

June 6, 2011
Regular Council Meeting
6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman Jennifer H. Willis presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media on May 26, 2011.

Council Members in attendance:

Jennifer H. Willis, Chairman
G. Neil Smith, Vice Chairman
Tom Ponder, Vice Chairman Pro-tem
Jeff Martin
Trey Whitehurst
Sam Wyche

Donna Owen, Clerk to Council

Staff:

Chappell Hurst, Administrator
Ken Roper, County Attorney

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of June 6, 2011 to order and welcomed those in attendance. Sam Wyche was called upon to lead the Invocation and Pledge of Allegiance

PUBLIC FORUM:

Chairman Willis opened the floor for Public Forum and requested the Clerk to Council introduce the speakers.

Junius Smith--Mr. Smith stated the issues with the Saluda River property was a perfect example of how the Comprehensive Plan is about taking people's property, and not trying to protect the environment. Mr. Smith stated this is nothing more than an elitist group controlling government. Mr. Smith stated the republican convention did support a resolution to repeal the Comprehensive Plan. Mr. Smith concluded that organizations like Upstate Forever are intent on regionalizing counties, and this would be a mistake.

Dennis Reinert--Mr. Reinert cautioned Council about the issues going on at Saluda River as these are private property owners that are being told that they are going to relinquish their property for the use of recreation. Mr. Reinert stated this is a very dangerous situation that is clearly being controlled by one group.

Garvin Bolding--Mr. Bolding gave council information regarding the school board votes for the various building projects. Mr. Bolding also presented several maps of the County as it relates to major roads and intersections. Mr. Bolding stated he was a transportation expert in this field, and he would like to be at the forefront of planning better and safer roads, intersections, and bridges.

Larry Dyck—Dr. Dyck came before Council to give a report and summary of the needs for Pickens County Soil and Water Conservation services. Dr. Dyck stated he would like for Council to reconsider providing funds for the Soil and Water Conservation office. It was stated that this office has been in existence since the 1930's. Furthermore, this office educates landowners about safe and effective methods for best practices for soil and water. Dr. Dyck gave examples of educating farmers about

livestock and flowing waterways. Dr. Dyck stated it was important that livestock are fenced out of waterways so they do not contaminate water. This office is not funded on a Federal level, therefore the funding is important.

Jim Wilkie- Mr. Wilkie informed Council that he was a citizen member of the transportation advisory committee. Mr. Wilkie stated that he has learned that the area that will gain most of the benefits is the Greenville area, and he strongly proposed for Council to have a Pickens County transportation committee

Weldon Clark --Mr. Clark thanked Council and Mr. Hurst for the good job the Public Works department did with tree removal on his street.

F.M. Caddell-- Mr. Caddell made comments as a result of Soil and Water Conservation; Mr. Caddell stated that he did not need a government agency to tell him how to farm.

APPROVAL OF MINUTES -

- Motion was made by Tom Ponder, seconded by Jeff Martin and unanimously passed to approve the minutes of May 2, 2011 and May 17, 2011.

ADMINISTRATOR'S REPORT:

Mr. Hurst gave the following updates.

- 1) Mr. Hurst recognized Scott Smith, Jeff Lee, and Karl Earl of the Crosswell Fire Department. Mr. Hurst stated this new fire district has not only passed the ISO rating, but they have successfully been rated a 4. Mr. Hurst stated this was a huge benefit for the taxpayers living in this area. Also, Mr. Hurst stated it was worthy to note, the department did all this work within one year.
- 2) Mr. Hurst gave Council the data from the regional tourism meetings, Mr. Hurst stated this would give Council a snapshot of needs and other issues related to tourism planning.
- 3) Council was informed that on June 9, 2011, the Emergency Operations Center would be doing an exercise with the State. There will also be a mass fatalities exercise, and again these are mock disasters and are for training purposes.
- 4) Council was shown an example of the stickers that will be provided to Pickens County citizens using the recycling center. This program is to identify the customers as Pickens County Citizens.
- 5) Mr. Hurst presented documents and pictures from the Twelve Mile River as a result of the dredging that was done for the purpose of containment of the PCB's that have washed down the Twelve Mile River from the Sangamo contamination sites. Mr. Hurst stated the photos prove that the PCB's are exposed and this is a dangerous situation. Mr. Hurst further stated that the EPA, in his opinion has been negligent about this site. Mr. Hurst stated this is an area that should be monitored and reported on annually.

>Council instructed Mr. Hurst to compose a study of the Twelve Mile area and send to the Legislative Delegation, the Governor's office, and the EPA representatives.

COMMITTEE REPORTS:

Committee of the Whole-Chairman Willis gave the following report.

*Wednesday, May 25, 2011
Committee of the whole
5:30 PM
Main Conference Room
Pickens County Administration Building*

The committee of the whole met in the Main Conference room with Chairman Willis presiding, and all members of Council were present.
 Jimmy Threat- GIS Director
 Brian Ritter- GIS

Item	Description	Referred	Report	Action
9	Procedure for redrawing district lines Notes from GIS Data re population deviation	05/02/2011		>Committee met and developed a draft map of the council district lines. Further public input and meetings will be forthcoming. No action.

COUNCIL CORRESPONDENCE:

Summer schedule: Chairman Willis stated unless Council stated otherwise, she would be calling no regular meetings in July. The regular meeting in August is altered for August 15, 2011, and again September 19, 2011. Chairman Willis stated Council would resume regular schedule in October.

MOTION PERIOD AND NEW BUSINESS:

Chairman Willis opened the floor for new business.

- 1) Tom Ponder requested the paving list be pulled from the Public Service Log and placed on the agenda. Motion was seconded by Neil Smith and unanimously passed.

Hearing no further business, Chairman Willis closed the floor.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 439, THE FY 2010/2011 BUDGET AMENDMENT ORDINANCE:

Chairman Willis opened the floor for public hearing as it relates to Ordinance No. 439. Chairman Willis stated this document is simply a corrective action for funds that have been used during the current fiscal year.

- Motion was made by Tom Ponder, seconded by Sam Wyche and unanimously passed that this constitutes a third and final reading of Ordinance No. 439.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 440, THE FY 2011/2012 BUDGET ORDINANCE NO 440:

Chairman Willis called the public hearing into session for comments relating to the FY 2011/2012 budget ordinance.

- 1) Weldon Clark- Mr. Clark stated he appreciated the County holding down taxes.
- 2) Kimberly Snide- Ms. Snide with Seniors Unlimited requested the budget amount of \$10,000 be placed in the budget for meals and other items of need for the senior citizens. Ms. Snide stated that the loss of funds would mean at least a 25% reduction in services.
- 3) Evelyn Close- Ms. Close stated she was also requesting the funding for Seniors Unlimited, and further informed Council about the personal side of the home visits being important for the elderly.
- 4) Dan Hunt- Mr. Hunt requested the funding for Seniors Unlimited and personally shared the difference the senior centers have made in his Mother's life.

Chairman Willis asked if there were any further comments, hearing none the Public Hearing for Ordinance No. 440 was closed.

Chairman Willis called for a motion that this constitutes a third and final reading of Ordinance No. 440.

- Motion was made by Neil Smith, seconded by Jeff Martin that this constitutes third reading of Ordinance No. 440.

With a motion and a second, Chairman Willis called for any amendments or discussion.

1) Amendment for Soil and Water Conservation:

- Councilman Martin moved to amend the budget to include \$14,795 from contingency for the Soil and Water Conservation District. Motion was seconded by Tom Ponder.

>>During discussion, Jeff Martin stated he thought the work of the Soil and Water Conservation District was vital, and he would like to support their efforts

>>Tom Ponder stated he would be in favor of funding or partial funding for this year due to the issues of Twelve Mile, Storm Water, and the Saluda River. Mr. Ponder stated it was imperative to have this department funded this year. Mr. Ponder also said he was thinking about the land owners along these rivers.

>>Trey Whitehurst stated he had issues with the fact that the State is continuing to mandate services, yet are continuing to cut funding for these services. Mr. Whitehurst stated he struggled with these issues because it is time for funding sources to be broader than local government, and the current system is dysfunctional. Mr. Whitehurst also stated he had ethical concerns about a commissioner of the Soil and Water Conservation conducting testing on projects.

>>Sam Wyche stated he would be in favor of the full funding \$14,795.00 especially because of the rivers and streams being in danger, and especially reviewing the Twelve Mile River scenario. Mr. Wyche stated he was in favor of full funding and not partial.

>>Neil Smith pointed out that he would be opposed due to the fact he does not believe the Soil and Water Conservation is the best agency to be looking after the health of rivers and streams. Mr. Smith pointed out that many agencies were missing when Pickens County needed protection from the PCB issue.

Chairman Willis called for a vote on the amendment which was to fund Soil and Water Conservation in the amount of \$14,795.00.

>>Jeff Martin and Sam Wyche voted in the affirmative. Chairman Willis, Neil Smith, Tom Ponder and Trey Whitehurst opposed. Motion failed.

2) Amendment for Soil and Water Conservation:

- Motion was made by Tom Ponder to amend the budget to fund \$10,000 to Soil and Water Conservation. Motion was given a second by Jeff Martin.

>>Tom Ponder, Jeff Martin, and Sam Wyche voted in the affirmative. Chairman Willis, Neil Smith, and Trey Whitehurst opposed. Motion failed.

3) Amendment for Upstate Alliance:

- Neil Smith moved to fund Upstate Alliance \$50,000. Motion was seconded by Chairman Willis.

>>During discussion, Neil Smith stated he thought the County had to be involved in a regional effort for economic growth. Mr. Smith stated he realized it would take more than \$50,000 if Pickens County were marketing on its own instead of part of the whole.

>>Sam Wyche stated he thought we had not realized a lot of return as being part of this organization, and actually he stated that in the last ten years, we have one industry from those funds. Mr. Wyche asked if anyone has thought the money would be better served via our own Pickens Alliance group.

>>Chairman Willis stated she was in favor of this funding because otherwise organizations would not see what Pickens County has to offer. She also pointed out that Pickens County would not have the resources to be at the table for many of the national and international conferences. Chairman Willis also pointed out that the one industry that came to Pickens County was the headquarters for Reliable Sprinkler, which created 600 jobs. Chairman Willis concluded by agreeing with some of Councilman Wyche's concerns, but she reminded Council that Vice Chairman Smith is now on the executive committee of this board and for the first time Pickens County is at every meeting.

>>Jeff Martin and Tom Ponder stated they would be in favor of supporting for another year, and revisit the funding next fiscal year.

Hearing no further discussion, Chairman Willis called for a vote.

>>Chairman Willis, Neil Smith, Jeff Martin, Tom Ponder, and Trey Whitehurst voted in favor, and Sam Wyche opposed. Motion carried.

4) Amendment for Seniors Unlimited:

- Jeff Martin moved to fund \$10,000 to Seniors Unlimited. Neil Smith seconded the motion.

>>During discussion, Sam Wyche stated that Seniors Unlimited is a great organization, and Seniors of Pickens County is also a similar organization which is not being funded. Also Sam Wyche stated Meals on Wheels is another organization that caters to elderly and those citizens who cannot obtain meals by any other means. Mr. Wyche stated he wanted it clear that the motion is only for Seniors Unlimited, but others are worthy as well.

>>Jeff Martin stated he would be willing to look at all 3 organizations because he thought they were all equally important to the citizens of Pickens County.

>>Mr. Smith stated Seniors Unlimited supports the entire County, and in the past was funded at \$20,000.

>>Chairman Willis stated the Council began to reduce all the agencies because actions were directed for building projects for senior citizens.

>>Sam Wyche stated Meals on Wheels is also a County wide service.

>>Trey Whitehurst stated he again has a fundamental philosophy that government should not be a place for funding. Mr. Whitehurst stated that all the agencies that request funds are worthy, but it is not the responsibility of government. Councilman Whitehurst also commended Mr. Wyche for the work he has done with many agencies in helping them be more self sufficient.

Amendment to the Amendment:

- Neil Smith amended the amendment to direct \$5,000 for Seniors Unlimited and \$5,000 for Meals on Wheels. Tom Ponder seconded the motion.

>>Sam Wyche stated he appreciated the amendment, but Meals on Wheels will be fine, and that grants are being processed. Mr. Wyche stated he did not want to take money for Meals on Wheels, and take away from another worthy organization.

Chairman Willis called for a vote to amend the original amendment, which is splitting the \$10,000 between the (2) organizations.

>>Chairman Willis, Neil Smith, Tom Ponder, and Trey Whitehurst voted in favor of the amended amendment. Jeff Martin and Sam Wyche opposed. Motion carried.

Chairman Willis called for a vote on the amendment as amended, which is now the split of \$10,000 from contingency to the Seniors Unlimited \$5,000.00 and Meals on Wheels \$5,000.00

>>Chairman Willis, Neil Smith, Tom Ponder, and Trey Whitehurst voted in favor of the amended amendment. Jeff Martin and Sam Wyche opposed. Motion carried, the \$10,000 will be equally split between the organizations as mentioned.

5) Amendment for South Carolina Association of Counties (SCAC) annual dues:

- Neil Smith moved to amend \$19,025.00 annual dues for South Carolina Association of Counties. Jeff Martin seconded the motion.

>>During discussion, Neil Smith stated he struggled with this motion because he has been critical of the association, but without the creation of another organization, Pickens County would be the only county in the State not affiliated, and would lose all lobbying powers in Columbia. Both Mr. Smith and Chairman Willis stated this organization does lobby and send out updates to alert all members about potential bills that diversely affect local governments.

Chairman Willis called for the vote on the amendment to fund \$19,025 from contingency to the SCAC annual dues.

>>Motion carried with a unanimous vote.

6) Amendment for Golden Harvest Food Bank:

- Sam Wyche moved to amend the budget by \$2,000 from contingency for the Golden Harvest Food Bank. Seconded by Jeff Martin and unanimously passed.

7) Amendment for Samaritan Health Clinic:

- Neil Smith, seconded by Chairman Willis moved to amend the budget by \$20,000 from contingency for the Health Clinic.

>>During discussion, both Neil Smith and Chairman Willis stated this Clinic was the only free clinic in Pickens County until recently a similar Clinic has opened in Clemson. Also, Chairman Willis stated the fact that this clinic keeps people out of the local emergency rooms, which always come back to the taxpayer. In addition, the clinic sends Council detailed monthly reports.

>>Mr. Smith stated he is voting for this funding because he realizes the benefit of this organization especially during economic hardship.

Chairman Willis called for the vote.

>>All Council voted in favor of funding the Samaritan Health Clinic at \$20,000.00. Motion carried.

Hearing no further amendments on the Budget Ordinance No. 440, Chairman Willis called for a vote on Third Reading as amended- Pickens County Council unanimously voted in the affirmative for the FY 2011/2012 Budget Ordinance as amended.

THIRD READING OF ORDINANCE NO. 438, FIFTH AMENDMENT TO THE OCONEE/PICKENS PARK:

- Motion was made by Neil Smith, seconded by Jeff Martin and unanimously passed that this constitutes a Third Reading for Ordinance No. 438, the fifth amendment to the Oconee/Pickens Park.

FIRST READING OF ORDINANCE NO. 442, SIXTH AMENDMENT TO THE OCONEE/PICKENS PARK:

- Motion was made by Neil Smith, seconded by Trey Whitehurst and unanimously passed that this constitutes a first reading of Ordinance No. 442.

APPROVAL OF RESOLUTION OF MUTUAL AID WITH THE PICKENS COUNTY SHERIFF'S OFFICE AND VARIOUS LAW ENFORCEMENT AGENCIES:

- Neil Smith moved to approve the mutual aid agreement, Tom Ponder gave the second.

>>Councilman Martin asked about Clemson University not being on the agreement, and Mr. Hurst responded he would double check on that issue but the mutual aid is more for local government agencies, and Clemson University has its own departments.

Hearing no further discussion, Chairman Willis called for the vote to approve.

>>All members voted in favor of the mutual aid agreement. Motion carried.

2012 PAVING LIST:

- Neil Smith moved to approve the paving list for staff to put out for bid; motion was seconded by Tom Ponder and unanimously passed.

EXECUTIVE SESSION:

Motion was made by Neil Smith, seconded by Tom Ponder and unanimously passed to convene into executive session for the stated purposes.

- Legal Update: Ken Roper (1)
- Personnel Update: Chappell Hurst (1)
- Boards and Commissions (2)
- Contractual issues (3)
- Legal Issues (5)

PUBLIC SESSION RECONVENED:

Chairman Willis called the public session back to order and advised the following

- Motion was made by Trey Whitehurst, seconded by Jeff Martin and unanimously passed to appoint Jennifer Woods to the Public Service Commission.
- Motion was made by Neil Smith, seconded by Tom Ponder and unanimously passed to re-appoint the board of directors to Behavioral Health as recommended- Mabry McCrary, Mary Babb, and Gary Fraley.
- Tom Ponder moved to accept the real-estate offer from Pickens County School District regarding the Dacusville school property; motion was seconded by Jeff Martin and unanimously passed.
- Neil Smith moved to approve the real-estate transaction for the Pickens County School District to sell property to Pickens County, as required by State Law. Motion was seconded by Tom Ponder and unanimously passed.
- Neil Smith moved to approve the 30% accommodation tax money be moved to the Alliance Pickens organization, Chairman Willis gave the motion a second. Motion was unanimously passed.

ADJOURN:

Hearing no further business, Chairman Willis called for a motion to adjourn; said motion was made by Neil Smith, seconded by Jeff Martin and unanimously passed. Pickens County Council stood adjourned at 11:35 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman