wastewater from washout of concrete, unless managed by an appropriate control;
    - b. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

- c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
  - d. Soaps or solvents used in vehicle and equipment washing.
- 7. Federal Emergency Management Agency flood maps and, if available, federal and state wetland maps.
- 8. The County requires that plans and design reports be sealed by a qualified design professional and certified that the plans have been designed in accordance with the Ordinance and the SWDM.
- 9. Additional information necessary for a complete project review may be required by the County as deemed appropriate. This additional information may include items such as location of public sewers, waterlines, septic fields, wells, etc.
- 10. All contents of the design report and supporting documents must be submitted in a binder with tabs (e.g., Maps, Pre-Development calculations, etc.) and pages numbered [no loose pages].

### **3.2 SPECIFIC REQUIREMENTS**

- 1. Specific requirements for the erosion and sediment control portion of the C-SWPPP approval process include, but are not limited to, the following items. The County may modify the following items for a specific project or type of project:
  - A. All C-SWPPPs are to include details and descriptions of temporary and permanent erosion and sediment control measures and other protective measures shown on the C-SWPPP. Procedures in a stormwater and sediment control management plan will provide that all sediment and erosion controls are inspected by the applicant or one of his representatives either at least once every seven calendar days.
  - B. Specifications for a sequence of construction operations will be contained on all plans describing the relationship between the implementation and maintenance of sediment controls, including permanent and temporary stabilization and the

various stages or phases of earth disturbance and construction. The specifications for the sequence of construction should, at a minimum, include the following activities:

- i. Clearing and grubbing for those areas necessary for installation of perimeter controls;
- ii. Installation of sediment basins and traps;
- iii. Construction of perimeter controls;
- iv. Remaining clearing and grubbing;
- v. Road grading;
- vi. Grading for the remainder of the site;
- vii. Utility installation and whether storm drains will be used or blocked until after completion of construction;
- viii. Final grading, landscaping or stabilization; and
- ix. Removal of sediment controls.

- C. Changes to the sequence of construction operations may be modified by the C-SWPPP preparer or someone with the registration equivalent to the C-SWPPP preparer and does not constitute a violation unless measures to control stormwater runoff and sediment are not utilized. The change must be documented by signing the plan where the change was made.
- D. The plans shall contain a description of the predominant soil types on the site, as described by the soil survey information available through SCDHEC or the local soil conservation district.

- E. When work in a live waterway is performed, precautions should be taken to minimize encroachment, control sediment transport and stabilize the work area to the greatest extent possible during construction.
  - F. Vehicle tracking of sediment from land disturbing activities onto paved public roads carrying significant amounts of traffic shall be minimized.
2. Specific requirements for the permanent C-SWPPP approval process include, but are not limited to, the following items. The County may modify the following items for a specific project or type of project:
- A. Stormwater management should be addressed on a watershed basis to provide a cost-effective water quantity and water quality solution to the specific watershed problems.
  - B. All hydrologic computations shall be accomplished using a volume based hydrograph method acceptable to the County. The storm duration for computational purposes for this method shall be the 24-hour rainfall event, SCS distribution with a 0.1 hour burst duration time increment. The rational and/or modified rational methods are acceptable for sizing individual culverts or storm drains that are not part of a pipe network or system and do not have a contributing drainage area greater than 20 acres. The storm duration for computational purposes for this method shall be equal to the time of concentration of the contributing drainage area or a minimum of 0.1 hour, whichever is less.
  - C. Stormwater management requirements for a specific project shall be based on the entire area to be developed, or if phased, the initial submittal shall control that area proposed in the initial phase and establish a procedure and obligation for total site control.
  - D. Water quantity control is an integral component of overall stormwater management. The following design criteria for flow control is established for water quantity control purposes, unless a waiver is granted based on a case-by-case basis:

i. Post-development peak discharge rates shall not exceed pre-development discharge rates for the 2- and 10-year frequency 24-hour duration storm event. A less frequent storm event (e.g. 25-year, 24-hour) may be utilized to address existing or future stormwater quantity or quality problems.

ii. A project's pre-development design criteria shall be the more conservative of the existing condition and the site's condition in 2017 as determined by historic imagery. 2017 imagery can be viewed at: <https://propertyviewer.andersoncountysc.org/mapsjs/>

iii. Discharge velocities shall be reduced to provide a non-erosive velocity flow from a structure, channel or other control measure or the velocity of the 10-year, 24-hour storm runoff in the receiving waterway prior to the land disturbing activity, whichever is greater.

iv. Watersheds, other than designated watersheds that have well documented water quantity problems, may have more stringent or modified design criteria determined by the local government that is responsive to the specific needs of that watershed.

E. Water quality control is also an integral component of stormwater management. The following design criteria are established for water quality protection unless a waiver or variance is granted on a case-by-case basis.

i. When ponds are used for water quality protection, the ponds shall be designed as both quantity and quality control structures. Sediment storage shall be as specified by the designer during the land disturbing activity. Sediment storage volumes may be predicted by the universal soil loss equation or methods acceptable to the County.

ii. Stormwater runoff and drainage to a single outlet from land disturbing activities, which disturb ten acres or more, shall be controlled during the land disturbing activity by a sediment basin where sufficient space and

other factors allow these controls to be used until the final inspection. The sediment basin shall be designed and constructed to accommodate the anticipated sediment loading from the land disturbing activity and meet a removal efficiency of 80 percent suspended solids or 0.5 ml/L peak settleable solids concentration, whichever is less. The efficiency shall be calculated for disturbed conditions for the 10-year, 24-hour design event.

- iii. Other practices may be acceptable to the County if they achieve an equivalent removal efficiency of 80 percent for suspended solids or 0.5 ml/L peak settleable solids concentration, whichever is less. The efficiency shall be calculated for disturbed conditions for the 10-year, 24-hour design event.
- iv. Permanent water quality ponds, having a permanent pool, shall be designed to store and release the first one-half inch of runoff from the site over a 24-hour period. The storage volume shall be designed to accommodate, at least, 1/2 inch of runoff from the entire site. Other design practices may be acceptable to the County if they achieve an equivalent removal efficiency of 80 percent for total suspended solids based on an annual removal basis.
- v. Permanent water quality ponds, not having a permanent pool, shall be designed to release the first 1 inch of runoff from the site over a 24-hour period. Other design practices may be acceptable to the County if they achieve an equivalent removal efficiency of 80 percent for total suspended solids based on an annual removal basis.
- vi. Permanent infiltration practices, when used, shall be designed to accept, at a minimum, the first 1 inch of runoff from all impervious areas.

F. Where ponds are the proposed method of control, the person responsible for the land disturbing activity shall submit to the County, when required, an analysis of the impacts of stormwater flows downstream in the watershed for the 10- and 100-

year frequency storm event. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impact of hydrograph timing modifications of the proposed land disturbing activity, with and without the pond. The results of the analysis will determine the need to modify the pond design or to eliminate the pond requirement. Lacking a clearly defined downstream point of constriction, the downstream impacts shall be established with the concurrence of the County.

- G. Where existing wetlands are intended as a component of an overall stormwater management system, the approved C-SWPPP shall not be implemented until all necessary federal and state permits have been obtained.
- H. Design shall be in accordance with standards developed or approved by SCDHEC or developed and approved by Anderson County.
- I. Ease of maintenance must be considered as a site design component. Acess Adequate access to perform maintenance and repair to the—stormwater management facilities, structures, conveyances, and storm sewers must be provided. Within residential developments these practices shall be placed within common property rather than on lots within easements. Between lot ditches and conveyances designed to accept and carry only runoff from 2 adjoining lots may be within easements on lots. Common property may be used to satisfy open space requirements.
- J. A clear statement of defined maintenance responsibility shall be established during the C-SWPPP review and approval process. A maintenance agreement must be signed for all structural BMPs. The maintenance agreement is located in Appendix F.
- K. The use of LID in the creation of stormwater infrastructure within a site is highly encouraged. LID can reduce construction and maintenance costs of the stormwater infrastructure, balance growth needs with water quality protection, and create green landscapes that add amenity value to new development.

L. Infiltration practices have certain limitations on their use on certain sites. These limitations include the following items:

- i. Areas draining to these practices must be stabilized and vegetative filters established prior to runoff entering the system. Infiltration practices shall not be used if a suspended solids filter system does not accompany the practice. If vegetation is the intended filter, there shall be at least a 20-foot length of vegetative filter prior to stormwater runoff entering the infiltration practice.
- ii. The bottom of the infiltration practice shall be at least 0.5 foot above the seasonal high water table, whether perched or regional, determined by direct piezometer measurements, which can be demonstrated to be representative of the maximum height of the water table on an annual basis during years of normal precipitation, or by the depth in the soil at which mottling first occurs.
- iii. The infiltration practices shall be designed to completely drain of water within 72 hours.
- iv. Soils must have adequate permeability to allow water to infiltrate. Infiltration practices are limited to soils having an infiltration rate of at least 0.3 inches per hour. Initial consideration will be based on a review of the appropriate soil survey, and the survey may serve as a basis for rejection. On-site soil borings and textural classifications must be accomplished to verify the actual site and seasonal high water table conditions when infiltration is to be utilized.
- v. Infiltration practices greater than 3 feet deep shall be located at least 10-feet from basement walls.
- vi. Infiltration practices designed to handle runoff from impervious parking areas shall be a minimum of 150 feet from any public or private water supply well.



- vii. The design of an infiltration practice shall provide an overflow system with measures to provide a non-erosive velocity of flow along its length and at the outfall.
  - viii. The slope of the bottom of the infiltration practice shall not exceed 5 percent. Also, the practice shall not be installed in fill material as piping along the fill/natural ground interface may cause slope failure.
  - ix. An infiltration practice shall not be installed on or atop a slope whose natural angle of incline exceeds 20 percent.
  - x. Clean outs will be provided, at a minimum, every 100 feet along the infiltration practice to allow for access and maintenance.
- M. A regional approach to stormwater management is an acceptable alternative to site specific requirements and is encouraged.
3. All BMPs shall be designed, constructed and maintained with consideration for the proper control of mosquitoes and other vectors. Practices may include, but are not limited to:
- A. The bottom of retention and detention ponds should be graded and have a slope not less than 0.5 percent.
  - B. There should be no depressions in a normally dry detention facility where water might pocket when the water level is receding.
  - C. Normally dry detention system and swales should be designed to drain within 72 hours.
  - D. An aquatic weed control program should be utilized in permanently wet structures to prevent an overgrowth of vegetation in the pond. Manual harvesting is preferred.
  - E. Fish may be stocked in permanently wet retention and detention ponds.

- F. Normally, dry swales and detention pond bottoms should be constructed with a gravel blanket or other measure to minimize the creation of tire ruts during maintenance activities.
4. A C-SWPPP shall be filed for a residential development and the buildings constructed within, regardless of the phasing of construction.
- A. In applying the stormwater management and sediment control criteria, in Chapter 72, Section 72-307 of SCDHEC Document No. 1416, the individual lots in a residential subdivision development shall not be considered to be separate land disturbing activities and shall not require individual permits. Instead, the residential subdivision development, as a whole, shall be considered to be a single land disturbing activity. Hydrologic parameters that reflect the ultimate subdivision development shall be used in all engineering calculations.
  - B. If individual lots or sections in a residential subdivision are being developed by different property owners, all land disturbing activities related to the residential subdivision shall be covered by the approved C-SWPPP for the residential subdivision. Individual lot owners or developers may sign a certificate of compliance that all activities on that lot will be carried out in accordance with the approved C-SWPPP for the residential subdivision. A form for this certificate is included in Appendix G. Failure to provide this certification will result in owners, developers or individual lots developing a C- SWPPP meeting the requirements of the Ordinance.
  - C. Residential subdivisions which were approved prior to the effective date of the Ordinance from which this SWDM was derived are exempt from these requirements. Development of new phases of existing subdivisions, which were not previously approved, shall comply with the provisions of the Ordinance and this SWDM.
5. Risk analysis may be used to justify a design storm event other than prescribed or to show that rate and volume control is detrimental to the hydrologic response of the basin and, therefore, should not be required for a particular site.

A. A complete watershed hydrologic/hydraulic analysis must be done using a complete model/procedure acceptable to the County. The level of detail of data required is as follows:

- i. Watershed designation on the 7.5 minute USGS topographic map, exploded to a minimum of 1 inch equals 400 feet.
- ii. Inclusion of design and performance data to evaluate the effects of any structures which effect discharge. Examples may be ponds or lakes, road crossings acting as attenuation structures and there may be others which must be taken into account.
- iii. Land use data shall be taken from the most recent aerial photograph and field checked and updated.
- iv. The water surface profile shall be plotted for the conditions of pre-development and post-development for the 10- and 100-year, 24-hour storm.
- v. Elevations of any structure, potentially damaged by resultant flow, shall also be shown.

B. Based on the results of this type of evaluation, the County shall review and evaluate the proposed regulation waiver or change.

### ***3.3 BMP DESIGN***

SCDHEC has developed a Stormwater BMP Handbook and BMP Field Manual that should serve as guidance documents to design BMPs required by this SWDM. The BMP Handbook and BMP Field Manual include lists of acceptable BMPs, including their specific design performance criteria and operation and maintenance requirements for each stormwater practice. Copies of these two manuals can be obtained through the local SCDHEC EQC office or can be downloaded from the stormwater section of SCDHEC's website ([www.scdhec.gov/stormwater](http://www.scdhec.gov/stormwater)).

Specific Anderson County requirements for the erosion and sediment control BMPs and post-construction water quality BMPs used in the stormwater management and sediment control plan are included in Appendix J of the Anderson County Stormwater Design Manual.

## ***SECTION 4 - INSPECTION***

### ***4.1 CONSTRUCTION INSPECTION***

Inspections shall be conducted by qualified personnel. For projects that disturb more than 2 acres, "qualified personnel" means a person knowledgeable in the principles and practice of erosion and sediment control who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity. This person must be either the preparer of the C-SWPPP or an individual who is under the direct supervision of the preparer of the approved C-SWPPP and who meets the requirements in this paragraph or an individual who has been certified through Certified Erosion Prevention and Sediment Control Inspector (CEPSCI) program that has been approved by SCDHEC. Inspections may also be conducted by a person with a registration equivalent to the registration of the preparer of the C-SWPPP and who meets the qualifications of this paragraph or an individual who is under the direct supervision of the person with an equivalent registration and who meets the requirements in this paragraph.

For projects that disturb 2 acres or less, and that are not part of a Larger Common Plan the permittee or his designee may perform these inspections provided the preparer of the C-SWPPP or someone with a registration equivalent to that of the preparer of the C-SWPPP explains the C-SWPPP including implementation along with the inspection requirements to the person who will be conducting the inspections.

After construction begins, inspections must be conducted at least once every 7 calendar days.

Inspection frequencies for portions of the construction site that have reached temporary or final stabilization may be reduced to at least once every month, as long as the stabilization is maintained and there is no additional disturbance in these areas. Once a definable area has reached final stabilization, mark on the OS-SWPPP and no further inspection requirements apply to that portion of the Site. Inspection of common BMPs, such as sediment basins, sediment traps, may be required to resume if areas that drain to them become disturbed during future construction. The County on a case-by-case basis may require any permittee to

conduct inspections on a more frequent basis than prescribed. Examples include, but are not limited to, permittees who have compliance problems and permittees with stormwater discharges to environmentally sensitive waters. The County may require on a case-by-case basis that the Permittee submit a monthly report summarizing the inspections at the site and any associated maintenance activity.

Inspections must include all areas of the site disturbed by construction activity and areas used for storage of materials that are exposed to precipitation. Inspectors must look for evidence of, or the potential for, pollutants entering the storm water conveyance system. Sedimentation and erosion control measures identified in the C-SWPPP must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing violations to SC's Water Quality Standards, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking.

Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may limit the access of inspection personnel to the areas described above. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected on the same frequencies as other construction projects, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described above. The conditions of the controls along each inspected 0.25 mile segment may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile segment to either the end of the next 0.25 mile inspected segment, or to the end of the project, whichever occurs first. Representative inspections must include any areas where stormwater discharges to environmentally sensitive waters.

Permittees shall either maintain an on-site rain gauge or use data from a certified weather record (such as a personal weather station or an airport) located within a reasonable proximity of the construction site, to record rainfall records from any significant rainfall event,

0.5 inches or greater. These recorded rainfall amounts must be maintained in a Rain Log located in the OS-SWPPP. Rainfall records for the day of an inspection and any rainfall since the last inspection must be reported on each weekly inspection report.

For each inspection required above, an inspection report, provided in Appendix H, must be completed. At a minimum, the inspection report must include:

1. The inspection date and duration of inspection (arrival and departure times);
2. Names, titles, and, if not previously given in an inspection report, the qualifications of personnel making the inspection, unless those qualifications change;
3. Weather information for the period since the last inspection (or since commencement of construction activity if the first inspection) including a best estimate of the beginning of each storm event, duration of each storm event, approximate amount of rainfall for each storm event (in inches), and whether any known discharges have occurred;
4. Weather information and a description of any discharges occurring at the time of the inspection;
5. Location(s) of discharges of sediment or other pollutants from the site;
6. Location(s) of BMPs that need maintenance;
7. Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location;
8. Location(s) where additional BMPs are needed that did not exist at the time of inspection; and
9. Corrective action required including any changes to the OS-SWPPP necessary and implementation dates.
10. Site Name, Operator Name and permit number; and

11. Verification that all BMPs and stormwater controls identified in the OS-SWPPP have been installed and are operating as designed.

A record of each inspection and of any actions taken in accordance with this section must be retained as part of the C-SWPPP for at least three years from the date that permit coverage expires or is terminated. The report must be signed in accordance with §122.22 of SC Regulation 61-9; refer to Appendix I.

Inspectors employed by the Primary Permittee retain the authority to inspect, report, and document areas of the construction site that are under direct control of the Secondary Permittee, but only when a lack of compliance by the Secondary Permittee inhibits the Primary Permittee's ability to maintain compliance with the overall C-SWPPP.

#### **4.2 CONSTRUCTION MAINTENANCE**

All BMPs and other protective measures identified in the OS-SWPPP must be maintained in effective operating condition. If construction site inspections identify BMPs that are not operating effectively, maintenance must be performed within seven (7) calendar days, before the next inspection, or as reasonably possible, and before the next storm event whenever practicable to maintain the continued effectiveness of the BMPs.

If periodic inspection or other information indicates that a BMP has been used inappropriately, or incorrectly, the Permittee must address the necessary replacement or modification required to correct the BMP within a time frame of 48 hours of identification. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next storm event whenever practicable. If implementation before the next storm event is impracticable, the situation must be documented in the OS-SWPPP and alternative BMPs must be implemented as soon as reasonably possible.

Remove deposited sediment from sediment traps or sedimentation basins when the design capacity has been reduced by 50 percent or the sediment has reached the clean out point on the cleanout stake (~~which ever~~whichever occurs first).

Remove deposited sediment collected by sediment control measure (silt fence, check dams, sediment tubes, etc.) when the deposited sediment reaches 1/3 the height of the above-



ground portion of these BMPs, or before it reaches a lower height based on the manufacturer's specifications.

## ***SECTION 5 - OTHER PROCEDURES***

### ***5.1 WAIVER***

Waivers may be granted from the stormwater management requirements of the Ordinance and the SWDM for individual land disturbing activities provided that a written request is submitted by the applicant to the County containing descriptions, drawings and any other information that is necessary to evaluate the proposed land disturbing activity. A separate written waiver request shall be required if there are subsequent additions, extensions or modifications which would alter the approved stormwater runoff characteristics to a land disturbing activity receiving a waiver.

A project may be eligible for a waiver of stormwater management for both quantitative and qualitative control if the applicant can demonstrate that the proposed project will return the disturbed area to a pre-development runoff condition and the pre-development land use is unchanged at the conclusion of the project.

A project may be eligible for a waiver of stormwater management for water quantity control if the applicant can demonstrate that:

1. The proposed project will have no significant adverse impact on any receiving natural waterway or downstream properties; or
2. The imposition of peak control requirements for rates of stormwater runoff would aggravate downstream flooding.

The County will conduct its review of the request for waiver within 20 working days. Failure of the County to act by the end of the 20-work-day period will result in the automatic approval of the waiver.

### ***5.2 VARIANCE***

The County may grant a written variance from any requirement of the Ordinance and the SWDM if there are exceptional circumstances applicable to the site such that strict adherence

to the provisions of the Ordinance will result in unnecessary hardship and not fulfill the intent of the Ordinance. A written request for a variance shall be provided to the County and shall state the specific variances sought and the reasons with supporting data for their granting. The County shall not grant a variance unless and until sufficient specific reasons justifying the variance are provided by the applicant. The County will conduct its review of the request for the variance within 20 working days. Failure of the County to act by the end of the 20-work-day period will result in the automatic approval of the variance.



## **APPENDIX E**

### ***Stormwater Management and Sediment and Erosion Control Plan Review Checklist for Design Professionals***



## Stormwater Management and Sediment and Erosion Control Plan Review Checklist For Design Professionals

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Please indicate the location and page number(s) where each item below can be found in your SWPPP or supporting calculations. If an item is not applicable, put N/A. The Stormwater Department reserves the right to modify this checklist at any time.

### Checklist Completed by:

Printed name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### 1. CURRENT COMPLETED APPLICATION FORM

- All items completed and answered
- Fee Schedule
  - \$850 base fee + \$~~200~~ 300 per disturbed acre (round to the nearest tenth of an acre). Check payable to Anderson County Stormwater Management Department.
  - \$125 NPDES General Permit fee ~~made-to be~~ paid electronically by credit card submitted to SCDHEC after the review is complete ~~or-to-be-paid-electronically-by-credit-card.~~

#### 2. COPIES OF PLANS AND CALCULATIONS

- Plans stapled together!
- Submit ONE (1) set of plans and supporting documentation (report, calculations, maps, etc.) (Three (3) additional sets of drawings will be requested after final approval).
- Supporting documentation must be in binder with tabs (e.g., Maps, Pre-Development calculations) and pages numbered [no loose pages].
- All documents must also be submitted in electronic format as Adobe PDF files on USB supported media.

#### 3. VICINITY LOCATION MAP

- Provided on minimum 8.5 x 11 paper
- North arrow and scale
- Overall map of county with project location noted
- Outlined project location on smaller scale map showing the property boundary
- Labeled road names

#### 4. PROJECT NARRATIVE

- Scope of project outlined, including a brief description of pre- and post-development conditions
- Summary table of pre- and post-development flows (at least 2- and 10-year, 24-hour storm events)
- Existing flooding problems in the surrounding area described
- Function of the Project (e.g., low density residential, shopping mall, highway, etc.).
- Disturbed area calculations included for subdivision projects or LCP disturbing 1 or more acres (including dedicated off-site borrow and fill areas).
  - ~~For subdivisions if the site is not to be mass-graded, the following formula should be used to determine the amount of disturbance:~~  
~~$$\text{Amount of Disturbance} = 2(\text{Max Restricted Building Size})(\text{Number of Lots}) + \text{Right of Way (ROW) areas}$$~~  
~~(ROW areas include clearing for roads, utilities, easements etc.)~~
  - ~~If this equation is used, include a note on the plans stating: "The site is not to be mass-graded. Only 2 times the footprint is to be cleared as the lots are developed. The assumed disturbance on each lot is \_\_\_\_\_ sq.-ft."~~
- Identification of prior uses of the construction site and potential sources of pollution from the site.

#### 5. USGS TOPOGRAPHIC MAP

- Project boundary outlined
- Route of stormwater runoff from site to nearest waterbody shown

Plan Review Checklist ~~June/July 2023~~ September-2016

- Road names adjacent to site labeled

#### 6. SOILS MAP and INFORMATION

- Project boundary outlined
- Outline of predominate soil type(s) and name(s) found at the site identified on the plans or on a separate map
- *Note: Soils information is available from the Natural Resource Conservation Service through their website: <http://websoilsurvey.nrcs.usda.gov/app>*

#### 7. FLOODWAY MAPS/FEMA FLOOD INSURANCE MAP

- Project boundary outlined, and boundaries of any floodplain/ floodway on or adjacent to the construction site.

#### 8. WATERS OF THE STATE, INCLUDING WETLANDS, SURFACE WATERS, AND BUFFER ZONE MANAGEMENT

- Delineation of all waters of the State (WoS), including wetlands, shown and labeled on plans (delineation not required if a 100-ft undisturbed buffer can be maintained between the WoS and all land-disturbing activities)
- Additional, separate plan sheet that shows all WoS on the site and the impacted areas with a description of the activity(s), whether it is permanent or temporary, and any other relevant information.
- If impacts to WoS, outlined areas of impacts and labeled that no work can begin in this area until all necessary USACOE permits and SCDHEC 401 certifications have been obtained.
- Address Buffer Zone Management requirements and compliance options for all Surface Waters.
- Provide the required during-construction buffer zone between the outermost sediment and erosion controls and the Surface Waters.
- When a during construction the buffer cannot be maintained, provide a minimum 10-ft maintenance buffer between the outermost sediment and erosion controls and Surface Waters; or, if buffer not provided, then statement from P.E. on plans indicating how the outermost sediment and erosion controls will be installed and maintained without impacts to Surface Waters.
- *Note: If there are proposed impacts to WoS, then it is advised that you contact USACOE (866-329-8187) and/ or S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section (803-898-4300) to determine additional requirements before submitting the Notice of Intent (NOI).*
- *Note: If WoS are to be impacted, work cannot be performed in these designated areas until all necessary permits have been acquired*
- *Note: If a USACOE permit is required for construction of or access to a temporary or permanent stormwater management structure, NPDES permit coverage cannot be granted until the USACOE permits and S.C. DHEC 401 Section certifications are obtained.*

#### 9. HYDROLOGIC ANALYSIS

- Identify all curve numbers used for the hydrologic analysis for each condition of the construction site (pre-development, post-development, during construction, etc.) Information on how the curve numbers were obtained, including soil types, land cover and area, must be included. Any weighted curve number calculations must also be included.
- Determine the pre-development condition by comparing the existing condition and the site's 2017 condition and using the most conservative (e.g., lower curve numbers as determined by land cover). 2017 aerial imagery is available here: <https://propertyviewer.andersoncountysc.org/mapsis/>
- Pre- and post-developed hydrologic analysis calculations for the 2- and 10-year, 24-hour storm events at each outfall point.
- Drainage area maps that clearly correspond to the calculations (pre- and post-development).
- Analysis points for comparing runoff rates and the total drainage area analyzed do not change from pre- to post-development, although the immediate drainage areas contributing to each analysis point might shift.
- If post-development discharges are less than pre-development discharges for each outfall point see "Detention Waiver" section below).
- Analysis performed using SCS 24-hour storm (Rational method is not acceptable)
- Rainfall data from South Carolina DHEC Storm Water Management BMP Handbook (BMP Handbook) used in all calculations.
- *Note: The curve number for open water, marshes, etc. should be 98 to 100.*

Field Code Changed

#### 10. DETENTION ANALYSIS/DESIGN

Plan Review Checklist ~~June/July 2023~~ September 2016

- **Analysis**

- Pond routing using a volume-based hydrograph for the 2- and 10-year, SCS 24-hour storm event (Drain:Edge, ICPR, HEC-HMS, SedCAD, HYDRAFLOW, PondPack, etc. perform full pond routings; TR55 does not perform a full pond routing; rational method cannot be used)
- Hydrologic and hydraulic calculations necessary to determine the impact of hydrograph timing modifications of the proposed land-disturbing activity, with and without the detention structure (results of analysis will determine the need to modify the detention design or eliminate the detention requirement—see note 2 below)
  - Inputs and outputs from analysis program
  - Summary table of the peak inflows, peak outflows, discharge velocities, and maximum water surface elevations (WSE) for the 2- and 10-year, 24-hour storm events for each detention structure
  - Stage-storage-discharge relationship for the outlet structure of each detention structure
  - If a rating curve for the outlet structure must be generated externally from the analysis program (Drain:Edge, HEC-HMS etc.), data and equations used to rate the outlet structure
  - As-built of existing detention pond if the site drains to an existing detention pond (see below)
- *Note: SedCAD users please refer to the memo regarding the input of outlet structures on SCDHEC's website: <http://www.scdhec.gov/environment/water/docs/SedCad3.pdf>.*
- *Note: The Stormwater Department recommends using the 10% rule in performing analysis. The hydrologic analysis should be conducted for the larger drainage area, where the site in question encompasses 10% of the total drainage area. For example, if your site is 10 acres, then the hydrologic analysis should be performed at the point downstream where the contributing drainage area, including your 10-acre site, is approximately 100 acres.*

- **Design**

- Detail of outlet structure and cross-section of the dam/ berm or pond bank, including elevations and dimensions that correspond to the calculations.
- Orifice constructability considered (do not specify orifice diameters with increments of less than ¼").
- Maximum WSE for the 10-year storm event below the emergency spillway with 0.5-ft of freeboard between maximum WSE for the 10-year storm and the emergency spillway.
- Maximum WSE for the 100-year storm event below the embankment with 0.5-ft of freeboard between maximum WSE for the 100-year storm and the embankment.
- Dewatering time calculations for the 10-year storm event (dry ponds must drain completely within 72 hours).
- Bottom of all detention and retention ponds graded to have a slope of not less than 0.5%
- If the pond is to be used for sediment control during construction, attach a Floating Skimmer to the low level outlet and install baffles within the basin during construction and shown on the pond detail.
- Permanent maintenance access to all permanent ~~detention structures~~ stormwater facilities, conveyances, and/or BMPs (easements may be needed for structures surrounded by lots) by placing them within common property in subdivisions.
- Infiltration systems designed in accordance with S.C. Reg. 72-307.C(11) [specify how items a-j have been addressed].
- *Note: Emergency spillways should not be built on fill slopes.*

## 11. AS-BUILTS

- Provided for all previously approved detention ponds that will receive flows from new drainage areas.
- Prepared by a South Carolina Licensed Land Surveyor.
- Grades/ contours/ depths for pond.
- Elevations and dimensions of all outlet structures, including:
  - Pipe and orifice inverts and diameters.
  - Weir elevations and dimensions.
  - Riser dimensions and elevations.
  - Emergency spillway dimensions and elevations.
  - Locations and inverts for all pipes discharging into the pond.
- Spot elevations along the top of the embankment.
- Contours, dimensions, and locations of all structural components (forebays, level spreaders, riprap aprons, inlet structures).



- If the elevations or dimensions of the structures listed above do not match those used in the approved plans, certification statement signed by the project's Registered Engineer indicating that the pond, as built, will function within all applicable standards provided [new analysis of the pond (routing) may be necessary]
- *Note: As-built survey and/or analysis must be submitted and accepted by the Stormwater Department before Notice of Termination (NOT) is submitted.*

## 12. PERMANENT STORMWATER MANAGEMENT MAINTENANCE

- Signed agreement from the responsible party accepting ownership and maintenance of the structure.
- Description of maintenance plan to be used.
- Schedule of maintenance procedures (e.g., every 6 months).
- Detailed or manufacturer-specific maintenance items for proprietary control devices (oil-water separators, MTDs, etc.), underground detention structures, exfiltration systems and non-traditional stormwater controls (constructed wetlands, bioretention, etc.).
- Typical maintenance items to be addressed:
  - Grass to be mowed.
  - Trees to be removed from within the BMP and on the embankment.
  - Trash and sediment to be removed from inside of and around the BMP outlet structure.
  - Orifices to be cleaned and unclogged.
  - Outlet pipe to be cleaned, inspected, and repaired.
  - Sediment accumulation to be removed from the BMP.
  - Pond bottom to be regraded to provide proper drainage towards the outlet discharge point.
  - Energy dissipater to be cleaned and repaired.
  - Emergency spillway, if applicable, to be inspected and repaired.
  - Erosion on side slopes, if present, to be addressed.
  - The Department must be notified in writing of any changes in maintenance responsibility for the stormwater devices at the site (include this statement in agreement).
- *Note: If the entity or person with maintenance responsibility changes, then a new maintenance agreement, signed by the new person responsible for maintenance, must be provided to the Department. If a new, signed maintenance agreement is not provided to the Department, then the entity/ person who signed the most recent maintenance agreement on file with the Department will be considered the responsible entity.*

## 13. DISCHARGE POINTS

- Storm drainage or pond outfalls carried to an existing drainage outfall such as a pipe, ditch, etc.
- No new point discharges onto adjacent property where there was not a point discharge previously, unless written permission from the adjacent property owner is provided
- Level spreaders, plunge pools, etc. provided when the proposed outlet is near the property line and not directed to an existing outfall, such as a creek or ditch
- Twenty (20)-foot minimum buffer is provided between the property line and the discharge point
- Outlets shall not discharge on fill slopes

## 14. DETENTION WAIVER

- *Note: If the 2- and 10-year, 24-hour post-developed flow rates exceed the pre-developed rates, waivers from detention may be granted in accordance with regulation 72-302(B) on a case-by-case basis*
- Justification and a written request, including the following statement: "the increased flows will not have a significant adverse impact on the downstream/adjacent properties"
- A project may be eligible for a waiver or variance of stormwater management for water quantity control if the applicant can demonstrate that:
  - The proposed project will have no significant adverse impact on the receiving natural waterway or downstream properties; or
  - The imposition of peak control requirements for rates of stormwater runoff would aggravate downstream flooding
- Waiver signed by the project's Professional Engineer
- *Note: See note in checklist item 10 regarding the 10% rule.*

## 15. PERMANENT WATER QUALITY REQUIREMENTS

Plan Review Checklist ~~June/July 2023~~ September 2016

- Permanent water quality addressed (all projects or LCP that disturb 5 or more acres).
  - Wet ponds designed to catch the first ½" of runoff from the entire area draining to the pond and release it over at least a 24-hour period
  - Dry ponds designed to catch the first 1" of runoff from the entire area draining to the pond and release it over at least a 24-hour period
  - For areas not draining to a pond, show how permanent water quality requirements were addressed
- Waters of the U.S./State are not used for permanent water quality control (alternative means of treatment must be used if an existing pond is to be used for water quantity control).
- *Note: Other non-traditional stormwater controls such as Bioretention areas, constructed wetlands, etc. may be used. Consult the BMP Handbook or Anderson County Stormwater Design Manual for information on the design of these devices.*
- *Note: Pre-fabricated or proprietary treatment devices are approved according to the Anderson County Stormwater Design Manual. Type of system selected should be based on the ability to remove the pollutants of concern in that area/situation (bacteria, hydrocarbons, etc.).*

## 16. SEDIMENTOLOGY

- Trapping efficiency calculations showing that all sediment basins/ traps are capable of achieving a sediment trapping efficiency of at least 80% for the 10-year, 24-hour storm event, if more than 10 disturbed acres drain to a common point (stream, lake, etc.).
- Sediment basins provide storage for the 10-year, 24-hour storm event for disturbed conditions or 3600 ft<sup>3</sup>/acre draining to the basin, if more than 10 disturbed acres drain to a common point (stream, lake, property line, etc.).
- Sediment traps only used for drainage areas of less than 5 acres.
  - Sediment trap storage calculations, showing that 1800 ft<sup>3</sup>/total acre draining to each trap is provided below the spillway
  - If trapping efficiency calculations are required for sediment traps, then provide peak outflow,  $q_{po}$ , calculations; the 10-year, 24-hour storm event for construction conditions cannot overtop the trap's spillway.
- Sediment basins and traps designed for total area draining to them.
- Drainage area map outlining the area draining to each basin/ trap.
- Copies of figures used to determine  $V_{15}$  (SV-1) and trapping efficiency (ST-1, SB-1, SB-2), if Design Aids from BMP manual are used to determine trapping efficiencies.
- Clean-out stake, marked at ½ the designed sediment storage depth, provided in all sediment basins/ sediment traps.
- Silt fence only used in areas with drainage areas of less than ¼ acre per 100 LF of fence and not used in areas with concentrated flows.
- *Note: Consult the Anderson County Stormwater Design Manual for information on the design of Sediment Basins, Floating Skimmers and Porous Baffles.*
- *Note: Consult the BMP Handbook for information on sediment control BMPs devices.*
- *Note: The Design Aids in the BMP Handbook cannot be used to determine trapping efficiencies for structures in series. If the flow for the 10-year, 24-hour storm for construction conditions overtops the structure or the structure's spillway, then the Design Aids cannot be used. If multiple soil types are in the area draining to the structure, then the soil type with the smallest  $D_{15}$  for the appropriate depth should be used to determine the settling velocity,  $V_{15}$ ; an average  $D_{15}$  should not be used.*
- *Note: SedCAD users please refer to the memo regarding the input of outlet structures.*

## 17. STABLE CHANNEL AND STORM DRAINAGE CALCULATIONS

- Design and submit calculations for all temporary channels and diversion ditches (~~temporary or permanent~~) to handle the 10-year 24-hour storm event and all permanent channels, storm sewers and culverts to handle the 25-year 24-hour storm event to ensure non-erosive flow conditions (5ft/s) and capacity for the design storm flows. Add velocity dissipation BMPs and/or erosion prevention BMPs to channels where erosive velocities are achieved.
- Rock check dams provided in temporary diversions.
- Installation detail for erosion control blanket (ECB) or turf reinforcement matting (TRM) if ECBs or TRMs to be used.

## 18. INLET PROTECTION

- Provided at all existing and newly installed inlets that receive Stormwater runoff from the disturbed areas.

Plan Review Checklist ~~June/July 2023~~ **September 2016**

- Hay bales not used
- Steel posts and buried fabric shown for filter fabric inlet protection.
- Inlet protection details provided for pre-paving and after roadways have been paved.
- *Note: The Department recommends that an inlet not have more than one (1) acre draining to it.*

#### 19. ENERGY DISSIPATORS/ OUTLET PROTECTION

- Outlet protection must be provided at all existing and newly installed outlets, within the construction site's boundary, that discharge stormwater runoff from the disturbed areas. Silt fence may not be used as outlet protection.
- Riprap aprons sized appropriately (provide calculations).
- Riprap detail shows apron dimensions and stone sizes for each pad or each pipe diameter.
- Filter fabric installed beneath all riprap.

#### 20. FILL SLOPES AND/ OR EMBANKMENTS

- Minimize the disturbance of existing steep slopes (i.e., slopes of 30% (~3H:1V) or greater), unless infeasible.
- All slopes stabilized.
- Slope drains designed in accordance with the BMP Handbook.
- Slope drains provided where concentrated flows discharge onto a fill slope.
- For all slopes steeper than 2:1, identification of stabilization practice (e.g., ECB, TRM)
- *Note: Measures, in addition to grassing or hydroseeding, include synthetic or vegetative matting, diversion berms, slope interruption devices, temporary slope drains, etc.*
- *Note: If retaining walls or fill slopes are to be constructed at the downstream property line, the Department recommends a 10' buffer to allow for construction and maintenance. If a 10' buffer is not provided, then provide permission from the adjacent property owner for possible land-disturbing activities on his property.*

#### 21. UTILITY LINES

- Limits of disturbance include areas disturbed for water and sewer line installation.
- Inlet protection provided at all existing inlets that receive flows from the disturbed areas; also add this as a note on the plans.
- For all utility lines crossing WoS, narrative and detail showing sediment and erosion control measures provided on plans.
- *Note for construction entrances to be provided at all locations where construction traffic accesses a paved roadway.*

#### 22. TMDL/ 303d IMPAIRED WATERBODIES

- List the nearest S.C.DHEC Water Quality Monitoring Station (WQMS) that the site's stormwater discharges drain to and the waterbody on which it is located: \_\_\_\_\_
- Qualitative and quantitative assessment (described in Section 3.2.12B of SCR100000), if nearest WQMS listed on the most current South Carolina 303(d) List of Impaired Waters and if site's stormwater construction discharges contain the pollutant of impairment and if site disturbs 25 or more acres.
- Evaluation of selected BMPs if nearest WQMS listed on the most current South Carolina 303(d) List of Impaired Waters and if site's stormwater construction discharges contain the pollutant of impairment and if site disturbs less than 25 acres.
- If Approved TMDL developed for nearest WQMS and if site's stormwater construction discharges contain the pollutant of impairment, showed that measures and controls on SWPPP met assumptions and requirements of TMDL (may need to contact Watershed Manager for assistance).
- *Note: Contact Department staff for guidance on selection of BMPs based on pollutant of impairment.*

#### 23. NAVIGABLE WATERS

- Extra plan sheet showing impacts to navigable water and description of activity included if S.C. Navigable Waters (SCNW) crossing and separate SCNW permit has not been obtained for all activities.
- *Note: For NOIs initially submitted to delegated entities, if project has SCNW crossing and if separate SCNW permit has not been obtained for this crossing, then this item will be reviewed by S.C. DHEC before NPDES coverage will be granted.*

#### 24. PHASED PLAN REQUIREMENT

Plan Review Checklist ~~June/July 2023~~ ~~September 2016~~

- For sites disturbing more than 5 acres and less than 10 acres, at least two (2) separate plan phases shall be developed. Each plan phase shall be identified and must be addressed separately on at least one single plan sheet, with each sheet reflecting the conditions and the BMPs necessary to manage Stormwater runoff, erosion and sediment during the phases, at a minimum, listed below:
  - Initial Land Disturbance Phase. This includes but is not limited to the perimeter BMPs, the necessary sediment and erosion control BMPs to be installed prior to initial/mass grading, and any additional BMPs necessary to keep the construction site in compliance with this permit.
  - Stabilization Phase. This includes but is not limited to all BMPs required to be installed, maintained, and retrofitted during the time required to begin the majority of all construction and grading activities, and the time required to bring the construction site into compliance with permanent water quality requirements and into final stabilization.
- For site disturbances greater than or equal to 10 acres, at least three (3) separate plan phases shall be developed. Each plan phase shall be identified and must be addressed separately on at least one single plan sheet, with each sheet reflecting the conditions and the BMPs necessary to manage Stormwater runoff, erosion and sediment during the phases, at a minimum, listed below:
  - Initial Land Disturbance Phase. This includes but is not limited to the perimeter BMPs, the necessary sediment and erosion control BMPs to be installed prior to initial/mass grading, and any additional BMPs necessary to keep the construction site in compliance with this permit.
  - Construction Phase. This includes but is not limited to all sediment and erosion control BMPs necessary to be installed, maintained and designed to prevent sediment-laden stormwater from discharging off-site during construction. Examples of such BMP control measures to include in this phase are all temporary BMPs used to convey, manage, and treat stormwater runoff including additional sediment traps and sediments basins, rock check dams, silt fence, sediment tubes, inlet protection, temporary conveyance channels and any other sediment control measure.
  - Stabilization Phase. This includes but is not limited to all BMP control measures required to be installed, maintained, and retrofitted during the time required to bring a construction site into compliance with permanent water quality requirements and into final stabilization.

## 25. SITE PLANS CHECKLIST:

- *Submit phased sediment and erosion control plans as required in item 24.*
- Location map with site outlined on first plan sheet (map should have enough detail to identify Surface Waters of the State within 1 mile of the site).
- North arrow and scale.
- Property lines and adjacent landowners' names.
- Legend.
- Registered engineer's signed and dated seal.
- Engineering Firm's Certificate of Authorization seal.
- Existing and proposed contours for entire disturbed area.
- Limits of disturbed area.
- Locations of off-site material, waste, borrow, or construction equipment storage areas, excluding roll-off containers (*Note: Some off-site disturbed areas may require a separate application for NPDES coverage*).
- Location and identification of any stormwater discharges associated with industrial activity (not construction).
- Location and identification of effective pollution prevention measures to minimize the discharge of pollutants during construction activities.
- Identification and management of non-stormwater discharges associated with construction activities.
- Delineation of WoS, including wetlands and Buffers (see checklist item 8).
- Easements.
- Road profiles with existing and proposed ground elevations (if no contours are shown on the plans).
- Grassing and stabilization specifications (temporary and permanent).
- Construction sequence (implementation of all stormwater and sediment controls in the first phase of construction; ensure that basins, traps, ponds, etc. can be installed before the area draining to them is cleared and grubbed).
- Standard notes (see following page).

- Temporary and permanent control measures (provide details of all sediment and erosion control measures used; make sure the label or legend on the plans matches the name on the detail).

*Note: Maintenance requirements for each BMP should be listed on the detail.*

*Note: If details from the BMP Handbook are used, then the inspection frequency must be changed to be in accordance with the new CGP (see Standard note 3).*

#### Standard Notes

1. If necessary, slopes, which exceed eight (8) vertical feet or exceeds a 3:1 slope should be stabilized with synthetic or vegetative mats, in addition to hydroseeding. It may be necessary to install temporary slope drains during construction. Temporary berms may be needed until the slope is brought to grade.
2. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than fourteen (14) days after work has ceased, except as stated below.
  - Where stabilization by the 14<sup>th</sup> day is precluded by snow cover or frozen ground conditions stabilization measures must be initiated as soon as practicable.
  - Where construction activity on a portion of the Site is temporarily ceased, and earth-disturbing activities will be resumed within 14 days, temporary stabilization measures do not have to be initiated on that portion of the Site.
3. All sediment and erosion control devices shall be inspected once every seven (7) days. If site inspections identify BMPs that are damaged or are not operating effectively, maintenance must be performed as soon as practical or as reasonably possible and before the next storm event whenever practicable.
4. Provide silt fence and/or other control devices, as may be required, to control soil erosion during utility construction. All disturbed areas shall be cleaned, graded, and stabilized with grassing immediately after the utility installation. Fill, cover, and temporary seeding at the end of each day are recommended. If water is encountered while trenching, the water should be filtered to remove any sediments before being pumped back into any waters of the State.
5. All erosion control devices shall be properly maintained during all phases of construction until the completion of all construction activities and all disturbed areas have been stabilized.
  - Remove deposited sediment from sediment traps or sedimentation when the design capacity has been reduced by 50 percent or the sediment has reached the clean out point on the cleanout stake (whichever occurs first).
  - Remove deposited sediment collected by sediment control measure (silt fence, check dams, sediment tubes, etc.) when the deposited sediment reaches 1/3 the height of the above-ground portion of these BMPs, or before it reaches a lower height based on the manufacturer's specifications.
6. Additional control devices may be required during construction in order to control erosion and/or offsite sedimentation. All temporary control devices shall be removed once construction is complete and the site is stabilized.
7. The contractor must take necessary action to minimize the tracking of mud onto paved roadway(s) from construction areas and the generation of dust. The contractor shall daily remove mud/soil from pavement, as may be required.
8. Residential subdivisions require erosion control features for infrastructure as well as for individual lot construction. Individual property owners shall follow these plans during construction or obtain approval of an individual plan in accordance with S.C Reg. 72-300 et seq. and SCR100000.
9. Temporary diversion berms and/or ditches will be provided as needed during construction to protect work areas from upslope runoff and/or to divert sediment-laden water to appropriate traps or stable outlets.
10. All waters of the State (WoS), including wetlands and Surface Waters, are to be flagged or otherwise clearly marked in the field. Provide the required during construction buffer between the outermost sediment and erosion controls and the Surface Waters. When a during-construction buffer cannot be maintained, provide a minimum 10-ft maintenance buffer between the outermost sediment and erosion controls and Surface Waters.
11. Litter, construction debris, oils, fuels, and building products with significant potential for impact (such as stockpiles of freshly treated lumber) and construction chemicals that could be exposed to storm water must be prevented from becoming a pollutant source in storm water discharges.
12. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge.
13. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater.



14. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.
15. Anderson County SMS4 Stormwater coverage is excluded for activities conducted in SCDOT and/or County rights of way.
16. Contractor must field verify that the existing field contour elevations are accurate within one-half (1/2) of the existing condition contour interval shown on the plans. If the elevations are not within one-half (1/2) of the contour elevations, no land disturbing activity can continue on the site until the plan preparer has been informed. The plan preparer must approve in writing the use of the existing SWPPP elevations and notify Anderson County Stormwater Management of their approval prior to work continuing. If the existing SWPPP will not function as designed due to the elevation change a new survey must be conducted and the SWPPP must be modified by the plan preparer.
17. The following discharges are prohibited:
  - Wastewater from washout of concrete, unless managed by an appropriate control;
  - Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
  - Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
  - Soaps or solvents used in vehicle and equipment washing.





## **APPENDIX L**

### ***Stormwater Management and Sediment Control Fees***

The application for a Stormwater Management and Sediment control permit to disturb land in Anderson County shall be accompanied by nonrefundable Fees.

1. The Fee for all Land Disturbing Activity requiring the submission of a Stormwater Management and Sediment Control Plan is:

**A base fee of \$850 plus \$200-300 per disturbed acre** for any application submitted.

No application Fee is charged for land disturbing activities which disturb less than 1 acre and are not part of a LCP.

2. An additional Fee for all applications requesting a Waiver or Variance from the requirements of the Stormwater Management and Sediment Control Ordinance will be assessed:

**A base fee of \$850 plus \$200-300 per disturbed acre** for any application submitted.

3. The Fees above do not include the fee charged separately by DHEC to issue the NPDES permit for all construction activities one acre or larger:

**The DHEC NPDES Fee is \$125.**

4. The appropriate application Fee will be charged for extensions or renewals of a Stormwater Management and Sediment control permit:

**A base fee of \$850 plus \$200-300 per disturbed acre** for any extensions or renewals submitted.

5. A maintenance Fee may be required on approvals granted for Stormwater Management structures that will be maintained by the County.

6. Excessive resubmittals (more than two resubmittals) will be charged additional fees of:

**An excessive resubmittal fee of \$550** for each resubmittal over two.

7. A fee for Major Modifications (as defined in the Anderson County Stormwater Design Manual) to Stormwater Management and Sediment Control Plans will be assessed:

**\$500-2,000** for any application submitted. When the modification includes an increase in the disturbed area an additional fee of **\$200-300 per disturbed acre** will be charged for the increased acreage.

8. A compliance inspection fee will be assessed prior to conducting an inspection following the issuance of a notice to comply where site activities were requested to cease and desist:

**A compliance inspection fee of \$250** for each inspection.



## **APPENDIX L**

### ***Stormwater Management and Sediment Control Fees***

The application for a Stormwater Management and Sediment control permit to disturb land in Anderson County shall be accompanied by nonrefundable Fees.

1. The Fee for all Land Disturbing Activity requiring the submission of a Stormwater Management and Sediment Control Plan is:

**A base fee of \$850 plus \$300 per disturbed acre** for any application submitted.

No application Fee is charged for land disturbing activities which disturb less than 1 acre and are not part of a LCP.

2. An additional Fee for all applications requesting a Waiver or Variance from the requirements of the Stormwater Management and Sediment Control Ordinance will be assessed:

**A base fee of \$850 plus \$300 per disturbed acre** for any application submitted.

3. The Fees above do not include the fee charged separately by DHEC to issue the NPDES permit for all construction activities one acre or larger:

**The DHEC NPDES Fee is \$125.**

4. The appropriate application Fee will be charged for extensions or renewals of a Stormwater Management and Sediment control permit:

**A base fee of \$850 plus \$300 per disturbed acre** for any extensions or renewals submitted.

5. A maintenance Fee may be required on approvals granted for Stormwater Management structures that will be maintained by the County.

6. Excessive resubmittals (more than two resubmittals) will be charged additional fees of:

**An excessive resubmittal fee of \$550** for each resubmittal over two.

7. A fee for Major Modifications (as defined in the Anderson County Stormwater Design Manual) to Stormwater Management and Sediment Control Plans will be assessed:

**\$2,000** for any application submitted. When the modification includes an increase in the disturbed area an additional fee of **\$300 per disturbed acre** will be charged for the increased acreage.

8. A compliance inspection fee will be assessed prior to conducting an inspection following the issuance of a notice to comply where site activities were requested to cease and desist:

**A compliance inspection fee of \$250** for each inspection.







24

**NOTICE OF INTENT (NOI)**  
**For Coverage(s) of Primary Permittees**  
**Under Anderson County Code of Ordinances Chapter 38, Article V. and**  
**South Carolina NPDES General Permit**  
**For Stormwater Discharges From Construction Activities SCR100000**  
(Maintain As Part of On-Site SWPPP)

**For Official Use Only**

File Number: \_\_\_\_\_  
Permit Number: **SCR10** \_\_\_\_\_  
Submittal Package Complete: \_\_\_\_\_

Submission of this Notice of Intent constitutes notice that the Applicant identified in Section II intends to be authorized as a Primary Permittee in the state of South Carolina under NPDES General Permit SCR1000000. Fees required for review and NPDES coverage of each application type are as listed on page 2 of the Instructions.

Date: \_\_\_\_\_

Project/Site Name: \_\_\_\_\_ County: \_\_\_\_\_

(Modification or Change of Information Only) Prior Approved NPDES Permit or File Number: \_\_\_\_\_

Prior Approved Anderson County Stormwater Permit Number: \_\_\_\_\_

**I. Notice of Intent (NOI) Application Type(s)**

A. **Project (Application/Review) Type(s)** (Select **ALL** that apply):

- ☐ New Project (Initial Notification)      Ongoing Project: ☐ Permitted or ☐ Un-Permitted  
☐ Late Notification      ☐ Low Impact Development (LID) or Project Design Above Regulatory Requirements  
☐ New Owner/Operator or Company Name Change (see Instructions, attach Form A (Transfer of Ownership))  
☐ Major Modification  
☐ MS4 Project Review  
☐ Change of Information/Other (Specify): \_\_\_\_\_

B. If Applicable, identify additional entities designated as **MS4 Reviewer** and **MS4 Operator** (i.e., City of Anderson)

**MS4 Reviewer** \_\_\_\_\_

**MS4 Operator** \_\_\_\_\_

**II. Primary Permittee Information** ☐ **Change of Information**

☐ Person or ☐ Company

If a Company, are you a ☐ Lending Institution or ☐ Government Entity?  
Company EIN (if applicable): EIN: \_\_\_\_\_

A. **Primary Permittee Name:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

B. **Contact /ODSA Name** (If different from above OR if owner is a company): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

C. **Property Owner Name** (If different from above): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

**III. Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information** ☐ **Change of Information**

A. **C-SWPPP Preparer Name:** \_\_\_\_\_

B. **Registered Professional** ☐ Engineer ☐ Landscape Architect ☐ Tier B Land Surveyor **S.C. Registration #:** \_\_\_\_\_

C. **Company/Firm Name:** \_\_\_\_\_ **S.C. COA #:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

**IV. Project/Site Information** ☐ **Change of Information**

A. **Type of Construction Activity(ies)** (Select **ALL** that apply):

- ☐ Commercial      ☐ Industrial      ☐ Institutional      ☐ Mass Grading      ☐ Linear      ☐ Utility/Infrastructure  
☐ Residential: Single-family      ☐ Residential: Multi-family      ☐ Multi-use (Commercial & Residential)  
☐ Site Preparation (No New Impervious Area)      ☐ Other (Specify) \_\_\_\_\_

B. **Site Address/Location** (street address, nearest intersection, etc.) \_\_\_\_\_

City/Town (If in limits): \_\_\_\_\_ Zip Code: \_\_\_\_\_

Latitude: \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" N Longitude: - \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" W (Source): ☐ GPS ☐ Web Site: \_\_\_\_\_

**Tax Map Number (s)** (List all): \_\_\_\_\_

← 06/2023

- C. Is this site located on Indian Land? ☐ Yes ☐ No
- D. Proposed Start Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_
- E. Disturbed Area (nearest tenth of an acre): \_\_\_\_\_ Total Area (nearest tenth of an acre): \_\_\_\_\_
- F. Modification Only: (nearest tenth of an acre): Disturbed Area: Current (Approved) Area: \_\_\_\_\_  
Disturbed Area Change (Increase Only): \_\_\_\_\_ Total Disturbed Area (After Change): \_\_\_\_\_
- G. Is this project part of a Larger Common Plan for Development or Sale (LCP)? ☐ Yes ☐ No  
LCP/ Overall Development Name: \_\_\_\_\_ Check here if this is the First Phase. ☐  
Previous State Permit/File Number: \_\_\_\_\_ Previous NPDES Coverage Number: SCR10 \_\_\_\_\_  
Previous Anderson County Permit/File Number: \_\_\_\_\_
- H. Any Flooding Problems exist downstream of or adjacent to this site? ☐ Yes ☐ No (If "Yes", provide detailed description of flooding problems and applicable floodway/flood zone information in the C-SWPPP).
- I. Active S.C. DHEC or Anderson County Warning Notice, Notice to Comply or Notice of Violation for this site or LCP?  
☐ Yes ☐ No
- J. List Relevant State and Federal Environmental Permits or Approvals applied for or obtained for this site (e.g., RCRA, USACOE, Nationwide, etc.). If None, list None.
- K. Any Waiver(s)/Variances/Exceptions Requested for this Project? (If "Yes", identify below and include Waiver Request and Justifications in the C-SWPPP for each proposed request).
- |   |                           |
|---|---------------------------|
| 1. Small Construction Activity Waiver(s) From NPDES permitting (Section 1.4 & Appendix B)? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If "Yes", identify requested waiver: <input type="checkbox"/> Rainfall Erosivity Waiver <input type="checkbox"/> TMDL Waiver <input type="checkbox"/> Equivalent Analysis Waiver |                           |
| 2. Detention Waiver (72-302(B))? <input type="checkbox"/> Yes <input type="checkbox"/> No   | 3. Other (Specify): _____ |

**V. Waterbody Information** (Attach additional sheet(s) as needed) ☐ Change of Information

- A. Receiving Waterbody(s) (RWB) Information (List the nearest and next nearest receiving waterbodies to which the sites stormwater discharges will drain. If stormwater discharges drain to multiple waterbodies, list all such waterbodies).

| 1. Name of Receiving Waterbodies (RWB) | 2. Distance to RWB (feet) | 3. Classification of RWB |
|--|---------------------------|--------------------------|
| a. Nearest: _____                      |                           |                          |
| b. Next Nearest: _____                 |                           |                          |
| c. Other Waterbodies: _____            |                           |                          |

- B. Waters of the U.S. / State Information (Attach additional sheet(s) as needed)

| Waters of the U.S./ State      | 1. On the site?  | 2. Delineated/ Identified?                               | 3. Impacts?  | 4. Amount of impacts |
|--------------------------------|--|--|--|----------------------|
| a. Jurisdictional wetlands     | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | ____ Ac              |
| b. Non-jurisdictional wetlands | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | ____ Ac              |
| c. Other Water(s): _____       | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | ____ Ac ____ Feet    |

5. If "Yes" for impacts in B.3, describe each impact and activity, and list all permits (e.g., USACOE Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact:

- C. S.C. Navigable Waters (SCNW) Information DHEC will address any issues related to State Navigable Waters' Program under SC Regulation 19-450 during the review of the C-SWPPP for activities that will **NOT** require a 404 permit or a 401 certification. (Attach additional sheet(s) as needed).

|   |                             |   |
|---|-----------------------------|---|
| 1. Are S.C. Navigable Waters (SCNW) on the site: <input type="checkbox"/> Yes <input type="checkbox"/> No   |                             |   |
| a. If "No", do not complete this question. Proceed to Section D (Impaired Waterbodies).   |                             |   |
| b. If "Yes", provide the name of S.C. Navigable Waters (SCNW) on the site: _____  |                             |   |
| 2. If "Yes" for C.1, will construction activities cross over or occur in, under, or thru the SCNW? <input type="checkbox"/> Yes <input type="checkbox"/> No   |                             |   |
| If "Yes", describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.) and proceed to Section C.3:   |                             |   |
| 3. Identify permits providing coverage of SCNW activities proposed for your site. If NONE, list none.   |                             |   |
| Permits/Certifications  | Permit or Certification No. | Corresponding Covered SCNW Activity(ies)  |
| a. DHEC General/ Other DHEC Permit  |                             |   |
| b. USACOE 404 Permit or 401 Certification   |                             |   |
| c. SCNW Permit<br>If applied for or issued, identify Date applied for or issued: _____  |                             | <input type="checkbox"/> All Activities or <input type="checkbox"/> Some Activities (Describe): |
| d. If a SCNW Permit has <b>NOT</b> been applied for provide an additional plan sheet that shows plan and profile views (drawn to scale) of the SCNW and associated activities. Include a description of all proposed activities on this plan. |                             |   |

**D. Impaired Waterbodies Information** (Attach additional sheet(s) as needed)**1. 303(d) Listed Impaired Waterbodies**

| a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4 and the Name of the Corresponding Waterbody? |                         | b. Is this WQMS(s) listed on the <u>most current</u> 303(d) list? If "No", proceed to Section 2 of this table. If "Yes", complete items c thru f. | c. List the pollutant(s) identified as "CAUSES" of the impairment. | d. Will any pollutants causing the impairment be present in your site's construction stormwater discharges? | e. If "Yes" for d, list the "USE SUPPORT" impairment(s) affected by the pollutant(s) identified in c. |
|--|-------------------------|---|--|---|---|
| Nearest DHEC WQMS(s)   | Corresponding Waterbody |   |  |   |   |
|  |                         | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |
|  |                         | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |
|  |                         | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |

f. If "Yes" for d above, will use of the BMPs proposed for your project ensure the site's discharges will NOT contribute to or cause further WQS violations for the impairment(s) listed in c? ☐ Yes ☐ No

(NOTE: If "No" for f, this site is NOT eligible for coverage under the CGP). See Instructions.

**2. TMDL Impaired Waterbodies**

| a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4? | b. Has a TMDL(s) been developed for this WQMS(s)? If "No", identify as such below and proceed to Section VI. If "Yes", complete items c thru f of this table. | c. If "Yes" for b, what pollutants are listed as "CAUSES" or causing the impairment? | d. If "Yes" for b, has the standard been "ATTAINED" or "Fully Supported" for the impairment(s)? | e. If "No" for d (Not Attained), will any pollutants causing the impairment be present in your site's construction stormwater discharges? |
|--|---|--|---|---|
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |

f. If "Yes" for e above, are your discharges consistent with the assumptions and requirements of the TMDL(s)? ☐ Yes ☐ No

(NOTE: If "No" for f, this site is NOT eligible for coverage under the CGP). See Instructions.

**VI. Signatures and Certifications** DO NOT SIGN IN BLACK INK! Read the Certifications below (In entirety). Provide date, printed name, and signatures below. If you are a New Owner/Operator, as Primary Permittee you must also sign and date the applicable Comprehensive SWPPP Acceptance & Compliance Agreement below.

**C-SWPPP PREPARER:** "One copy of the C-SWPPP, all specifications and supporting calculations, forms, and reports are herewith submitted and made a part of this application. I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000." (This should be the person identified in Section III).

Printed Name of C-SWPPP Preparer

Signature of C-SWPPP Preparer

S.C. Registration #

**PRIMARY PERMITTEE:** "I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that DHEC enforcement actions may be taken if the terms and conditions of the C-SWPPP are not met and I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I or I (on behalf of my company and its contractors and agents), as the case may be, also hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I also certify that a responsible person will be assigned to the project for day-to-day control. I hereby grant authorization to the to S.C. Department of Health and Environmental Control (DHEC) and/or Anderson County the right of access to the site at all times for the purpose of on site inspections during the course of construction and to perform maintenance inspections following the completion of the land-disturbing activity." (See Section 122.22 of S.C. Reg. 61-9 for signatory authority information.) Having understood the above information, I am signing this certification as Primary Permittee to the aforementioned NPDES general permit."

Printed Name of Primary Permittee

Title/Position

Signature of Primary Permittee

Date Signed



## FEE SCHEDULE

The schedule should be attached to the NOI. Do not send payment in window envelope. **DO NOT MAIL CASH.** Anderson County or DHEC will notify the Project Owner/ Operator if the submitted check or credit card payment cannot be processed. **The review clock will start when acceptable payment is received.**

| 1. Identify (✓) the DHEC Project Review Type(s)<br>Enter NPDES Coverage Fee of \$125 in the right-hand column if <u>any</u> of the following project/review types apply to this application. Proceed to Item 2.   | (✓)                      | NPDES Coverage Fee |
|---|--------------------------|--------------------|
| <b>a. Project or LCP (Item IV.G) that will ultimately disturb one (1) acre or more</b><br>Note: If your project will ultimately disturb less than one (1) acre <b>AND</b> is <b>NOT</b> a part of a Larger Common Plan, coverage under SCR100000 is <b>not</b> required; see <a href="http://www.scdhec.gov/administration/library/d-2628.pdf">http://www.scdhec.gov/administration/library/d-2628.pdf</a> (Notification Form for Sites Disturbing Less Than 1-Acre Not Part of a Larger Common Plan, Non-Coastal County".) | <input type="checkbox"/> | \$ _____.00        |
| <b>b. New Owner/Operator (Transfer of Ownership)/Company Name Change</b><br>(\$125 NPDES Coverage fee is required by DHEC for Transfers of Ownership and Company Name Changes)  | <input type="checkbox"/> |                    |
| <b>c. Unpermitted Ongoing Project or Late Notification</b>  | <input type="checkbox"/> |                    |
| <b>d. MS4 Project Review (Item I.A and I.B)</b> (\$125 payable to DHEC thru MS4 Reviewer)   | <input type="checkbox"/> |                    |
| <b>e. Other (Specify):</b> _____  | <input type="checkbox"/> |                    |

| 2. Determine the Project Review Fees   |  |                            |
|--|--|----------------------------|
| PROJECT OR LCP THAT WILL ULTIMATELY DISTURB ONE (1) ACRE OR MORE   | (✓)  | Review Fees                |
| a. Enter the disturbed area (Item IV.E) for this project. Proceed to Items 2.b and 2.c.  |  | (Nearest tenth of an acre) |
| b. Will this project or LCP (Item IV.G) ultimately disturb more than 1.0 acres   | <input type="checkbox"/> Yes <input type="checkbox"/> No |                            |
| c. Is this project exempt from S.C. Reg. 72-300 et seq.?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |                            |
| 1. If this project will <b>not</b> ultimately disturb more than 1.0 acre, and is not part of an LCP, your project is automatically covered under the NPDES permit and the NPDES coverage fee and review fee are not required. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Non- Coastal Counties". |  |                            |
| 2. If this project will ultimately disturb more than 1.0 acre, proceed to Item 2.d. <span style="color: red; font-weight: bold; margin-left: 20px;">\$300</span>   |  |                            |
| <b>d. Enter the project review fees (\$850 base fee plus \$200/disturbed area) in the right-hand column.</b> (Multiply the disturbed area (Item 2.a) by \$200/disturbed area plus \$850).  |  | \$ _____.00                |

| 3. Determine the Anderson County Major Modification Fees   | (✓)  | Mod. Fees   |
|--|--|-------------|
| a. Is there a major modification as a part of this submittal?<br>If "Yes", fee is \$500 and proceed to 3.b. If "No", proceed to 4.   | <input type="checkbox"/> Yes <input type="checkbox"/> No | \$ _____.00 |
| b. Are there additional acres of disturbed area in the modification?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |             |
| c. If part 3.b is yes, enter how many additional acres of disturbed area. (Nearest tenth of an acre) Multiply the additional disturbed acres added during the modification by \$200. | _____ acres  | \$ _____.00 |
| <b>d. Enter the application fee (\$500 base fee plus \$200/disturbed area) in the right-hand column.</b> (Add the values calculated in 3.a and 3.c).                                 |  | \$ _____.00 |

|   |             |
|---|-------------|
| 4. Required Fees for DHEC and Method of Payment Add the value in the right-hand column of Item 1. | \$ _____.00 |
|---|-------------|

### Identify the Method of Payment:

☐ **Payment by Check:**

DHEC will contact you to provide instructions and the invoice number necessary for check payment after Anderson County completes the review process. Please provide an email address where the invoice number may be sent: \_\_\_\_\_  
(Do not send the DHEC payment to Anderson County.)

☐ **Payment by Credit Card:** (Check here if you wish to pay via credit card using the on-line payment system).

DHEC will contact you to provide instructions and the invoice number necessary for online payment. Please provide an email address where the invoice number may be sent: \_\_\_\_\_

|  |             |
|--|-------------|
| 5. Required Fees for Anderson County and Method of Payment<br>Add the values in the right-hand columns of Items 2.d and 3.d. | \$ _____.00 |
|--|-------------|

Attach a **signed and dated check payable to Anderson County** to the front of this Fee Schedule. Please note that all checks must be **less than 30 days old**.

(Anderson County and DHEC will not review this project until all required fees are received).

**For official use only:** Invoice Number \_\_\_\_\_

## Instructions for Completing the Notice of Intent (NOI)

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges from Construction Activities, SCR100000 (CGP), if you cannot access the websites listed on the NOI and instructions, or if you have any other questions, contact the Stormwater Permitting Section (SWP) at (803) 898-4300. Please see the Bureau of Water, Stormwater Permitting website (BOW-SPWS): <http://www.scdhec.gov/environment/water/swater/> for guidance and additional information regarding the CGP.

### Who Must File a NOI:

- This form is only applicable to the unincorporated areas of Anderson County and inside the City of Belton.
- **If S.C. Department of Transportation (SCDOT) is the Primary Permittee (Owner/ Operator), this NOI form should not be used.**
- The Owner/ Operator of a single project or larger common plan for development or sale (LCP—see item IV.G of instructions) that will ultimately disturb 1 acre or more (all counties).
- See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties".

### Where to File:

See the BOW-SPWS for a current list of the areas that are reviewed by Municipal Separate Storm Sewer System (MS4) operators and entities that have delegated review authority. For projects in these areas, the initial submittal should be made to the MS4 operator; if initial submittal is made to DHEC for projects in these areas, the review process may be delayed. Please contact the appropriate entity for additional information and requirements; for example, the MS4 operator may require that a different application form be submitted. If a project crosses jurisdictional boundaries (e.g., sewer line in Greenville County and the city of Mauldin), then submittals to all appropriate MS4 operators, delegated entities, and DHEC must be coordinated.

| Projects Located in Unincorporated Areas of Anderson County and Inside the City of Belton                         |  | All Other Areas                              |
|---|--|--|
| <b>Anderson County</b><br><b>Stormwater Management</b><br><b>731 Michellin Blvd.</b><br><b>Anderson, SC 29626</b> | <b>Delivery by USPS:</b> <b>Anderson County</b><br><b>Stormwater Mgmt</b><br><b>PO Box 8002</b><br><b>Anderson, SC 29622</b> | <b>Refer to DHEC</b><br><b>NOI Form 2617</b> |

### Submittal Package for SWPPP and CSWPPP:

- **When performing a full technical review**, you must include the original, signed NOI form, fee schedule with required fees, one (1) copy of the Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP), and one (1) of all other supporting documentation with the initial submittal.  
**These documents must also be submitted in electronic format as Adobe PDF files on USB supported media. A submission is not considered complete until all forms in both formats are received.**
- **For projects ultimately disturbing more than 1 acre**, the Stormwater Management and Sediment and Erosion Control Plan Review Checklist For Design Professionals must be completed and attached. If this project will NOT ultimately disturb more than 1.0 acre AND is not part of an LCP, your project is automatically covered by the NPDES Permit. Fees are not required. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties."
- **For Modification projects where Anderson County performs a technical review**, see Section I of the instructions. Complete the applicable sections of the NOI Form. Submit an original, signed NOI form, appropriate fee schedule (C) with required fees, one (1) copy of SWPPP revisions, and one (1) copy of all other supporting documentation, including necessary engineering calculations. **No review clock is required for Modification reviews.**



### **Fee Schedules:**

Make sure to answer all applicable questions on the appropriate Fee Schedule. Complete Fee Schedule A for Non-Coastal projects. **Attach Form A, as required, for Transfer of Ownership.**

### **Office Mechanics and Filing:**

The original NOI form and supporting documentation will be kept in the Anderson County Stormwater Management files.

**Date:** Enter today's date.

**Project/Site Name:** The Project/ Site Name should be a unique or distinguishing name (e.g., not Proposed Subdivision).

**NOTE:** Anderson County and DHEC must be notified in writing if the Project/ Site Name changes.

**County:** If the project is in multiple counties, list the county in which the majority of the site is located.

See the "Where to File" section. List the other counties in which the site is located in the C-SWPPP.

**Prior Approved NPDES Permit Number (Major Modification or Change of Information Only):** Provide the NPDES permit number (SCR number) or File Number previously assigned to the project or LCP.

## **I. Notice of Intent (NOI) Application Type(s)** (See Section 2.4 of CGP for submission deadlines and notification requirements).

**A. Project (Application) Type** - Select **ALL** applicable application types that best describe your project or application. Section 2 of the Construction General Permit (CGP) may be reviewed for further information on each type of application listed in this section. As an example, if your project is one that is a new startup, then "New Project" should be selected. If your project is a new startup that will be located in Beaufort County, that will also be expedited, then "New Project", "OCRM Project Review", and "Expedited Review Program" should each be selected to describe your application. To determine if the project design is considered to be above regulatory requirements or Low Impact Development, see the "Expedited Review Standard Operating Procedures" document. If **none** of the application types listed in this section apply or clearly define the intent of your project, select "Other" and provide specific details that clearly describe the intent of your NOI application.

**NOTE:** Anderson County and DHEC must be notified in writing within fourteen (14) business days of a new Owner (person, lending institution, government institution, etc.) taking title to or ownership of a prior approved ongoing NPDES construction project/site. A new Property Owner must complete all applicable sections of Form A (Transfer of Ownership) and submit this form to DHEC or respective MS4 with the NOI application. Written notification is also required when the Owner or Developer's company name changes for a prior approved construction permit.

**NOTE:** Major Modifications allowed by Anderson County and DHEC are listed in Section 3.1.7 of the CGP. If your project is a major modification, complete any applicable sections of the NOI. Please note that Section V (Waterbody Information) of the prior approved NOI must be reviewed for changes prior to submitting any modification request to DHEC. If changes have occurred, identify as Change of Information on the NOI form and provide the revised information in this section. Attach a detailed Narrative and revised C-SWPPP documents to the major modification request.

**B. MS4 Reviewer and MS4 Operator** - If this project is located inside an additional Municipal Separate Storm Sewer System (MS4) and must be reviewed and approved by a MS4 entity prior to submission to Anderson County and DHEC, then select "MS4 Project Review" as application type in Item A and provide the names of the entities that will perform the review and the MS4 Operator. Urbanized area boundary maps are available at <http://cfpub.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=SC>. See the following website for information about MS4s: <http://www.scdhec.gov/environment/water/swnsms4.htm>. Note: Some MS4s have increased their review jurisdiction boundaries beyond the original urbanized area map. Please confirm with the appropriate MS4 regarding review jurisdiction.

## **II. Primary Permittee Information**

Identify whether the Primary Permittee is a person or a company. If a company, identify if it is a lending institution or government entity. Provide the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service for the company. The EIN is commonly referred to as the taxpayer ID. If the company does not have an EIN (e.g., single member LLC, sole proprietorship). **DO NOT list a Social Security number.**

- A. Primary Permittee Name** - Provide the complete, legal name of the person or entity (company) that will be the Primary Permittee (Owner/Operator, O/O) for the project. If a person, provide the Title or Position. If a company, provide the complete, legal name of the company. Do not list the D/B/A (Doing Business As) name. NOTE: If S.C. Department of Transportation (SCDOT) is the O/O, this NOI form should NOT be used. Provide the complete mailing address of the person/company identified in II.A as the Primary Permittee.
- B. Contact/ODSA Name** - Complete if different from II. A or O/O is a company. Provide the complete legal name of the person identified as the Contact or Operator of Daily Site Activities (ODSA) for the project. This can be someone other than the person that has signatory authority for the company. Often the Contact person is also referred to as the ODSA. Provide the complete mailing address for the person, other than the permittee, Anderson County or DHEC may contact. This address can be different from the mailing address entered for the O/O.
- C. Property Owner Name** - If different from II.A or B, list the complete, legal name of the current Property Owner(s) of the site. Enter the complete mailing address for the Property Owner. **NPDES coverage will be issued to the Primary Permittee identified in Section II.A, not the Property Owner, unless same entity.** If there are multiple Property Owners, attach additional sheets with all information requested in Section II.C.

### III. **Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information**

- A. C-SWPPP Preparer Name** - Provide the name of the C-SWPPP Preparer for this project.
- B. Registered Professional** - Identify whether the C-SWPPP Preparer is a Registered South Carolina Professional Engineer, Tier 8 Surveyor, or Landscape Architect. For projects disturbing more than 2 acres, the C-SWPPP preparer must be one of the listed professionals or federal government employee as described in Title 40, Chapter 22, and as required and allowed by the qualified individual's respective act and regulations.
- C. Company/Firm Name** - Provide the complete, legal name of the company and S.C. Certificate of Authorization (S.C. COA number). Enter the complete mailing address. Anderson County and DHEC may contact the C-SWPPP Preparer via email. See the following websites for information about COA requirements for Landscape Architecture firms <http://www.dnr.sc.gov/land/LandscArch/LALicense.html> and Engineering and Surveying firms <http://www.ltr.state.sc.us/POL/Engineers/>. Enter N/A for S.C. COA if the firm is not required to have a COA.

### IV. **Project/Site Information**

- A. Type of Construction Activity(ies)** - Select **ALL** activity types that best describe the development proposed for the site. "Institutional" includes schools and other publicly owned projects, except linear projects. "Site Preparation" includes clearing, grubbing, and grading only; no new impervious areas should be proposed if this activity type is selected. If none describe the development, then select "Other" and list the activity.
- B. Site Address/Location** - List the site address. If the site address is unknown, list the road name(s) on which the site is located, the nearest intersection, or other detailed description of the site location. List a city/town only if the site is within the city/ town limits. List zip code (if known). Provide the latitude/longitude and tax map numbers. See the following website for assistance in obtaining latitude/ longitude coordinates: [http://www.epa.gov/tri/report/siting\\_tool/index.htm](http://www.epa.gov/tri/report/siting_tool/index.htm). Latitude (from 32° to 35°) and longitude (-78° to -83°) should be for the center of the site. Minutes (') and seconds (") should be from 0 to 59. Identify the lat/long data source.
- C. Indian Lands** - Identify if this site is located on Indian lands.
- D. Proposed Start Date/Completion Date** - Provide proposed project start and completion dates.
- E. Disturbed Area/Total Area** - Enter the disturbed area for the project and the total area for the site. The disturbed areas must be rounded to the nearest tenth of an acre. For subdivisions, if the exact build-out is not known, the disturbed area can be estimated using the following equation:  

$$\text{Disturbed area} = 2(\text{Maximum Footprint of House})(\# \text{ of lots}) + \text{Road/ Right-of-Way areas} + \text{Other easements/ disturbance.}$$
**NOTE: Provide written notification if the actual disturbed area exceeds the disturbed area on the approved NOI.**
- F. Modification Only: Change to Disturbed Area** - If your modification to a prior approved project will increase or decrease the disturbed area, complete this section and see Section I of the Instructions. Enter the current approved disturbed area and proposed increase (+) or decrease (-) to the disturbed area. If "No" change, enter 0.0. Enter the new total disturbed area (after change). Round each entry to the nearest tenth of an acre.
- G. Larger Common Plan for Development or Sale (LCP)** - The plan in LCP is "broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot." [63 Federal Register No. 128, July 6, Page 6 1998, p. 36491] For example, if master calculations have been prepared and/ or submitted for an entire site, then all phases and parcels at that site would be considered part of an LCP. If the site is part of a subdivision, industrial park, commercial park, etc., then it is considered to be part of an LCP. List a unique, distinguishing LCP/ Overall Development name. This name should not reference a specific phase. This LCP/ Overall Development name should also be listed on all NOIs for future projects that are part of this LCP, including subsequent phases. Check the box if this is the first phase of the LCP. List the previous state permit/ file number and previous NPDES coverage number if applicable. (**DO NOT** enter SCRI00000). If not known, contact DHEC for assistance.

- H. **Flooding Problems** – Identify whether flooding problems exist on the site, or downstream or adjacent to the site. If "Yes", provide detailed explanation of the extent and impact in your C-SWPPP. **NOTE: All C-SWPPP applications must include a Floodway Map/FEMA Flood Insurance Map (See Checklist) with an outline of the project boundary on the map. NOTE: The Anderson County Development Standards Department regulates the placement of fill in floodplains.**
- I. **Active S.C. DHEC or Anderson County Warning Notice/Notice to Comply/Notice of Violation** – Select yes if DHEC or Anderson County has issued a Warning Notice, Notice to Comply, or Notice of Violation for the site or any site within the LCP. Provide additional information about the Notice (e.g., Order number) and a copy of correspondence with DHEC or Anderson County regarding the Notice in your C-SWPPP.
- J. **State and Federal Environmental Permits or Approvals** – List relevant state and federal permits applied for. See § 122.21(f) of S.C. Regulation 61-9 <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> for a list of permits, approvals, and programs that should be considered. If inaccurate, NPDES coverage may be invalid.
- K. **Waiver(s)** - Identify any waivers requested for your project or construction site. Provide details and required justifications in the C-SWPPP.

## V. Waterbody Information

### A. Receiving Waterbody(s) (RWB) Information

1. The **Nearest** receiving waterbody (RWB) is the nearest Waters of the State (WoS). See definition in §122.2 of S.C. Regulation 61-9 - <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> to which the site's stormwater discharges will drain. The nearest RWB must be listed in reference to a named waterbody, if the RWB is unnamed. For example, if the site's stormwater discharges drain to a stream on the site, then the nearest RWB would be the stream. If the stream is not named, then determine the nearest named waterbody (e.g., Grove Creek) into which the stream will flow and list the nearest RWB as a tributary to the named waterbody (e.g., Tributary to Grove Creek). Then, the **Next Nearest** named RWB would be Grove Creek. If the site's stormwater discharges drain to multiple waterbodies, then list all such waterbodies; attach additional sheets, if necessary.
2. Provide the **distance**, in feet to each receiving waterbody.
3. Provide the **classification** for each named waterbody. See S.C. Regulation 61-69 (<http://www.scdhec.gov/environment/water/regs/r61-69.pdf>) for a list of classifications of waterbodies within S.C. If the nearest RWB is unnamed, then search the document for the nearest named RWB. If the nearest, named RWB is not listed, then continue searching the document for the next, named waterbody, proceeding downstream from the site. For example, a site in Anderson County drains to a tributary of Hornbuckle Creek, then to Hornbuckle Creek, then to Middle Branch, and then to Brushy Creek/ Big Brushy Creek. First, search the document for Hornbuckle Creek, then Middle Branch, then Brushy Creek. Because there are 3 listings for Brushy Creek, the next, named waterbody (Saluda River) must be determined. Note that the county for this record for Brushy Creek is listed as Pickens because the headwaters of Brushy Creek are in Pickens County. The classification of the tributary to Hornbuckle Creek is "FW—Freshwaters".

### B. Waters of the U.S./State Information

1. Complete the "On the Site?" column for items a-d. If "Yes" is selected for that column, then the next 3 columns must be completed. If there are other waters of the U.S./ State (WoS) on the site not listed in items a and b (e.g., stream, river, lake, pond), then list those in item c. Jurisdictional wetlands are under ACOE jurisdiction.
2. **Delineation** means identification by U.S. Army Corps of Engineers (USACOE) or wetlands consultant. Also, see the Stormwater Management and Sediment and Erosion Control Plan Review Checklist for Design Professionals for information about delineation requirements. If there are WoS within 100' of the disturbed area that were not delineated/identified, then explain this in the narrative; this includes WoS that are not on the project site but are within 100' of the disturbed area.
3. **Impacts** - If construction activities will occur in and/ or will impact WoS, then select yes for "Impacts?"
4. **Amount of Impacts** - List the amount of impacts to WoS. Provide an additional, separate plan sheet that shows all WoS on the site and the impacted areas. If there are proposed impacts to WoS, please contact USACOE (866-329-8187) and S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section (803-898-4300) to determine additional requirements before submitting this NOI. **Please note that it is the Project Owner/ Operator's responsibility to ensure that all WoS are shown and identified in the C-SWPPP.**
6. If "Yes" for Impacts in B.3, **describe each impact and activity, and list all permits** (e.g., U.S. Army Corps of Engineers (USACOE) Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact. Describe the activity(s), whether the impact is permanent or temporary, and any other relevant information. Provide a copy of all permits and certifications for and correspondence with USACOE and DHEC for the impacts. Include all plats referenced in the permits or correspondence.



**C. S.C. Navigable Waters (SCNW) Information**

1. **Are SCNW on the site?** See <http://www.scdhec.gov/environment/water/navwater.htm> for the definition of SCNW and other information related to SCNW. Or, contact S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section at (803) 898-4300 for assistance determining the navigability of the waters on your site or with questions related to SCNW. If **"Yes" to C.1**, list the **name of the SCNW**. If the SCNW is not named, then provide a description that references the nearest, named waterbody (e.g., tributary to Grove Creek). If **"No" to C.1**, do not complete questions C.2 thru C.3 of this section.
2. If **"Yes" to C.1** and construction activities proposed by your project will cross over or occur in, under, or thru the SCNW, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.). This includes temporary and permanent crossings with roads, utility lines, etc.
3. Identify permits providing SCNW Activity(ies) coverages for your site.
  - a. Identify proposed activities covered under a DHEC General Permit or other DHEC permit. Identify permit number(s) and corresponding activities covered under each. See the following website for a list of DHEC General Permits for activities in some SCNW: <http://www.scdhec.gov/environment/water/docs/gp/gp.xls>. See the "Notes" column to determine what types of activities are covered under each permit.
  - b. Identify **USACOE 404 Permit or 401 Certification** issued for the site. Identify permit number(s) or certification(s) and corresponding activities covered under each.
  - c. If applicable, identify the date the **SCNW permit** was applied for. Identify whether the permit applied for will cover ALL activities listed in C.2 of some activities listed in C.2. List covered activities.
  - d. If a **SCNW permit** has NOT already been applied for or issued for all of the activities in SCNW for this site, then those activities and conditions can be addressed during the review of the C-SWPPP, and a separate State Navigable Waters permit is not required. **Provide an additional plan sheet with plan and profile views (drawn to scale) of SCNW and associated activities; include activities description on the plan sheet.**

**D. Impaired Waterbodies Information (Section 3.2.12 of the CGP)**

**NOTE:** The TMDL, 303(d), and Non-Point Source water quality tool is a mapping system showing detailed information on WQMS locations, water quality status, and much more. The tool is available at the following website along with instructions for using the tool: <http://www.scdhec.gov/environment/water/tmdl/>.

**1. 303(d) Listed Impaired Waterbodies**

- a. List the **nearest SCDHEC Water Quality Monitoring Station(s)** to which the site's construction stormwater discharges will drain and its **corresponding waterbody**. See the following website for the most current 303(d) List for Impaired Waters and related information: <http://www.scdhec.gov/environment/water/tmdl/>. **NOTE: DHEC has determined that construction SW discharges are expected to contain pollutants causing the following impairments: TURBIDITY, BIO (Macroinvertebrate), TP (Total Phosphorus), TN (Total Nitrogen), Chlorophyll-a, and FC (Fecal coliform) in Shellfish Harvesting Waters in the SCCZ.** Carefully evaluate whether the site's construction SW discharges will contain any pollutants causing other impairments not explicitly listed above. You should also consider previous land uses at the site in answering this question. For example, if the previous land use was a copper processing facility and the impairment at the nearest WQMS is copper, then you should carefully evaluate whether the site's construction SW discharges would contain copper.
- b. Identify whether this **WQMS is listed on the most current 303(d) List**. The 303(d) list is available in Microsoft Excel and Adobe Reader formats. WQMS locations are available for each watershed at the website provided in 1.a as well using the **TMDL, 303(d), and Non-Point Source water quality tool**. To search the 303(d) list to determine whether a WQMS is listed, select "Edit" from the top toolbar of your web browser. Then, select "Find". Enter the WQMS exactly as listed on the map and hit enter. **If none of the WQMS(s) are found, then select "No" and proceed to item V.D.2 (TMDL Impaired Waterbodies). If any of the WQMS(s) are found, then select "Yes" and proceed to item c.**
- c. If **"Yes" for b**, list the impairment(s) or pollutants identified as cause(s) of the impairment (see last column labeled "CAUSE") for the WQMS(s) and proceed to item d.
- d. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). **If "No" for d, proceed to item V.D.2 (TMDL Impaired Waterbodies). If "Yes" to d and the receiving water is listed on the most current 303(d) List of Impaired Waters** for a sediment or a sediment-related parameter, BIO (macroinvertebrate), turbidity, Total Phosphorous, Total Nitrogen, Chlorophyll-a, or Fecal coliform in Shellfish Harvesting Waters in the SCCZ. You must carefully evaluate all selected BMPs and their performance to ensure that the construction site's Stormwater discharges will not contribute to or cause a violation of water quality standards. **If "Yes" for d and the disturbed area is less than 25 acres**, include an evaluation of the Best Management Practices (BMPs) proposed for the site as described in Section 3.2.12.B(I) of the CGP in the C-SWPPP. **If "Yes" for d and the disturbed area is greater than or equal to 25 acres**, then provide a written qualitative and quantitative assessment of the BMPs proposed in the C-SWPPP for the site as described in section 3.2.12.B(II) of the CGP. For more information on this subject, please see the DHEC publication entitled "Antidegradation for Activities Contributing to NonPoint Source Pollution to Impaired Waters." This publication can be downloaded at the following DHEC WEB site [www.scdhec.gov/eac/water/pubs/antidegnps.pdf](http://www.scdhec.gov/eac/water/pubs/antidegnps.pdf).

- e. If "Yes" to d, list the "USE" support impairment (AL, FISH, REC, SHELLFISH) affected by the pollutant or impairment listed in item c.
- f. If "Yes" for d, will use of the BMPs proposed for your project ensure the stormwater discharges leaving the site will NOT contribute to or cause water quality standard violations for the impairment(s) listed in c?  
**NOTE: If your answer to item f is "No", this site is NOT eligible for coverage under the CGP.** You may contact Anderson County or DHEC to determine if an individual permit application is necessary or you may revise your project to include appropriate Best Management Practices, controls, and procedures to bring your discharge into compliance.

**2. TMDL Impaired Waterbodies**

- a. List the nearest SCDHEC water quality monitoring station(s) to which the site's construction stormwater discharges will drain. List WQMS identified in part V.D.1.a of this table.
- b. Identify whether a TMDL is listed for this WQMS. **NOTE:** See the following website for a list of all WQMS with Approved S.C. Total Maximum Daily Loads (TMDLs): <http://www.scdhec.gov/environment/water/tmdl/>. Select "Approved SC TMDLS", then select "Sites Covered Under an Approved TMDL and Corresponding WQ Attainment Status". Select "Edit" from the top toolbar. Then, select "Find". Enter the WQMS exactly as listed and hit enter. If a WQMS is NOT found, then select "No." Stop and proceed to Section VI.  
If a WQMS is found, then select "Yes" and proceed to item c.
- c. If "Yes" for b, identify and list the impairment(s) or pollutants listed as CAUSE(S) of the impairment (see 7th column labeled "CAUSE") and proceed to item d. If the WQMS(s) is impaired for more than one parameter, then the WQMS will be listed multiple times on successive rows.
- d. If "Yes" for b, identify whether the standard has been ATTAINED for the impairment(s). **NOTE:** See the 8th column labeled "USE SUPPORT" to determine if the standard has been attained for each impairment for each WQMS. "FULLY SUPPORTED" means the standard has been attained for the impairment listed in the "CAUSE" column. "NOT SUPPORTED" means that the standard has NOT been attained for that impairment. If "No" for d (the standard has NOT been attained (NOT SUPPORTED) for all impairments for all WQMS(s)), proceed to item e. If "Yes" for d (the standard has been attained for all impairments for all WQMS(s)), proceed to Section VI.
- e. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). If "No" for e, proceed to Section VI. If "Yes" for e, proceed to f.
- f. If "Yes" for e, are your discharges consistent with assumptions and requirements of the TMDL(s)? **NOTE: If your answer to item f is "No", this site is NOT eligible for coverage under the CGP.** You may contact Anderson County or DHEC to confirm that adherence to a C-SWPPP that meets the requirements of the CGP will be consistent with the TMDL. Where a TMDL has not specified a WLA applicable to construction stormwater discharges, but has not specifically excluded these discharges, adherence to a C-SWPPP that meets the requirements of the CGP will generally be assumed to be consistent with the approved TMDL. If the TMDL specifically precludes such discharges, the site is not eligible for coverage under the CGP.

**VI. Signatures and Certifications** **DO NOT SIGN IN BLACK INK!** The NOI must have original signatures unless the application being submitted to DHEC is one approved by an MS4.

**C-SWPPP Preparer** - The same registered professional must sign and seal the NOI form, C-SWPPP, calculations, and supporting documentation.

**Primary Permittee** - If the Primary Permittee or Project Owner/ Operator is a company, print the name of the person who is signing the NOI for the Owner/ Operator. A person with signatory authority for the Owner/ Operator must sign the application. The C-SWPPP Preparer cannot sign the application for the Owner/ Operator. The C-SWPPP, all reports, including monthly reports, and any information requested by DHEC must be prepared under the direction or supervision of a person with signatory authority for the Owner/ Operator or a duly authorized representative.

See below for a summary and §122.22 of S.C. Reg. 61-9 (Appendix C of the CGP) for complete information about signatory authority requirements.

- Corporation: A responsible corporate officer (e.g., president, vice-president, certain managers).
- Partnership or Sole Proprietorship: A general partner or the proprietor, respectively.
- Municipality, State, Federal or Other Public Agency: Principal executive officer or ranking elected official.



**NOTICE OF INTENT (NOI)**  
**For Coverage(s) of Primary Permittees**  
**Under Anderson County Code of Ordinances Chapter 24, Article V. and**  
**South Carolina NPDES General Permit**  
**For Stormwater Discharges From Construction Activities SCR100000**

**For Official Use Only**

File Number: \_\_\_\_\_  
Permit Number: **SCR10** \_\_\_\_\_  
Submittal Package Complete: \_\_\_\_\_

(Maintain As Part of On-Site SWPPP)

Submission of this Notice of Intent constitutes notice that the Applicant identified in Section II intends to be authorized as a Primary Permittee in the state of South Carolina under NPDES General Permit SCR1000000. Fees required for review and NPDES coverage of each application type are as listed on page 2 of the Instructions.

Date: \_\_\_\_\_  
Project/Site Name: \_\_\_\_\_ County: \_\_\_\_\_  
(Modification or Change of Information Only) Prior Approved NPDES Permit or File Number: \_\_\_\_\_  
Prior Approved Anderson County Stormwater Permit Number: \_\_\_\_\_

**I. Notice of Intent (NOI) Application Type(s)**

**A. Project (Application/Review) Type(s)** (Select **ALL** that apply):

- ☐ New Project (Initial Notification)      Ongoing Project: ☐ Permitted or ☐ Un-Permitted  
☐ Late Notification      ☐ Low Impact Development (LID) or Project Design Above Regulatory Requirements  
☐ New Owner/Operator or Company Name Change (see Instructions, attach Form A (Transfer of Ownership))  
☐ Major Modification  
☐ MS4 Project Review  
☐ Change of Information/Other (Specify): \_\_\_\_\_

**B. If Applicable, identify additional entities designated as MS4 Reviewer and MS4 Operator (i.e., City of Anderson)**

MS4 Reviewer \_\_\_\_\_

MS4 Operator \_\_\_\_\_

**II. Primary Permittee Information** ☐ **Change of Information**

☐ Person or ☐ Company

If a Company, are you a ☐ Lending Institution or ☐ Government Entity?  
Company EIN (if applicable): EIN: \_\_\_\_\_

- A. Primary Permittee Name:** \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_
- B. Contact /ODSA Name** (If different from above OR if owner is a company): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_
- C. Property Owner Name** (If different from above): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

**III. Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information** ☐ **Change of Information**

- A. C-SWPPP Preparer Name:** \_\_\_\_\_
- B. Registered Professional** ☐ Engineer ☐ Landscape Architect ☐ Tier B Land Surveyor **S.C. Registration #:** \_\_\_\_\_
- C. Company/Firm Name:** \_\_\_\_\_ **S.C. COA #:** \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

**IV. Project/Site Information** ☐ **Change of Information**

**A. Type of Construction Activity(ies)** (Select **ALL** that apply):

- ☐ Commercial ☐ Industrial ☐ Institutional ☐ Mass Grading ☐ Linear ☐ Utility/Infrastructure  
☐ Residential: Single-family ☐ Residential: Multi-family ☐ Multi-use (Commercial & Residential)  
☐ Site Preparation (No New Impervious Area) ☐ Other (Specify) \_\_\_\_\_

- B. Site Address/Location** (street address, nearest intersection, etc.) \_\_\_\_\_  
City/Town (if in limits): \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Latitude: \_\_\_\_° \_\_\_\_' \_\_\_\_" N Longitude: - \_\_\_\_° \_\_\_\_' \_\_\_\_" W (Source): ☐ GPS ☐ Web Site: \_\_\_\_\_  
**Tax Map Number (s)** (List all): \_\_\_\_\_



- C. Is this site located on Indian Land? ☐ Yes ☐ No
- D. **Proposed Start Date:** \_\_\_\_\_ **Proposed Completion Date:** \_\_\_\_\_
- E. **Disturbed Area** (nearest tenth of an acre): \_\_\_\_\_ **Total Area** (nearest tenth of an acre): \_\_\_\_\_
- F. **Modification Only:** (nearest tenth of an acre): **Disturbed Area: Current (Approved) Area:** \_\_\_\_\_  
**Disturbed Area Change (Increase Only):** \_\_\_\_\_ **Total Disturbed Area (After Change):** \_\_\_\_\_
- G. Is this project part of a **Larger Common Plan for Development or Sale (LCP)**? ☐ Yes ☐ No  
**LCP/ Overall Development Name:** \_\_\_\_\_ Check here if this is the **First Phase.** ☐  
**Previous State Permit/File Number:** \_\_\_\_\_ **Previous NPDES Coverage Number:** SCR10 \_\_\_\_\_  
**Previous Anderson County Permit/File Number:** \_\_\_\_\_
- H. Any **Flooding Problems** exist downstream of or adjacent to this site? ☐ Yes ☐ No (If "Yes", provide detailed description of flooding problems and applicable floodway/flood zone information in the C-SWPPP).
- I. Active **S.C. DHEC or Anderson County Warning Notice, Notice to Comply or Notice of Violation** for this site or LCP?  
☐ Yes ☐ No
- J. List Relevant **State and Federal Environmental Permits or Approvals** applied for or obtained for this site (e.g., RCRA, USACOE, Nationwide, etc.). If None, list None.
- K. **Any Waiver(s)/Variances/Exceptions Requested for this Project?** (If "Yes", identify below and include **Waiver Request and Justifications** in the C-SWPPP for each proposed request).

1. Small Construction Activity Waiver(s) From NPDES permitting (Section 1.4 & Appendix B)? ☐ Yes ☐ No  
If "Yes", identify requested waiver: ☐ Rainfall Erosivity Waiver ☐ TMDL Waiver ☐ Equivalent Analysis Waiver
2. Detention Waiver (72-302(B))? ☐ Yes ☐ No
3. Other (Specify): \_\_\_\_\_

**V. Waterbody Information** (Attach additional sheet(s) as needed) ☐ **Change of Information**

- A. **Receiving Waterbody(s) (RWB) Information** (List the nearest and next nearest receiving waterbodies to which the sites stormwater discharges will drain. If stormwater discharges drain to multiple waterbodies, list all such waterbodies).

| 1. Name of Receiving Waterbodies (RWB) | 2. Distance to RWB (feet) | 3. Classification of RWB |
|--|---------------------------|--------------------------|
| a. Nearest: _____                      |                           |                          |
| b. Next Nearest: _____                 |                           |                          |
| c. Other Waterbodies: _____            |                           |                          |

- B. **Waters of the U.S. / State Information** (Attach additional sheet(s) as needed)

| Waters of the U.S. / State     | 1. On the site?  | 2. Delineated/ Identified?                               | 3. Impacts?  | 4. Amount of impacts |
|--------------------------------|--|--|--|----------------------|
| a. Jurisdictional wetlands     | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | ____ Ac              |
| b. Non-jurisdictional wetlands | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | ____ Ac              |
| c. Other Water(s): _____       | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | ____ Ac _____ Feet   |

5. If "Yes" for impacts in B.3, describe each impact and activity, and list all permits (e.g., USACOE Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact:

- C. **S.C. Navigable Waters (SCNW) Information** DHEC will address any issues related to State Navigable Waters' Program under SC Regulation 19-450 during the review of the C-SWPPP for activities that will **NOT** require a 404 permit or a 401 certification. (Attach additional sheet(s) as needed).

1. Are **S.C. Navigable Waters (SCNW)** on the site? ☐ Yes ☐ No  
a. If "No", do not complete this question. Proceed to Section D (Impaired Waterbodies).  
b. If "Yes", provide the name of S.C. Navigable Waters (SCNW) on the site: \_\_\_\_\_
2. If "Yes" for C.1, will construction activities cross over or occur in, under, or thru the SCNW? ☐ Yes ☐ No  
If "Yes", describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.) and proceed to Section C.3: \_\_\_\_\_
3. Identify permits providing coverage of SCNW activities proposed for your site. If NONE, list none.
- | Permits/Certifications   | Permit or Certification No. | Corresponding Covered SCNW Activity(ies)  |
|--|-----------------------------|---|
| a. DHEC General/ Other DHEC Permit   |                             |   |
| b. USACOE 404 Permit or 401 Certification  |                             |   |
| c. SCNW Permit<br>If applied for or issued, identify Date applied for or issued: _____ |                             | <input type="checkbox"/> All Activities or <input type="checkbox"/> Some Activities (Describe): _____ |
- d. If a SCNW Permit has **NOT** been applied for provide an additional plan sheet that shows plan and profile views (drawn to scale) of the SCNW and associated activities. Include a description of all proposed activities on this plan.

**D. Impaired Waterbodies Information** (Attach additional sheet(s) as needed)

**1. 303(d) Listed Impaired Waterbodies**

| a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4 and the Name of the Corresponding Waterbody? | b. Is this WQMS(s) listed on the most current 303(d) List? If "No", proceed to Section 2 of this table. If "Yes", complete items c thru f. | c. List the pollutant(s) identified as "CAUSES" of the impairment. | d. Will any pollutants causing the impairment be present in your site's construction stormwater discharges? | e. If "Yes" for d, list the "USE SUPPORT" impairment(s) affected by the pollutant(s) identified in c. |
|--|--|--|---|---|
| Nearest DHEC WQMS(s)   | Corresponding Waterbody  |  |   |   |
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No   |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No   |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No   |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |

f. If "Yes" for d above, will use of the BMPs proposed for your project ensure the site's discharges will **NOT** contribute to or cause further WQS violations for the impairment(s) listed in c? ☐ Yes ☐ No

(NOTE: If "No" for f, this site is NOT eligible for coverage under the CGP). See Instructions.

**2. TMDL Impaired Waterbodies**

| a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4? | b. Has a TMDL(s) been developed for this WQMS(s)? If "No", identify as such below and proceed to Section VI. If "Yes", complete items c thru f of this table. | c. If "Yes" for b, what pollutants are listed as "CAUSES" or causing the impairment? | d. If "Yes" for b, has the standard been "ATTAINED" or "Fully Supported" for the impairment(s)? | e. If "No" for d (Not Attained), will any pollutants causing the impairment be present in your site's construction stormwater discharges? |
|--|---|--|---|---|
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |
|  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No  | <input type="checkbox"/> Yes <input type="checkbox"/> No  |

f. If "Yes" for e above, are your discharges consistent with the assumptions and requirements of the TMDL(s)? ☐ Yes ☐ No

(NOTE: If "No" for f, this site is NOT eligible for coverage under the CGP). See Instructions.

**VI. Signatures and Certifications** DO **NOT** SIGN IN BLACK INK! Read the Certifications below (in entirety). Provide date, printed name, and signatures below. If you are a New Owner/Operator, as Primary Permittee you must also sign and date the applicable Comprehensive SWPPP Acceptance & Compliance Agreement below.

**C-SWPPP PREPARER:** "One copy of the C-SWPPP, all specifications and supporting calculations, forms, and reports are herewith submitted and made a part of this application. I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000." (This should be the person identified in Section III).

Printed Name of C-SWPPP Preparer

Signature of C-SWPPP Preparer

S.C. Registration #

**PRIMARY PERMITTEE:** "I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that DHEC enforcement actions may be taken if the terms and conditions of the C-SWPPP are not met and I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I or I (on behalf of my company and its contractors and agents), as the case may be, also hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I also certify that a responsible person will be assigned to the project for day-to-day control. I hereby grant authorization to the to S.C. Department of Health and Environmental Control (DHEC) and/or Anderson County the right of access to the site at all times for the purpose of on site inspections during the course of construction and to perform maintenance inspections following the completion of the land-disturbing activity." (See Section 122.22 of S.C. Reg. 61-9 for signatory authority information.) Having understood the above information, I am signing this certification as Primary Permittee to the aforementioned NPDES general permit."

Printed Name of Primary Permittee

Title/Position

Signature of Primary Permittee

Date Signed

## FEE SCHEDULE

The schedule should be attached to the NOI. Do not send payment in window envelope. **DO NOT MAIL CASH.** Anderson County or DHEC will notify the Project Owner/ Operator if the submitted check or credit card payment cannot be processed. **The review clock will start when acceptable payment is received.**

| 1. Identify (✓) the DHEC Project Review Type(s)<br>Enter NPDES Coverage Fee of \$125 in the right-hand column if <u>any</u> of the following project/review types apply to this application. Proceed to Item 2.  | (✓)                      | NPDES Coverage Fee |
|--|--------------------------|--------------------|
| <b>a. Project or LCP (Item IV.G) that will ultimately disturb one (1) acre or more</b><br><b>Note:</b> If your project will ultimately disturb less than one (1) acre <u>AND</u> is <u>NOT</u> a part of a Larger Common Plan, coverage under SCR100000 is <u>not</u> required; see <a href="http://www.scdhec.gov/administration/library/d-2628.pdf">http://www.scdhec.gov/administration/library/d-2628.pdf</a> (Notification Form for Sites Disturbing Less Than 1-Acre Not Part of a Larger Common Plan, Non-Coastal County"). | <input type="checkbox"/> | \$ _____.00        |
| <b>b. New Owner/Operator (Transfer of Ownership)/Company Name Change</b><br>(\$125 NPDES Coverage fee is required by DHEC for Transfers of Ownership and Company Name Changes)   | <input type="checkbox"/> |                    |
| <b>c. Unpermitted Ongoing Project or Late Notification</b>   | <input type="checkbox"/> |                    |
| <b>d. MS4 Project Review (Item I.A and I.B)</b> (\$125 payable to DHEC)  | <input type="checkbox"/> |                    |
| <b>e. Other (Specify):</b> _____   | <input type="checkbox"/> |                    |

| 2. Determine the Project Review Fees  |  |                            |
|---|--|----------------------------|
| PROJECT OR LCP THAT WILL ULTIMATELY DISTURB ONE (1) ACRE OR MORE  | (✓)  | Review Fees                |
| <b>a. Enter the disturbed area (Item IV.E) for this project. Proceed to Items 2.b and 2.c.</b>  |  | (Nearest tenth of an acre) |
| <b>b. Will this project or LCP (Item IV.G) ultimately disturb more than 1.0 acres</b>   | <input type="checkbox"/> Yes <input type="checkbox"/> No |                            |
| <b>c. Is this project exempt from S.C. Reg. 72-300 et seq.?</b>   | <input type="checkbox"/> Yes <input type="checkbox"/> No |                            |
| <p>1. If this project <u>will not</u> ultimately disturb more than 1.0 acre, and is not part of an LCP, your project is automatically covered under the NPDES permit and the NPDES coverage fee and review fee are not required. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Non- Coastal Counties".</p> <p>2. If this project <u>will</u> ultimately disturb more than 1.0 acre, proceed to Item 2.d.</p> |  |                            |
| <b>d. Enter the project review fees (\$850 base fee plus \$300/disturbed area) in the right-hand column. (Multiply the disturbed area (Item 2.a) by \$300/disturbed area plus \$850).</b>   |  | \$ _____.00                |

| 3. Determine the Anderson County Major Modification Fees  | (✓)  | Mod. Fees   |
|---|--|-------------|
| <b>a. Is there a major modification as a part of this submittal?</b><br>If "Yes", fee is \$500 and proceed to 3.b. If "No", proceed to 4.   | <input type="checkbox"/> Yes <input type="checkbox"/> No | \$ _____.00 |
| <b>b. Are there additional acres of disturbed area in the modification?</b>   | <input type="checkbox"/> Yes <input type="checkbox"/> No |             |
| <b>c. If part 3.b is yes, enter how many additional acres of disturbed area. (Nearest tenth of an acre) Multiply the additional disturbed acres added during the modification by \$200.</b> | _____ acres  | \$ _____.00 |
| <b>d. Enter the application fee (\$500 base fee plus \$300/disturbed area) in the right-hand column. (Add the values calculated in 3.a and 3.c).</b>  |  | \$ _____.00 |

|  |             |
|--|-------------|
| <b>4. Required Fees for DHEC and Method of Payment</b> Add the value in the right-hand column of Item 1. | \$ _____.00 |
|--|-------------|

### Identify the Method of Payment:

☐ **Payment by Check:**

DHEC will contact you to provide instructions and the invoice number necessary for check payment after Anderson County completes the review process. Please provide an email address where the invoice number may be sent: \_\_\_\_\_  
(Do not send the DHEC payment to Anderson County.)

☐ **Payment by Credit Card:** (Check here if you wish to pay via credit card using the on-line payment system).

DHEC will contact you to provide instructions and the invoice number necessary for online payment. Please provide an email address where the invoice number may be sent: \_\_\_\_\_

|   |             |
|---|-------------|
| <b>5. Required Fees for Anderson County and Method of Payment</b><br>Add the values in the right-hand columns of Items 2.d and 3.d. | \$ _____.00 |
|---|-------------|

Attach a **signed and dated check payable to Anderson County** to the front of this Fee Schedule. Please note that all checks must be **less than 30 days old**.

(Anderson County and DHEC will not review this project until all required fees are received).

**For official use only:** Invoice Number \_\_\_\_\_



## Instructions for Completing the Notice of Intent (NOI)

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges from Construction Activities, SCR100000 (CGP), if you cannot access the websites listed on the NOI and instructions, or if you have any other questions, contact the Stormwater Permitting Section (SWP) at (803) 898-4300. Please see the Bureau of Water, Stormwater Permitting website (BOW-SPWS): <http://www.scdhec.gov/environment/water/swater/> for guidance and additional information regarding the CGP.

### Who Must File a NOI:

- This form is only applicable to the unincorporated areas of Anderson County and inside the City of Belton.
- **If S.C. Department of Transportation (SCDOT) is the Primary Permittee (Owner/ Operator), this NOI form should not be used.**
- The Owner/ Operator of a single project or larger common plan for development or sale (LCP—see item IV.G of instructions) that will ultimately disturb 1 acre or more (all counties).
- See the **BOW-SPWS** for "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties".

### Where to File:

See the **BOW-SPWS** for a current list of the areas that are reviewed by Municipal Separate Storm Sewer System (MS4) operators and entities that have delegated review authority. For projects in these areas, the initial submittal should be made to the MS4 operator; if initial submittal is made to DHEC for projects in these areas, the review process may be delayed. Please contact the appropriate entity for additional information and requirements; for example, the MS4 operator may require that a different application form be submitted. If a project crosses jurisdictional boundaries (e.g., sewer line in Greenville County and the city of Mauldin), then submittals to all appropriate MS4 operators, delegated entities, and DHEC must be coordinated.

| Projects Located In Unincorporated Areas of Anderson County and Inside the City of Belton |   | All Other Areas                |
|---|---|--------------------------------|
| Anderson County<br>Stormwater Management<br>1428 Pearman Dairy Rd.<br>Anderson, SC 29625  | Delivery by USPS:<br>Anderson County Stormwater Mgmt<br>PO Box 8002<br>Anderson, SC 29622 | Refer to DHEC<br>NOI Form 2617 |

### Submittal Package for SWPPP and CSWPPP:

- **When performing a full technical review**, you must include the original, signed NOI form, fee schedule with required fees, one (1) copy of the Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP), and one (1) of all other supporting documentation with the initial submittal.  
**These documents must also be submitted in electronic format as Adobe PDF files on USB supported media. A submission is not considered complete until all forms in both formats are received.**
- **For projects ultimately disturbing more than 1 acre**, the Stormwater Management and Sediment and Erosion Control Plan Review Checklist For Design Professionals must be completed and attached. If this project will NOT ultimately disturb more than 1.0 acre AND is not part of an LCP, your project is automatically covered by the NPDES Permit. Fees are not required. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance – Non-Coastal Counties.
- **For Modification projects where Anderson County performs a technical review**, see Section I of the instructions. Complete the applicable sections of the NOI Form. Submit an original, signed NOI form, appropriate fee schedule (C) with required fees, one (1) copy of SWPPP revisions, and one (1) copy of all other supporting documentation, including necessary engineering calculations. **No review clock is required for Modification reviews.**

### Fee Schedules:

Make sure to answer all applicable questions on the appropriate Fee Schedule. Complete Fee Schedule A for Non-Coastal projects. **Attach Form A, as required, for Transfer of Ownership.**

### Office Mechanics and Filing:

The original NOI form and supporting documentation will be kept in the Anderson County Stormwater Management files.

**Date:** Enter today's date.

**Project/Site Name:** The Project/ Site Name should be a unique or distinguishing name (e.g., not Proposed Subdivision).

**NOTE:** Anderson County and DHEC must be notified in writing if the Project/ Site Name changes.

**County:** If the project is in multiple counties, list the county in which the majority of the site is located.

See the "Where to File" section. List the other counties in which the site is located in the C-SWPPP.

**Prior Approved NPDES Permit Number (Major Modification or Change of Information Only):** Provide the NPDES permit number (SCR number) or File Number previously assigned to the project or LCP.

## **I. Notice of Intent (NOI) Application Type(s)** (See Section 2.4 of CGP for submission deadlines and notification requirements).

- A. Project (Application) Type** - Select **ALL** applicable application types that best describe your project or application. Section 2 of the Construction General Permit (CGP) may be reviewed for further information on each type of application listed in this section. As an example, if your project is one that is a new startup, then "New Project" should be selected. If your project is a new startup that will be located in Beaufort County, that will also be expedited, then "New Project", "OCRM Project Review", and "Expedited Review Program" should each be selected to describe your application. To determine if the project design is considered to be above regulatory requirements or Low Impact Development, see the "Expedited Review Standard Operating Procedures" document. If **none** of the application types listed in this section apply or clearly define the intent of your project, select "Other" and provide specific details that clearly describe the intent of your NOI application.

**NOTE:** Anderson County and DHEC must be notified in writing within fourteen (14) business days of a new Owner (person, lending institution, government institution, etc.) taking title to or ownership of a prior approved ongoing NPDES construction project/site. A new Property Owner must complete all applicable sections of Form A (Transfer of Ownership) and submit this form to DHEC or respective MS4 with the NOI application. Written notification is also required when the Owner or Developer's company name changes for a prior approved construction permit.

**NOTE:** Major Modifications allowed by Anderson County and DHEC are listed in Section 3.1.7 of the CGP. If your project is a major modification, complete any applicable sections of the NOI. Please note that Section V (Waterbody Information) of the prior approved NOI must be reviewed for changes prior to submitting any modification request to DHEC. If changes have occurred, identify as Change of Information on the NOI form and provide the revised information in this section. Attach a detailed Narrative and revised C-SWPPP documents to the major modification request.

- B. MS4 Reviewer and MS4 Operator** - If this project is located inside an additional Municipal Separate Storm Sewer System (MS4) and must be reviewed and approved by a MS4 entity prior to submission to Anderson County and DHEC, then select "MS4 Project Review" as application type in Item A and provide the names of the entities that will perform the review and the MS4 Operator. Urbanized area boundary maps are available at <http://cfpub.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=SC>. See the following website for information about MS4s: <http://www.scdhec.gov/environment/water/swnsms4.htm>. Note: Some MS4s have increased their review jurisdiction boundaries beyond the original urbanized area map. Please confirm with the appropriate MS4 regarding review jurisdiction.

## **II. Primary Permittee Information**

Identify whether the Primary Permittee is a person or a company. If a company, identify if it is a lending institution or government entity. Provide the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service for the company. The EIN is commonly referred to as the taxpayer ID. If the company does not have an EIN (e.g., single member LLC, sole proprietorship), **DO NOT list a Social Security number.**



- A. Primary Permittee Name** - Provide the complete, legal name of the person or entity (company) that will be the Primary Permittee (Owner/Operator, O/O) for the project. If a person, provide the Title or Position. If a company, provide the complete, legal name of the company. Do not list the D/B/A (Doing Business As) name. NOTE: If S.C. Department of Transportation (SCDOT) is the O/O, this NOI form should NOT be used. Provide the complete mailing address of the person/company identified in II.A as the Primary Permittee.
- B. Contact/ODSA Name** - Complete if different from II. A or O/O is a company. Provide the complete legal name of the person identified as the Contact or Operator of Daily Site Activities (ODSA) for the project. This can be someone other than the person that has signatory authority for the company. Often the Contact person is also referred to as the ODSA. Provide the complete mailing address for the person, other than the permittee, Anderson County or DHEC may contact. This address can be different from the mailing address entered for the O/O.
- C. Property Owner Name** - If different from II.A or B, list the complete, legal name of the current Property Owner(s) of the site. Enter the complete mailing address for the Property Owner. **NPDES coverage will be issued to the Primary Permittee identified in Section II.A, not the Property Owner, unless same entity.** If there are multiple Property Owners, attach additional sheets with all information requested in Section II.C.

### III. **Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information**

- A. C-SWPPP Preparer Name** - Provide the name of the C-SWPPP Preparer for this project.
- B. Registered Professional** - Identify whether the C-SWPPP Preparer is a Registered South Carolina Professional Engineer, Tier B Surveyor, or Landscape Architect. For projects disturbing more than 2 acres, the C-SWPPP preparer must be one of the listed professionals or federal government employee as described in Title 40, Chapter 22, and as required and allowed by the qualified individual's respective act and regulations.
- C. Company/Firm Name** - Provide the complete, legal name of the company and S.C. Certificate of Authorization (S.C. COA number). Enter the complete mailing address. Anderson County and DHEC may contact the C-SWPPP Preparer via email. See the following websites for information about COA requirements for Landscape Architecture firms <http://www.dnr.sc.gov/land/LandscArch/LAlicense.html> and Engineering and Surveying firms <http://www.ltr.state.sc.us/POL/Engineers/>. Enter N/A for S.C. COA if the firm is not required to have a COA.

### IV. **Project/Site Information**

- A. Type of Construction Activity(ies)** - Select **ALL** activity types that best describe the development proposed for the site. "Institutional" includes schools and other publicly owned projects, except linear projects. "Site Preparation" includes clearing, grubbing, and grading only; no new impervious areas should be proposed if this activity type is selected. If none describe the development, then select "Other" and list the activity.
- B. Site Address/Location** - List the site address. If the site address is unknown, list the road name(s) on which the site is located, the nearest intersection, or other detailed description of the site location. List a city/town only if the site is within the city/ town limits. List zip code (if known). Provide the latitude/longitude and tax map numbers. See the following website for assistance in obtaining latitude/ longitude coordinates: [http://www.epa.gov/tri/report/siting\\_tool/index.htm](http://www.epa.gov/tri/report/siting_tool/index.htm). Latitude (from 32° to 35°) and longitude (-78° to -83°) should be for the center of the site. Minutes (') and seconds (") should be from 0 to 59. Identify the lat/long data source.
- C. Indian Lands** - Identify if this site is located on Indian lands.
- D. Proposed Start Date/Completion Date** - Provide proposed project start and completion dates.
- E. Disturbed Area/Total Area** - Enter the disturbed area for the project and the total area for the site. The disturbed areas must be rounded to the nearest tenth of an acre. For subdivisions, if the exact build-out is not known, the disturbed area can be estimated using the following equation:  

$$\text{Disturbed area} = 2(\text{Maximum Footprint of House})(\# \text{ of lots}) + \text{Road/ Right-of-Way areas} + \text{Other easements/ disturbance.}$$
**NOTE: Provide written notification if the actual disturbed area exceeds the disturbed area on the approved NOI.**
- F. Modification Only: Change to Disturbed Area** - If your modification to a prior approved project will increase or decrease the disturbed area, complete this section and see Section I of the Instructions. Enter the current approved disturbed area and proposed increase (+) or decrease (-) to the disturbed area. If "No" change, enter 0.0. Enter the new total disturbed area (after change). Round each entry to the nearest tenth of an acre.
- G. Larger Common Plan for Development or Sale (LCP)** - The plan in LCP is "broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot." [63 Federal Register No. 128, July 6, Page 6 1998, p. 36491] For example, if master calculations have been prepared and/ or submitted for an entire site, then all phases and parcels at that site would be considered part of an LCP. If the site is part of a subdivision, industrial park, commercial park, etc., then it is considered to be part of an LCP. List a unique, distinguishing LCP/ Overall Development name. This name should not reference a specific phase. This LCP/ Overall Development name should also be listed on all NOIs for future projects that are part of this LCP, including subsequent phases. Check the box if this is the first phase of the LCP. List the previous state permit/ file number and previous NPDES coverage number if applicable. (**DO NOT** enter SCR100000). If not known, contact DHEC for assistance.

- H. **Flooding Problems** – Identify whether flooding problems exist on the site, or downstream or adjacent to the site. If "Yes", provide detailed explanation of the extent and impact in your C-SWPPP. NOTE: All C-SWPPP applications must include a Floodway Map/FEMA Flood Insurance Map (See Checklist) with an outline of the project boundary on the map. NOTE: The Anderson County Development Standards Department regulates the placement of fill in floodplains.
- I. **Active S.C. DHEC or Anderson County Warning Notice/Notice to Comply/Notice of Violation** – Select yes if DHEC or Anderson County has issued a Warning Notice, Notice to Comply, or Notice of Violation for the site or any site within the LCP. Provide additional information about the Notice (e.g., Order number) and a copy of correspondence with DHEC or Anderson County regarding the Notice in your C-SWPPP.
- J. **State and Federal Environmental Permits or Approvals** – List relevant state and federal permits applied for. See § 122.21(f) of S.C. Regulation 61-9 <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> for a list of permits, approvals, and programs that should be considered. If inaccurate, NPDES coverage may be invalid.
- K. **Waiver(s)** – Identify any waivers requested for your project or construction site. Provide details and required justifications in the C-SWPPP.

## V. **Waterbody Information**

### A. **Receiving Waterbody(s) (RWB) Information**

1. The **Nearest** receiving waterbody (RWB) is the nearest Waters of the State (WoS). See definition in §122.2 of S.C. Regulation 61-9 - <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> to which the site's stormwater discharges will drain. The nearest RWB must be listed in reference to a named waterbody, if the RWB is unnamed. For example, if the site's stormwater discharges drain to a stream on the site, then the nearest RWB would be the stream. If the stream is not named, then determine the nearest named waterbody (e.g., Grove Creek) into which the stream will flow and list the nearest RWB as a tributary to the named waterbody (e.g., Tributary to Grove Creek). Then, the **Next Nearest** named RWB would be Grove Creek. If the site's stormwater discharges drain to multiple waterbodies, then list all such waterbodies; attach additional sheets, if necessary.
2. Provide the **distance**, in feet to each receiving waterbody.
3. Provide the **classification** for each named waterbody. See S.C. Regulation 61-69 (<http://www.scdhec.gov/environment/water/regs/r61-69.pdf>) for a list of classifications of waterbodies within S.C. If the nearest RWB is unnamed, then search the document for the nearest named RWB. If the nearest, named RWB is not listed, then continue searching the document for the next, named waterbody, proceeding downstream from the site. For example, a site in Anderson County drains to a tributary of Hornbuckle Creek, then to Hornbuckle Creek, then to Middle Branch, and then to Brushy Creek/ Big Brushy Creek. First, search the document for Hornbuckle Creek, then Middle Branch, then Brushy Creek. Because there are 3 listings for Brushy Creek, the next, named waterbody (Saluda River) must be determined. Note that the county for this record for Brushy Creek is listed as Pickens because the headwaters of Brushy Creek are in Pickens County. The classification of the tributary to Hornbuckle Creek is "FW—Freshwaters".

### B. **Waters of the U.S./State Information**

1. Complete the "On the Site?" column for items a-d. If "Yes" is selected for that column, then the next 3 columns must be completed. If there are other waters of the U.S./ State (WoS) on the site not listed in items a and b (e.g., stream, river, lake, pond), then list those in item c. Jurisdictional wetlands are under ACOE jurisdiction.
2. **Delineation** means identification by U.S. Army Corps of Engineers (USACOE) or wetlands consultant. Also, see the Stormwater Management and Sediment and Erosion Control Plan Review Checklist for Design Professionals for information about delineation requirements. If there are WoS within 100' of the disturbed area that were not delineated/identified, then explain this in the narrative; this includes WoS that are not on the project site but are within 100' of the disturbed area.
3. **Impacts** - If construction activities will occur in and/ or will impact WoS, then select yes for "Impacts?"
4. **Amount of Impacts** - List the amount of impacts to WoS. Provide an additional, separate plan sheet that shows all WoS on the site and the impacted areas. If there are proposed impacts to WoS, please contact USACOE (866-329-8187) and S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section (803-898-4300) to determine additional requirements before submitting this NOI. **Please note that it is the Project Owner/ Operator's responsibility to ensure that all WoS are shown and identified in the C-SWPPP.**
6. If "Yes" for impacts in 3.3, describe each impact and activity, and list all permits (e.g., U.S. Army Corps of Engineers (USACOE) Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact. Describe the activity(s), whether the impact is permanent or temporary, and any other relevant information. Provide a copy of all permits and certifications for and correspondence with USACOE and DHEC for the impacts. Include all plats referenced in the permits or correspondence.

**C. S.C. Navigable Waters (SCNW) Information**

1. **Are SCNW on the site?** See <http://www.scdhec.gov/environment/water/navwater.htm> for the definition of SCNW and other information related to SCNW. Or, contact S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section at (803) 898-4300 for assistance determining the navigability of the waters on your site or with questions related to SCNW. If "Yes" to C.1, list the **name of the SCNW**. If the SCNW is not named, then provide a description that references the nearest, named waterbody (e.g., tributary to Grove Creek). If "No" to C.1, do not complete questions C.2 thru C.3 of this section.
2. If "Yes" to C.1 and construction activities proposed by your project will cross over or occur in, under, or thru the SCNW, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.). This includes temporary and permanent crossings with roads, utility lines, etc.
3. Identify permits providing SCNW Activity(ies) coverages for your site.
  - a. Identify proposed activities covered under a DHEC General Permit or other DHEC permit. Identify permit number(s) and corresponding activities covered under each. See the following website for a list of DHEC General Permits for activities in some SCNW: <http://www.scdhec.gov/environment/water/docs/gp/gp.xls>. See the "Notes" column to determine what types of activities are covered under each permit.
  - b. Identify **USACOE 404 Permit or 401 Certification** issued for the site. Identify permit number(s) or certification(s) and corresponding activities covered under each.
  - c. If applicable, identify the date the **SCNW permit** was applied for. Identify whether the permit applied for will cover **ALL** activities listed in C.2 of **some** activities listed in C.2. List covered activities.
  - d. If a **SCNW permit** has **NOT** already been applied for or issued for all of the activities in SCNW for this site, then those activities and conditions can be addressed during the review of the C-SWPPP, and a separate State Navigable Waters permit is not required. **Provide an additional plan sheet with plan and profile views (drawn to scale) of SCNW and associated activities; include activities description on the plan sheet.**

**D. Impaired Waterbodies Information (Section 3.2.12 of the CGP)**

**NOTE:** The TMDL, 303(d), and Non-Point Source water quality tool is a mapping system showing detailed information on WQMS locations, water quality status, and much more. The tool is available at the following website along with instructions for using the tool: <http://www.scdhec.gov/environment/water/tmdl/>.

**1. 303(d) Listed Impaired Waterbodies**

- a. List the **nearest SCDHEC Water Quality Monitoring Station(s)** to which the site's construction stormwater discharges will drain and its **corresponding waterbody**. See the following website for the most current 303(d) List for Impaired Waters and related information: <http://www.scdhec.gov/environment/water/tmdl/>. **NOTE: DHEC has determined that construction SW discharges are expected to contain pollutants causing the following impairments: TURBIDITY, BIO (Macroinvertebrate), TP (Total Phosphorus), TN (Total Nitrogen), Chlorophyll-a, and FC (Fecal coliform) in Shellfish Harvesting Waters in the SCCZ. Carefully evaluate whether the site's construction SW discharges will contain any pollutants causing other impairments not explicitly listed above. You should also consider previous land uses at the site in answering this question. For example, if the previous land use was a copper processing facility and the impairment at the nearest WQMS is copper, then you should carefully evaluate whether the site's construction SW discharges would contain copper.**
- b. Identify whether this **WQMS is listed on the most current 303(d) List**. The 303(d) list is available in Microsoft Excel and Adobe Reader formats. WQMS locations are available for each watershed at the website provided in 1.a as well using the **TMDL, 303(d), and Non-Point Source water quality tool**. To search the 303(d) list to determine whether a WQMS is listed, select "Edit" from the top toolbar of your web browser. Then, select "Find". Enter the WQMS exactly as listed on the map and hit enter. **If none of the WQMS(s) are found, then select "No" and proceed to item V.D.2 (TMDL Impaired Waterbodies). If any of the WQMS(s) are found, then select "Yes" and proceed to item c.**
- c. If "Yes" for b, list the impairment(s) or pollutants identified as cause(s) of the impairment (see last column labeled "CAUSE") for the WQMS(s) and proceed to item d.
- d. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). **If "No" for d, proceed to item V.D.2 (TMDL Impaired Waterbodies). If "Yes" to d and the receiving water is listed on the most current 303(d) List of Impaired Waters for a sediment or a sediment-related parameter, BIO (macroinvertebrate), turbidity, Total Phosphorous, Total Nitrogen, Chlorophyll-a, or Fecal coliform in Shellfish Harvesting Waters in the SCCZ. You must carefully evaluate all selected BMPs and their performance to ensure that the construction site's Stormwater discharges will not contribute to or cause a violation of water quality standards. If "Yes" for d and the disturbed area is less than 25 acres, include an evaluation of the Best Management Practices (BMPs) proposed for the site as described in Section 3.2.12.B(I) of the CGP in the C-SWPPP. If "Yes" for d and the disturbed area is greater than or equal to 25 acres, then provide a written qualitative and quantitative assessment of the BMPs proposed in the C-SWPPP for the site as described in section 3.2.12.B(II) of the CGP. For more information on this subject, please see the DHEC publication entitled "Antidegradation for Activities Contributing to NonPoint Source Pollution to Impaired Waters." This publication can be downloaded at the following DHEC WEB site [www.scdhec.gov/eac/water/pubs/antidegnps.pdf](http://www.scdhec.gov/eac/water/pubs/antidegnps.pdf).**



- e. If "Yes" to d, list the "USE" support impairment (AL, FISH, REC, SHELLFISH) affected by the pollutant or impairment listed in item c.
- f. If "Yes" for d, will use of the BMPs proposed for your project ensure the stormwater discharges leaving the site will NOT contribute to or cause water quality standard violations for the impairment(s) listed in c?  
**NOTE: If your answer to item f is "No", this site is NOT eligible for coverage under the CGP. You may contact Anderson County or DHEC to determine if an individual permit application is necessary or you may revise your project to include appropriate Best Management Practices, controls, and procedures to bring your discharge into compliance.**

## 2. **TMDL Impaired Waterbodies**

- a. List the **nearest SCDHEC water quality monitoring station(s)** to which the site's construction stormwater discharges will drain. List WQMS identified in part V.D.1.a of this table.
- b. Identify whether a TMDL is listed for this WQMS. **NOTE:** See the following website for a list of all WQMS with Approved S.C. Total Maximum Daily Loads (TMDLs): <http://www.scdhec.gov/environment/water/tmdl/>. Select "Approved SC TMDLs", then select "Sites Covered Under an Approved TMDL and Corresponding WQ Attainment Status". Select "Edit" from the top toolbar. Then, select "Find". Enter the WQMS exactly as listed and hit enter. **If a WQMS is NOT found, then select "No." Stop and proceed to Section VI.**  
**If a WQMS is found, then select "Yes" and proceed to item c.**
- c. **If "Yes" for b, identify and list the impairment(s) or pollutants listed as CAUSE(S) of the impairment (see 7th column labeled "CAUSE") and proceed to item d. If the WQMS(s) is impaired for more than one parameter, then the WQMS will be listed multiple times on successive rows.**
- d. **If "Yes" for b, identify whether the standard has been ATTAINED for the impairment(s). NOTE: See the 8th column labeled "USE SUPPORT" to determine if the standard has been attained for each impairment for each WQMS. "FULLY SUPPORTED" means the standard has been attained for the impairment listed in the "CAUSE" column. "NOT SUPPORTED" means that the standard has NOT been attained for that impairment. If "No" for d (the standard has NOT been attained (NOT SUPPORTED) for all impairments for all WQMS(s)), proceed to item e. If "Yes" for d (the standard has been attained for all impairments for all WQMS(s)), proceed to Section VI.**
- e. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). **If "No" for e, proceed to Section VI. If "Yes" for e, proceed to f.**
- f. **If "Yes" for e, are your discharges consistent with assumptions and requirements of the TMDL(s)? NOTE: If your answer to item f is "No", this site is NOT eligible for coverage under the CGP. You may contact Anderson County or DHEC to confirm that adherence to a C-SWPPP that meets the requirements of the CGP will be consistent with the TMDL. Where a TMDL has not specified a WLA applicable to construction stormwater discharges, but has not specifically excluded these discharges, adherence to a C-SWPPP that meets the requirements of the CGP will generally be assumed to be consistent with the approved TMDL. If the TMDL specifically precludes such discharges, the site is not eligible for coverage under the CGP.**

## **VI. Signatures and Certifications** **DO NOT SIGN IN BLACK INK!** The NOI must have original signatures unless the application being submitted to DHEC is one approved by an MS4.

**C-SWPPP Preparer** - The same registered professional must sign and seal the NOI form, C-SWPPP, calculations, and supporting documentation.

**Primary Permittee** - If the Primary Permittee or Project Owner/ Operator is a company, print the name of the person who is signing the NOI for the Owner/ Operator. A person with signatory authority for the Owner/ Operator must sign the application. The C-SWPPP Preparer cannot sign the application for the Owner/ Operator. The C-SWPPP, all reports, including monthly reports, and any information requested by DHEC must be prepared under the direction or supervision of a person with signatory authority for the Owner/ Operator or a duly authorized representative.

See below for a summary and §122.22 of S.C. Reg. 61-9 (Appendix C of the CGP) for complete information about signatory authority requirements.

- Corporation: A responsible corporate officer (e.g., president, vice-president, certain managers).
- Partnership or Sole Proprietorship: A general partner or the proprietor, respectively.
- Municipality, State, Federal or Other Public Agency: Principal executive officer or ranking elected official.

July 1, 2023

DISTRICT 1 - SPECIAL PROJECTS  
001-5829-001-241  
FY Ended June 30, 2024

| <u>Council Meeting of:</u> | <u>Check Dated:</u> | <u>Check Number</u> | <u>Vendor \ Description</u> | <u>Amount</u> |
|----------------------------|---------------------|---------------------|-----------------------------|---------------|
|                            | ---                 | ---                 | Budget 2023 - 2024          | 35,000.00     |
|                            | ---                 | ---                 | From Accommodations Fee     | 5,000.00      |
|                            |                     |                     | Brought Forward             | 15,313.23     |

Ending Balance

55,313.23

We certify that the above information to the best of our knowledge is up-to-date and is accurate.

Renee Watts, Clerk to Council

DATE:

Jana W Pressley

Jana Pressley, Assistant Finance Manager

DATE: July 01, 2023

July 1, 2023

DISTRICT 2 - SPECIAL PROJECTS  
001-5829-002-241  
FY Ended June 30, 2024

| <u>Council Meeting of:</u> | <u>Check Dated:</u> | <u>Check Number</u> | <u>Vendor \ Description</u> | <u>Amount</u> |
|----------------------------|---------------------|---------------------|-----------------------------|---------------|
|                            | ---                 | ---                 | Budget 2023 - 2024          | 35,000.00     |
|                            | ---                 | ---                 | From Accommodations Fee     | 5,000.00      |
|                            |                     |                     | Brought Forward             | 31,236.02     |
| 06/20/23                   |                     |                     | Friends of Broadway Lake    | (1,250.00)    |

Ending Balance

69,986.02

We certify that the above information to the best of our knowledge is up-to-date and is accurate.

Renee Watts, Clerk to Council

DATE:

Jana W Pressley

Jana Pressley, Assistant Finance Manager

DATE: July 01, 2023

July 1, 2023

DISTRICT 3 - SPECIAL PROJECTS  
001-5829-003-241  
FY Ended June 30, 2024

| <u>Council Meeting of:</u> | <u>Check Dated:</u> | <u>Check Number</u> | <u>Vendor \ Description</u> | <u>Amount</u> |
|----------------------------|---------------------|---------------------|-----------------------------|---------------|
|                            |                     |                     | Budget 2023 - 2024          | 35,000.00     |
|                            |                     |                     | From Accommodations Fee     | 5,000.00      |
|                            |                     |                     | Brought Forward             | 18.89         |
| 06/20/23                   |                     |                     | Friends of Broadway Lake    | (1,250.00)    |

Ending Balance

38,768.89

We certify that the above information to the best of our knowledge is up-to-date and is accurate.

Renee Watts, Clerk to Council

DATE:

Jana W Pressley

Jana Pressley, Assistant Finance Manager

DATE: July 01, 2023

July 1, 2023

DISTRICT 4 - SPECIAL PROJECTS  
001-5829-004-241  
FY Ended June 30, 2024

| <u>Council Meeting of:</u> | <u>Check Dated:</u> | <u>Check Number</u> | <u>Vendor \ Description</u> | <u>Amount</u> |
|----------------------------|---------------------|---------------------|-----------------------------|---------------|
|                            |                     |                     | Budget 2023 - 2024          | 35,000.00     |
|                            |                     |                     | From Accommodations Fee     | 5,000.00      |
|                            |                     |                     | Brought Forward             | 0.00          |
|                            |                     |                     |                             | 35,045.32     |

Ending Balance 75,045.32

We certify that the above information to the best of our knowledge is up-to-date and is accurate.

\_\_\_\_\_  
*Jana W Pressley*

Renee Watts, Clerk to Council

Jana Pressley, Assistant Finance Manager

DATE: \_\_\_\_\_

DATE: July 01, 2023



July 1, 2023

DISTRICT 5 - SPECIAL PROJECTS  
001-5829-005-241  
FY Ended June 30, 2024

| <u>Council Meeting of:</u> | <u>Check Dated:</u> | <u>Check Number</u> | <u>Vendor \ Description</u> | <u>Amount</u> |
|----------------------------|---------------------|---------------------|-----------------------------|---------------|
|                            |                     |                     | Budget 2023 - 2024          | 35,000.00     |
|                            |                     |                     | From Accommodations Fee     | 5,000.00      |
|                            |                     |                     | Brought Forward             | 46,340.33     |

Ending Balance

86,340.33

We certify that the above information to the best of our knowledge is up-to-date and is accurate.

Renee Watts, Clerk to Council

DATE:

Jana W Pressley

Jana Pressley, Assistant Finance Manager

DATE: July 01, 2023

July 1, 2023

DISTRICT 6 - SPECIAL PROJECTS  
001-5829-006-241  
FY Ended June 30, 2024

| <u>Council Meeting of:</u> | <u>Check Dated:</u> | <u>Check Number</u> | <u>Vendor \ Description</u> | <u>Amount</u> |
|----------------------------|---------------------|---------------------|-----------------------------|---------------|
|                            | ---                 | ---                 | Budget 2023 - 2024          | 35,000.00     |
|                            | ---                 | ---                 | From Accommodations Fee     | 5,000.00      |
|                            |                     |                     | Brought Forward             | 26,994.45     |

Ending Balance 66,994.45

We certify that the above information to the best of our knowledge is up-to-date and is accurate.

Renee Watts, Clerk to Council

DATE:

Jana W Pressley

Jana Pressley, Assistant Finance Manager

DATE: July 01, 2023

July 1, 2023

DISTRICT 7 - SPECIAL PROJECTS  
001-6829-007-241  
FY Ended June 30, 2024

| <u>Council<br/>Meeting of:</u> | <u>Check<br/>Dated:</u> | <u>Check<br/>Number</u> | <u>Vendor \ Description</u> | <u>Amount</u> |
|--------------------------------|-------------------------|-------------------------|-----------------------------|---------------|
|                                | ***                     | ***                     | Budget 2023 - 2024          | 35,000.00     |
|                                | ***                     | ***                     | From Accommodations Fee     | 5,000.00      |
|                                |                         |                         | Brought Forward             | 0.00          |

Ending Balance 40,000.00

We certify that the above information to the best of our knowledge is up-to-date and is accurate.

Renee Watts, Clerk to Council

DATE:

Jana W Pressley

Jana Pressley, Assistant Finance Manager

DATE: July 01, 2023

**Anderson County Building & Codes**  
**Monthly Activity Report**  
**Jun-23**

|  |                         |
|--|-------------------------|
| <b>Total Number Permit Transactions:</b> | <b>968</b>              |
| <i>New Single Family:</i>                | <i>73</i>               |
| <i>New Multi-Family:</i>                 | <i>17</i>               |
| <i>Residential Additions/Upgrades:</i>   | <i>18</i>               |
| <i>Garages/Barns/Storage:</i>            | <i>24</i>               |
| <i>New Manufactured Homes:</i>           | <i>15</i>               |
| <i>New Commercial:</i>                   | <i>4</i>                |
| <i>Commercial Upfits/Upgrades:</i>       | <i>3</i>                |
| <i>Courtesy Permits/Fees Waived:</i>     | <i>2</i> (See Attached) |

**Inspection Activity:**

|   |  |
|---|--|
| <i>Citizens Inquiries:</i>  | <i>57</i> (Includes Updating Sub-Standard Cases) |
| <i>(New &amp; Follow Up; Includes Sub-Standard Housing /Mobile Homes)</i>     |  |
| <i>Tall Grass Complaints (New and Follow Ups):</i>                            |  |
| <i>Number of Scheduled Building Inspections Performed (# of Site Visits):</i> | <i>963</i>                                       |
| <i>Courtesy, Site and Miscellaneous Inspections:</i>                          | <i>6</i>   |
| <i>Manufactured Home Inspections:</i>   | <i>87</i>  |
| <b>Total Number of Inspections (Site Visits) for Department:</b>              | <b>1113</b>                                      |

**Reviews/Misc. Activity:**

|  |            |  |
|--|------------|--|
| <i>Plans Reviewed:</i>                       | <i>105</i> | (Includes preliminary consultations, resubmittals and solar) |
| <i>Mech/Elec/Plumb Reviews:</i>              | <i>47</i>  | (Includes residential solar)                                 |
| <i>New Derelict Manufactured Home Cases:</i> | <i>0</i>   |  |
| <i>Hearings:</i>                             |            |  |
| <i>Court Cases:</i>                          | <i>0</i>   |  |

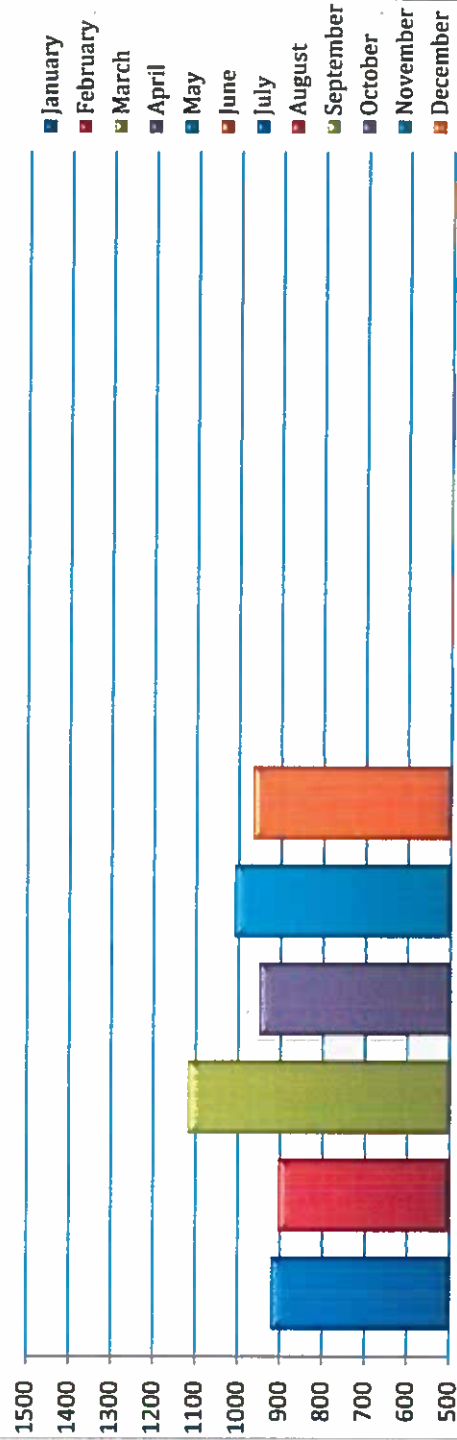
**Revenue Collected:**

|                                     |                     |
|-------------------------------------|---------------------|
| <i>Reinspection Fees Collected:</i> | <i>\$500.00</i>     |
| <i>Plan Review Revenue:</i>         | <i>\$126,173.10</i> |
| <b>Total Revenue For The Month:</b> | <b>\$282,843.10</b> |

## Anderson County Building & Codes Permits Issued for 2023

| <u>Month</u> | <u>Building</u> | <u>Electrical</u> | <u>Plumbing</u> | <u>HVAC</u> | <u>MH</u>  | <u>Wrecking</u> | <u>Moving</u> | <u>Misc.</u> | <u>Total</u> |
|--------------|-----------------|-------------------|-----------------|-------------|------------|-----------------|---------------|--------------|--------------|
| January      | 226             | 256               | 143             | 152         | 82         | 17              | 4             | 41           | 921          |
| February     | 240             | 277               | 145             | 135         | 63         | 5               | 11            | 28           | 904          |
| March        | 301             | 308               | 156             | 164         | 99         | 34              | 16            | 41           | 1119         |
| April        | 249             | 288               | 148             | 154         | 63         | 10              | 3             | 37           | 952          |
| May          | 256             | 291               | 148             | 158         | 88         | 27              | 8             | 34           | 1010         |
| June         | 241             | 270               | 148             | 163         | 77         | 8               | 16            | 45           | 968          |
| July         |                 |                   |                 |             |            |                 |               |              | 0            |
| August       |                 |                   |                 |             |            |                 |               |              | 0            |
| September    |                 |                   |                 |             |            |                 |               |              | 0            |
| October      |                 |                   |                 |             |            |                 |               |              | 0            |
| November     |                 |                   |                 |             |            |                 |               |              | 0            |
| December     |                 |                   |                 |             |            |                 |               |              | 0            |
| <b>Total</b> | <b>1513</b>     | <b>1690</b>       | <b>888</b>      | <b>926</b>  | <b>472</b> | <b>101</b>      | <b>58</b>     | <b>226</b>   | <b>5874</b>  |

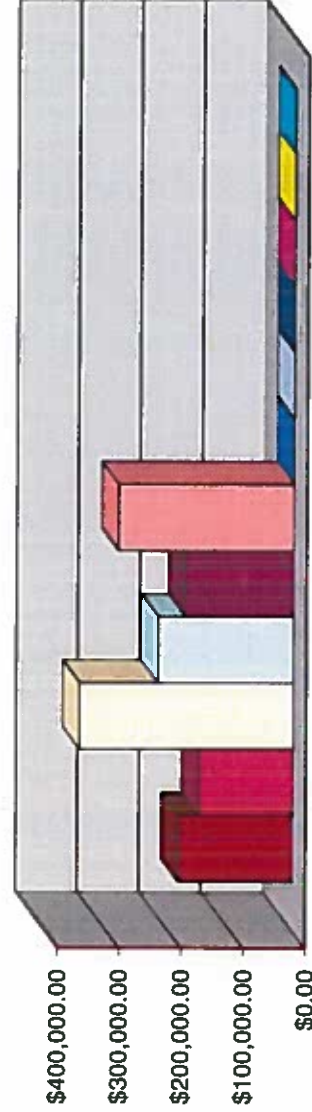
**Permits Issued**



## Anderson County Building & Codes Permit Revenue for 2023

| <u>Month</u> | <u>Building</u>     | <u>Electrical</u>   | <u>Plumbing</u>    | <u>HVAC</u>         | <u>MH</u>          | <u>Wrecking</u>   | <u>Moving</u>     | <u>Misc.</u>        | <u>Total</u>          |
|--------------|---------------------|---------------------|--------------------|---------------------|--------------------|-------------------|-------------------|---------------------|-----------------------|
| January      | \$87,128.00         | \$25,188.00         | \$13,380.00        | \$22,877.00         | \$4,153.00         | \$1,275.00        | \$300.00          | \$29,821.70         | \$184,122.70          |
| February     | \$88,724.20         | \$26,868.00         | \$13,316.00        | \$13,865.00         | \$3,556.00         | \$375.00          | \$825.00          | \$4,500.00          | \$152,029.20          |
| March        | \$262,766.80        | \$28,431.00         | \$14,906.00        | \$17,454.00         | \$6,135.00         | \$975.00          | \$1,125.00        | \$12,752.60         | \$344,545.40          |
| April        | \$150,071.60        | \$26,379.00         | \$13,601.00        | \$16,334.00         | \$3,559.00         | \$750.00          | \$225.00          | \$6,967.80          | \$217,887.40          |
| May          | \$97,684.00         | \$28,585.00         | \$14,775.00        | \$18,122.00         | \$4,062.00         | \$525.00          | \$600.00          | \$10,335.80         | \$174,688.80          |
| June         | \$91,487.00         | \$27,487.00         | \$13,661.00        | \$17,014.00         | \$4,946.00         | \$600.00          | \$975.00          | \$126,673.10        | \$282,843.10          |
| July         |                     |                     |                    |                     |                    |                   |                   |                     | \$0.00                |
| August       |                     |                     |                    |                     |                    |                   |                   |                     | \$0.00                |
| September    |                     |                     |                    |                     |                    |                   |                   |                     | \$0.00                |
| October      |                     |                     |                    |                     |                    |                   |                   |                     | \$0.00                |
| November     |                     |                     |                    |                     |                    |                   |                   |                     | \$0.00                |
| December     |                     |                     |                    |                     |                    |                   |                   |                     | \$0.00                |
| <b>Total</b> | <b>\$777,861.60</b> | <b>\$162,938.00</b> | <b>\$83,639.00</b> | <b>\$105,666.00</b> | <b>\$26,411.00</b> | <b>\$4,500.00</b> | <b>\$4,050.00</b> | <b>\$191,051.00</b> | <b>\$1,356,116.60</b> |

**Permit Revenue**



**F.W. DODGE BUILDING STATISTICS**

Toll-Free Phone: 877-489-4092

Fax: 800-892-7470

**REPORT OF BUILDING OR  
ZONING PERMITS ISSUED AND  
LOCAL PUBLIC CONSTRUCTION**

For the month of:

**Jun-23****ANDERSON COUNTY BUILDING & CODES**

P.O. Box 8002

ANDERSON, SC 29622-8022

If your building permit system has changed, mark (X) in the appropriate place below

- ☐ Discontinued issuing permits  
☐ Merged with another system  
☐ Split into two or more systems  
☐ Annexed land areas  
☐ Had other changes

PLEASE RETURN THE WEEK OF:

If NO PERMITS were issued during this period, mark (X) and return this form

| Section 1  |  | NEW RESIDENTIAL                                 | Item No. | PRIVATELY OWNED |               |                           | PUBLICLY OWNED |               |                           |
|--|--|---|----------|-----------------|---------------|---------------------------|----------------|---------------|---------------------------|
|  |  |   |          | Number of       |               | Valuation of Construction | Number of      |               | Valuation of Construction |
|  |  |   |          | Buildings       | Housing Units | Omit cents                | Buildings      | Housing Units | Omit cents                |
|  |  |   | (a)      | (b)             | (c)           | (d)                       | (e)            | (f)           | (g)                       |
| Single-Family houses, detached<br><i>Exclude mobile homes</i>  |  |   | 101      | 73              | 73            | \$19,661,806              |                |               |                           |
| Single-family houses, attached<br>- Separated by ground to roof wall.<br>- No units above or below, and<br>- Separate heating systems & utility meters |  |   | 102      | 17              | 3             | \$2,902,440               |                |               |                           |
| Two-family buildings   |  |   | 103      |                 |               |                           |                |               |                           |
| Three-and four-family buildings  |  |   | 104      |                 |               |                           |                |               |                           |
| Five-or-more family buildings  |  |   | 105      |                 |               |                           |                |               |                           |
| TOTAL: Sum of 101-105  |  |   | 109      | 90              | 76            | \$22,564,246              | 0              | 0             | \$0.00                    |
| Section 2  |  | NEW RESIDENTIAL<br>NONHOUSEKEEPING<br>BUILDINGS | Item No. | PRIVATELY OWNED |               |                           | PUBLICLY OWNED |               |                           |
|  |  |   |          | Number of       |               | Valuation of Construction | Number of      |               | Valuation of Construction |
|  |  |   |          | Buildings       | Housing Units | Omit cents                | Buildings      | Housing Units | Omit cents                |
|  |  |   | (a)      | (b)             | (c)           | (d)                       | (e)            | (f)           | (g)                       |
| Hotels, motels, and tourist cabins<br><i>(transient accommodations only)</i>   |  |   | 213      |                 |               |                           |                |               |                           |
| Other non-housekeeping shelter   |  |   | 214      |                 |               |                           |                |               |                           |
| Section 3  |  | NEW<br>NONRESIDENTIAL<br>BUILDINGS              | Item No. | PRIVATELY OWNED |               |                           | PUBLICLY OWNED |               |                           |
|  |  |   |          | Number of       |               | Valuation of Construction | Number of      |               | Valuation of Construction |
|  |  |   |          | Buildings       | Housing Units | Omit cents                | Buildings      | Housing Units | Omit cents                |
|  |  |   | (a)      | (b)             | (c)           | (d)                       | (e)            | (f)           | (g)                       |
| Amusement, social, and recreational  |  |   | 318      |                 |               |                           |                |               |                           |
| Churches and other religious   |  |   | 319      |                 |               |                           |                |               |                           |
| Industrial   |  |   | 320      |                 |               |                           |                |               |                           |
| Parking garages (buildings & open decked)  |  |   | 321      |                 |               |                           |                |               |                           |
| Service stations and repair garages  |  |   | 322      |                 |               |                           |                |               |                           |
| Hospitals and institutional  |  |   | 323      |                 |               |                           |                |               |                           |
| Offices, banks, and professional   |  |   | 324      |                 |               |                           |                |               |                           |
| Public works and utilities   |  |   | 325      |                 |               |                           |                |               |                           |
| Schools and other educational  |  |   | 326      |                 |               |                           |                |               |                           |
| Stores and customer services   |  |   | 327      | 3               |               | \$29,029,318              |                |               |                           |
| Other nonresidential buildings   |  |   | 328      | 15              |               | \$505,422                 |                |               |                           |
| Structures other than buildings  |  |   | 329      | 9               |               | \$604,241                 |                |               |                           |
| Section 4  |  | ADDITIONS,<br>ALTERATIONS<br>AND CONVERSIONS    | Item No. | PRIVATELY OWNED |               |                           | PUBLICLY OWNED |               |                           |
|  |  |   |          | Number of       |               | Valuation of Construction | Number of      |               | Valuation of Construction |
|  |  |   |          | Buildings       | Housing Units | Omit cents                | Buildings      | Housing Units | Omit cents                |
|  |  |   | (a)      | (b)             | (c)           | (d)                       | (e)            | (f)           | (g)                       |
| Residential - Classify additions of<br>garages and carports in Item 438  |  |   | 434      | 18              |               | \$804,755                 |                |               |                           |
| Nonresidential and non-housekeeping  |  |   | 437      | 3               |               | \$854,955                 |                |               |                           |
| Additions of residential garages and carports<br>(attached and detached)   |  |   | 438      | 9               |               | \$421,720                 |                |               |                           |
| Section 5  |  | DEMOLITIONS<br>AND RAZING<br>OF BUILDINGS       | Item No. | PRIVATELY OWNED |               |                           | PUBLICLY OWNED |               |                           |
|  |  |   |          | Number of       |               | Valuation of Construction | Number of      |               | Valuation of Construction |
|  |  |   |          | Buildings       | Housing Units | Omit cents                | Buildings      | Housing Units | Omit cents                |
|  |  |   | (a)      | (b)             | (c)           | (d)                       | (e)            | (f)           | (g)                       |
| Single-family houses (attached and detached)   |  |   | 645      | 2               |               |                           |                |               |                           |
| Two-family buildings   |  |   | 646      |                 |               |                           |                |               |                           |
| Three-and four-family buildings  |  |   | 647      |                 |               |                           |                |               |                           |
| Five-or-more family buildings  |  |   | 648      |                 |               |                           |                |               |                           |
| All other buildings, structures or mobile homes  |  |   | 649      | 5               |               |                           |                |               |                           |

| PERMIT #  | ISSUE<br>DATE             | COST         | OWNER NAME                           | MOD DESCRIPTION               |
|-----------|---------------------------|--------------|--------------------------------------|-------------------------------|
| =====     |                           |              |                                      |                               |
| MOD 702   | COURTESY PERMIT/NO CHARGE |              |                                      |                               |
| 202301814 | 6/06/2023                 | 3,300,000.00 | RES SOUTH CAROLINA HOLDINGS LLC      | ARTHREX/EARLY LEARNING CENTER |
| 202301937 | 6/15/2023                 | 28,200.00    | HABITAT FOR HUMANITY OF ANDERSON INC | HABITAT FOR HUMANITY HOME     |

TOTALS: 2 3,328,200.00