

Regular Pickens County Council Meeting  
June 23, 2014  
6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman G. Neil Smith presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media on June 13, 2014.

Council Members in attendance:

G. Neil Smith, Chairman  
Tom Ponder, Vice Chairman  
Jennifer H. Willis, V.C. Pro-Tem  
Jeff Martin  
Trey Whitehurst  
Randy Crenshaw

Donna Owen, Clerk to Council

Staff:

Ralph Guarino, Interim Administrator  
Ken Roper, County Attorney

**WELCOME AND CALL TO ORDER:**

Chairman Smith called the meeting of June 23, 2014 to order and welcomed those in attendance. Chairman Smith further called upon Councilman Randy Crenshaw to lead the Invocation and Pledge of Allegiance.

**PUBLIC FORUM:**

Chairman Smith opened the Public Forum and requested the Clerk to introduce the speakers who have signed up.

- 1) Junius Smith-Mr. Smith commented on several items. One being a public prayer, Mr. Smith stated it was probably more constitutional for Council to adopt a public forum prayer, and allow anyone who wants to pray to participate. In another matter, Mr. Smith stated he was very disappointed in the recent primary elections, it proves there is no republican party in Pickens County. Finally, the recreation department is not being run properly, this organization should be open to everyone, or closed.
- 2) Weldon Clark- Mr. Clark stated the school board is now comprised with 2 conservatives and 4 liberals; thus taxes will be raised, and tax notices are going to look like the County is raising taxes. These tax bills need to be explained to the public with some type of mail out.
- 3) Bill Johnston- Mr. Johnston reported about an event relating to the 40 marines that left last year for Afghanistan; those marines returned today, and were motorcycle escorted about 16 miles into the Lake Keowee area. Local Lighthouse restaurant provided snacks, and others are opening their homes for a few days of rest for the soldiers. It was a very nice experience commented Mr. Johnston.

**APPROVAL OF MINUTES –May 12, 2014 and May 19, 2014.**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Jeff Martin and unanimously passed to approve the minutes of May 12, 2014 and May 19, 2014 as presented; Councilman Randy Crenshaw corrected the minutes of May 19, 2014 by pointing out that on page (3) the motion read as incomplete due to not having a second to the motion as it related to the

Pickens Fire contract. Both Ms. Willis and Dr. Martin concurred, and Council unanimously approved the minutes of May 19, 2014 as corrected.

**ADMINISTRATOR’S REPORT:**

Mr. Guarino informed Council that with vacations and budget completion, he did not have any items to report.

>>Chairman Smith noted clarification regarding item number (10) as it relates to municipal elections. The intent was to make known that citizens working during elections are not county payroll employees. Mr. Smith stated that a memorandum had gone out from the election commission that stated these citizens would be county employees. Therefore, the ordinance is intended to make this issue clear, and to protect the municipalities from being charged all the payroll taxes and enrollment expenses. Mr. Smith concluded by stating the issue will be resolved by deciding the best method of payment, which may be reimbursement from the State or accounts payable.

- Mayor Stoddard stated the confusion is the fact that the ordinance reads like the county is no longer going to provide election service for municipalities.

>Chairman Smith stated that the ordinance will be made clear by third reading.

**COMMITTEE REPORTS: Administration and Finance. Chairman Smith gave the following report:**

The Administration and Finance Committee met in the Main Conference Room on Monday, May 12, 2014. Chairman Smith presided, and Councilwoman Jennifer H. Willis was in attendance. Councilman Trey Whitehurst was absent.

Item	Description	Referred	Report	Action
41	Memorandum of Understanding relating to Animal Control.	03/17/2014	06/23/2014	>Staff was instructed to update the Memorandums of understanding for a (1) year time period. Council will revisit the (MOU’s) during the upcoming year. >Staff will also look at other MOU’s that are outdated.

**COUNCIL CORRESPONDENCE:**

Chairman Smith stated he has given Council information relating to fire fees on vacant land, and also information regarding the budget session.

**MOTION PERIOD AND NEW BUSINESS:**

Chairman Smith opened the floor for new business. Hearing none, motion period was closed.

**REQUEST FOR APPROVAL TO NAME/HONOR THE PICKENS COUNTY MEDAL OF HONOR RECIPIENTS:**

- Chairman Smith moved to name the following structures in honor of the Pickens Medal of Honor Recipients and to send said request to the Planning Commission for approval. Motion was seconded by Councilman Randy Crenshaw and unanimously passed.

*-William Alexander McWhorter- Liberty Magistrates Building*

*-Furman Leon Smith-Six Mile Fire Station*

*-Charles Hayward Barker –Concord Fire Station*

*-James Donnie Howe-Liberty Fire Station 2*

**FIRST READING OF AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED NOVEMBER 4, 1996 BY AND BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND PICKENS COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITER, AS AMENDED; SO AS TO INCLUDE ADDITIONAL PROPERTY AND TO FURTHER DESCRIBE SUCH PROPERTY IN THAT PORTION OF THE JOINT COUNTY INDUSTRIAL PARK GEOGRAPHICALLY LOCATED IN GREENVILLE COUNTY, SOUTH CAROLINA, AND OTHER MATTERS RELATED THERETO.**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Trey Whitehurst and unanimously passed that this constitute a first reading of the stated Ordinance to amend Greenville/Pickens Industrial Park.

**SECOND READING OF ORDINANCE NO. 479 TO REPEAL ORDINANCES 264, 284 AND 380 AS THEY RELATE TO CONDUCTING MUNICIPAL ELECTIONS:**

- Vice Chairman Tom Ponder moved that this constitute a second reading of Ordinance No. 479.

Motion was seconded by Councilwoman Jennifer H. Willis.

>Councilwoman Jennifer H. Willis stated she had calls from the Easley Mayor regarding this ordinance. Ms. Willis stated that due to the confusion of the language, she would suggest that this ordinance go to the Administration and Finance Committee, and to allow the municipalities to participate.

>Chairman Smith discussed that he would entertain a motion for the Ordinance being sent to the Committee of the Whole.

- Councilwoman Jennifer H. Willis amended the motion to send Ordinance No. 479 to the Committee of the Whole for a clearer understanding and intent of the ordinance. Vice Chairman Tom Ponder seconded the amendment and all members of Council voted in the affirmative.
- Second reading of Ordinance No. 479 was unanimously passed as amended.

**THIRD READING OF ORDINANCE NO. 476 TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 384, 410, 424, 433, 437, 438, 442, 451, 461 AND 472 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK:**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Vice Chairman Tom Ponder and unanimously passed that this constitutes a third reading of Ordinance No. 476.

**PUBLIC HEARING AND THIRD READING OF THE FISCAL YEAR 2014/2015 BUDGET ORDINANCE NO. 477:**

Chairman Smith opened the Public Hearing and ask for any comments as it relates to Ordinance No. 477.

- 1) John Mauldin, Public Defenders Office. Mr. Mauldin requested additional staff in the 2014/15 budget year and asked Council to consider this request. Mr. Mauldin stated he understands the discussion for a larger jail, however, this is a temporary fix for his office as the office currently represents approximately (60-70%) of current inmate population. Therefore, with the increase in jail population, it is difficult to process these cases efficiently with the current level of staff.

>Chairman Smith stated while he does not generally engage in debate during a public hearing, but he wanted to emphasize to Mr. Maudlin that he understands the need, but a majority of his request

should be coming from the State and not the County. Chairman Smith further stated it has been the policy of County Council to not assist in these State responsibilities until the State funds were more forthcoming with the mandates they are placing on local government.

>Vice Chairman Tom Ponder further injected that the system itself is the root of the problems as inmates are being held in the jail system, and when they go to trial the time is being counted as time served. Mr. Ponder further stated that the Delegation should see how this is hurting everyone in all branches of the judicial system, as well as the taxpayer.

2) Weldon Clark- Mr. Clark stated that funds for roads, bridges, and infrastructure are coming from Columbia and going to the lower part of the State. Thus, the reason for many mandates and shortfall of funding coming to the local government.

3) Philip Smith- Mr. Smith stated that he realizes a need for a jail. Mr. Smith stated he has noted one individual that has been arrested (27) times for the use of illegal drugs and theft. This individual is beyond needing a public defender; he needs to stay in jail. Mr. Smith stated he would like to see a new jail, but would not be in favor of a tax increase.

>Councilman Jeff Martin commented that Interim Administrator and Finance Director Ralph Guarino has shared within this budget a number of over \$2M of unfunded mandates from the State. Mr. Martin asked Mr. Guarino to comment on this as well as positions and tax increases.

>Mr. Guarino confirmed Pickens County has exhibited extreme caution in adding new positions and not counting the new fire station personnel, the county has eliminated about 20-25 positions. (positions -not people) Also, the County has not had a tax increase since 2005. The budget does have an increase for health insurance.

- Chairman Smith closed the Public Hearing and called for a motion for third reading. Motion was made by Councilman Trey Whitehurst, seconded by Vice Chairman Tom Ponder and unanimously passed that this constitutes a third and final reading of Ordinance No. 477.  
>>Chairman Smith did note for the public that this Council has had numerous issues relating to needs such as the jail, and also the fact the County is searching for a new Administrator. This has been a time consuming budget year.

#### **PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 478 TO AMEND THE FISCAL YEAR 2013/2014 BUDGET ORDINANCE:**

Chairman Smith opened the floor for the Public Hearing as it relates to Ordinance No. 478. Hearing no comment, Chairman Smith called for the motion.

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Trey Whitehurst and unanimously passed that this constitutes a third and final reading of Ordinance No. 478.

#### **CONSENT AGENDA:**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Vice Chairman Tom Ponder and unanimously passed to approve the consent agenda as presented.
  - Administration and Finance: Salary Review
  - Administration and Finance: Fire Fees on vacant property

#### **EXECUTIVE SESSION:**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Vice Chairman Tom Ponder and unanimously passed to convene into executive session for the stated purposes.
  - Legal updates
  - Personnel updates
  - Contractual issues
  - Boards and Commissions

**PUBLIC SESSION RECONVENED:**

Chairman Smith called the public session back to order and allowed the following motions.

Library Board--Councilman Randy Crenshaw moved to appoint Mary Hamby to the Pickens Library Board of Directors. Motion was seconded by Vice Chairman Tom Ponder and unanimously passed.

Dacusville Fire Board--Vice Chairman Tom Ponder moved to appoint Tom Turner to the Fire Board. Motion was seconded by Chairman Smith and unanimously passed.

City of Clemson, Pickens County and Pickens County School Board Lawsuit:

Motion was made by Trey Whitehurst, seconded by Tom Ponder to approve the lawsuit agreement with Clemson, Pickens County, and Pickens County School Board. All members voted in the affirmative.

>Councilman Trey Whitehurst further moved to authorize the Chairman and Administrator to execute any and all necessary documents relating to the above named lawsuit. Motion was seconded by Vice Chairman Tom Ponder and unanimously passed.

City of Liberty Fire Contract--Councilman Trey Whitehurst moved to renew the City of Liberty Fire Contract. Chairman Smith gave the second and all voted in the affirmative. Motion carried.

Mutual Aid Agreement--Councilman Trey Whitehurst moved to approve mutual aid with Shady Grove and Oconee County. Motion was seconded by Councilwoman Jennifer H. Willis and unanimously passed.

Tri-County Technical College Board-

Councilman Trey Whitehurst moved to re-appoint Milton Ponder to the Tri-County Technical College Board; motion was seconded by Councilman Jeff Martin. All voted in favor with the exception of Vice Chairman Tom Ponder who abstained due to the appointee being his brother.

Councilman Trey Whitehurst moved to appoint Valarie Ramsey to the Tri-County Technical College Board; motion was seconded by Vice Chairman Tom Ponder. Councilman Trey Whitehurst, Vice Chairman Tom Ponder, Councilwoman Jennifer H. Willis and Chairman Smith voted in favor. Councilman Randy Crenshaw and Jeff Martin abstained. Motion carried with a 4-2 vote.

Councilman Trey Whitehurst moved to appoint Tom Hendricks to the Tri-County Technical College Board; motion was seconded by Vice Chairman Tom Ponder. Councilman Trey Whitehurst, Vice Chairman Tom Ponder, Councilwoman Jennifer H. Willis, Councilman Randy Crenshaw and Chairman Smith voted in favor. Councilman Jeff Martin abstained. Motion carried with a 5-1 vote.

**ADJOURN:**

Hearing no further Council business, Chairman Smith called for a motion to adjourn. Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Neil Smith and unanimously passed. Pickens County Council stood adjourned at 10:20 PM.

Respectively Submitted:

Approved:

---

Donna F. Owen, Clerk to Council

---

G. Neil Smith, Chairman