

December 5, 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 November 28, 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
Ralph Guarino, Finance Director

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of December 5, 2011 to order and welcomed those in attendance. The Invocation and Pledge of Allegiance was led by Councilman Sam Wyche.

PUBLIC FORUM:

The Clerk to Council introduced the following individuals for public forum.

1. Johnelle Raines- Ms. Raines informed Council of her concerns regarding the United Nations document known as Agenda 21, and expressed her discomfort that all advertising and media outlets are using terms such as “green” and “sustainable” Ms. Raines stated that she believes this is a form of indoctrinating the way people think. Ms. Raines concluded by stating this environmental propaganda is a way of brainwashing young children.
2. Junius Smith-Mr. Smith reiterated the comments made by Ms. Raines. Mr. Smith stated the issues surrounding sustainability and environment is a form of socialism. Mr. Smith concluded by saying that he thinks County Council should take a stand against all propaganda and disassociate with organizations such as Ten at the Top and Upstate Forever.
3. Philip Smith- Mr. Philip Smith informed Council that he was recently defeated in the Mayor’s race in Liberty. Mr. Smith stated that the Director of voter registration, Mr. Rodney Allen, was very professional and he appreciated him and Board Member, June Bowers for their guidance. Mr. Smith also encouraged Council to read documents on saludiariverroots.com as it relates to issues of environmental concerns and property rights.
4. Weldon Clark- Mr. Clark commented on good customer service he recently experienced at the Treasurer’s Office. Mr. Clark also discussed the recent EPA public meeting regarding the Twelve Mile River.

APPROVAL OF MINUTES - November 07, 2011 and November 17, 2011

- Councilman Sam Wyche moved to approve the minutes; motion was seconded by Councilman Tom Ponder and unanimously passed.

ADMINISTRATOR'S REPORT:

Mr. Hurst advised Council of the following issues.

1. Redistricting Plan- Council was advised that the redistricting plan for Pickens County has been sent to Washington, DC. Mr. Hurst stated the County has sent additional information, and he expects the plan to be approved.
2. Nature Trail- Mr. Hurst stated that a recent project was completed at Haygood Mill when 250 boy scouts stayed and worked on clearing a nature trail as a project. Mr. Hurst informed Council that they have done a good job.
3. Six Mile Fire Department- The Town of Six Mile and staff are working to secure permits and septic systems. Drawings for building are almost complete, and bids should be ready for approval by the end of January.
4. Fire Training Facility- Mr. Hurst stated the fire training facility is now complete. Pump test are now in progress. Mr. Hurst stated next steps will provide the driving training track that will surround the facility.

COMMITTEE REPORTS:

Council went over the committee logs as specified by Council Rules. Chairman Willis stated a unanimous vote of Council was needed to retain items; otherwise the items would be removed.

- 1) **Administration and Finance:** Chairman Willis moved to retain item number 3, Security Policy, and item 21, study of EMS stations. Motion was seconded by Councilman Tom Ponder and unanimously passed.
Councilman Tom Ponder moved to retain item number 27, landfill issues; motion was seconded by Chairman Willis and unanimously passed.
- 2) **Council of the Whole:** Chairman Willis moved to retain item number 7, Twelve Mile River, an item number 10, Tourism Plan, and item number 15, Pickens Gym/Canteen property. Councilman Neil Smith seconded and the motion was unanimously passed.
- 3) **Education Recreation and County Planning:** Councilman Sam Wyche moved to retain item number 2, discussion of the Pickens Gym/Canteen. Chairman Willis stated that item has been condensed into one item and it is in the Committee of the Whole. Mr. Wyche concurred, but asks that this not be forgotten. Councilman Sam Wyche moved to retain item number 4, abandoned buildings/mills. Motion was seconded by Councilman Jeff Martin and unanimously passed.
- 4) **Public Service Committee:** Councilman Tom Ponder moved to retain his entire log as presented. Motion was seconded by Councilman Neil Smith and unanimously passed.

COUNCIL CORRESPONDENCE:

Chairman Willis informed Council of the following items.

- 1) Holiday Schedule- January 9th, 2011 will be the next regular meeting of Council. Chairman Willis stated that the first and third Monday's in January are holidays, and therefore she will call the meeting for January 9, 2012.

MOTION PERIOD AND NEW BUSINESS:

Chairman Willis opened the floor for motions and new business.

-Councilman Tom Ponder commented that council had received emails last week regarding a utility that cut off water to a new business due to a deposit. Mr. Ponder stated he would like Council and or administration to communicate Council's displeasure to the Board of Directors of that utility.

-On another issue, Councilman Tom Ponder stated he agreed with Junius Smith and Johnelle Rains as it relates to Council needing to take a position on some of these environmental issues such as the Saluda River.

- Councilman Tom Ponder moved to add a legal issue to executive session, Mr. Ponder specifically requested discussion as it relates to coordination and the Saluda River issue. Motion was seconded by Councilman Trey Whitehurst and unanimously passed.

PRESENTATION OF THE FISCAL YEAR 2011 COMPREHENSIVE ANNUAL FINANCIAL REPORT:

Council heard from the audit firm of Cherry, Bekaert and Holland. Mr. Alan Robinson stated the audit ended on June 30, 2011, and the audit was found to be a clean unqualified audit. Mr. Robinson stated this simply meant that there were no issues with fiscal responsibility, and good practices are in use. Mr. Robinson did inform Council that this is the sixth year in a row that Ralph Guarino has received the CAFRA award for excellence in accounting practices. Mr. Robinson further thanked Mr. Guarino and his staff for their professionalism.

CONSIDERATION OF APPROVAL FOR BUDGET CALENDAR FOR FISCAL YEAR 2012 – 2013:

- Motion was made by Councilman Jeff Martin, seconded by Councilman Trey Whitehurst and unanimously passed to approve the FY 2012 2013 budget calendar.

CONSIDERATION OF ROCKCREST RIDGE ROAD BEING ACCEPTED INTO THE MINIMUM MAINTENANCE ROAD SYSTEM:

- Motion was made by Councilman Tom Ponder, seconded by Councilman Sam Wyche and unanimously passed to approve Rockcrest Road for minimum maintenance.

CONSIDERATION OF APPROVING MARKETING FUNDS FOR THE “SMITHSONIAN COMES TO THE UPSTATE” NEW HARMONIES: CELEBRATING ROOTS MUSIC:

- Motion was made by Councilman Tom Ponder, seconded by Councilman Jeff Martin to approve \$10,000 for marketing the music exhibit presented by the Smithsonian.

During Council discussion, Councilman Trey Whitehurst stated these were funding issues that he had a problem with endorsing. Mr. Whitehurst gave an example of the budget for advertising for this event is showing a huge mark-up for cost associated with signs. Mr. Whitehurst further stated he had a problem with tax payer's money that pays for entertainment. Mr. Whitehurst concluded by stating he was going to oppose.

Councilman Sam Wyche stated the Accommodations tax money is for this use, and this exhibit will be a reason for people to come to Pickens County. Councilman Sam Wyche further stated he would be voting in favor.

Chairman Willis reiterated the Accommodations money uses, and agreed with Mr. Wyche about the exhibit.

Mr. Hurst stated these funds must be spent, and cannot accumulate.

- Councilman Neil Smith moved to amend the motion to state that part of approval will entail an itemized list of exact vendors and expenditures post event. Councilman Tom Ponder seconded the amendment. All members voted to approve the amendment.

Councilman Jeff Martin stated he thought when organizations were seeking matching funds; the process should be approved on the front end of the application process. However, Dr. Martin stated this is the exact kind of event that Accommodations money should be used.

Chairman Willis called for the vote on approval of \$10,000 being spent from Accommodations money, as amended. Motion carried with Chairman Willis, Councilman Neil Smith, Councilman Sam Wyche, Councilman Tom Ponder and Councilman Jeff Martin voting in favor. Councilman Trey Whitehurst opposed. Motion carried.

CONSIDERATION APPROVAL OF MATCHING FUNDS FOR PURCHASE OF PROPERTY ADJOINING THE PICKENS COUNTY AIRPORT:

Mr. Hurst provided that Council had received grants from the FAA. Mr. Hurst stated the property that needs to be procured is 76.7 acres with a value of over \$600,000; most funds are coming from the FAA and State. This protects flight zones and promotes industry sites. Mr. Hurst stated the funds coming from the County would be a match at \$31,153.

- Councilman Neil Smith moved to approve those matching funds, seconded by Chairman Willis and unanimously passed.

CONSIDERATION OF THE CONTRACT FOR FIRE PROTECTION SERVICE BETWEEN THE CITY OF LIBERTY AND LIBERTY AREA FIRE DISTRICT:

- Motion was made by Councilman Neil Smith, seconded by Councilman Tom Ponder and unanimously passed to approve.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 449 AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND KONGSBERG; THE GRANTING OF A SPECIAL SOURCE REVENUE CREDIT; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES:

Chairman Willis opened the public hearing for Ordinance No. 449.

1. Junius Smith asked if there were any protocols for businesses that receive a fee in lieu to hire Pickens county citizens only.

Chairman Willis stated that would not be the responsibility of government to enforce hiring protocols on any business.

Hearing no further comments, the public hearing was closed, and Chairman Willis called for a motion.

- Motion was made by Councilman Trey Whitehurst, seconded by Councilman Sam Wyche and unanimously passed that this constitutes a third and final reading of Ordinance No. 449.

FIRST READING OF AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 384, 410, 424, 433, 437, 438 AND 442 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK.

- Motion was made by Councilman Tom Ponder and seconded by Councilman Jeff Martin that this constitutes a first reading of an Ordinance to amend the Oconee/Pickens Park Agreement.

FIRST READING OF AN ORDINANCE ESTABLISHING UNIFORM POLICIES FOR THE EVALUATION AND APPROVAL OR DISAPPROVAL OF TAX INCREMENT FINANCING REDEVELOPMENT PLANS AND DISTRICTS IN MUNICIPALITIES LOCATED WITHIN THE BOUNDARIES OF PICKENS COUNTY, AND ADDRESSING THE ISSUANCE OF MUNICIPAL DEBT FINANCING FROM REVENUES DERIVED FROM SUCH DISTRICTS, AS WELL AS THE USE OF SUCH REVENUES FOR ON-GOING PROJECTS WITHIN MUNICIPAL REDEVELOPMENT DISTRICTS ESTABLISHED PURSUANT TO THE PROVISIONS OF CHAPTER SIX OF TITLE 31 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND RELATED MATTERS:

- Motion was made by Councilman Neil Smith, seconded by Councilman Tom Ponder and unanimously passed that this constitutes a first reading of an Ordinance establishing uniform policies for the evaluation and approval of TIF districts in Pickens County.

CONSENT AGENDA:

- Motion was made by Councilman Neil Smith, seconded by Councilman Sam Wyche and unanimously passed to approve the consent agenda as

Traffic Study Review: Public Service Committee

EXECUTIVE SESSION:

Motion was made by Councilman Tom Ponder, seconded by Councilman Trey Whitehurst and unanimously passed to convene in executive session for the following items as amended.

Boards and Commission

Legal issue

(added during motion period)-Coordination regarding water issues

PUBLIC SESSION RECONVENED:

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

Boards and Commissions:

1) Library-

Councilman Neil Smith moved to reappoint Anne Hendricks; motion was seconded by Councilman Sam Wyche and unanimously passed.

Councilman Jeff Martin moved to appoint Bobby Hollingsworth; motion was seconded by Councilman Neil Smith and unanimously passed.

Councilman Trey Whitehurst moved to reappoint Tom Rust; motion was seconded by Councilman Neil Smith and unanimously passed.

2) Zoning and Appeals-

Councilman Jeff Martin moved to reappoint Corinne Cannon; motion was seconded by Councilman Neil Smith and unanimously passed.

3) Beautification-

Councilman Tom Ponder moved to reappoint Miriam Hendricks and Freddie Jewsbury; motion was seconded by Councilman Trey Whitehurst and unanimously passed.

4) Pickens Fire District-

Councilman Sam Wyche moved to appoint Pete Peters; motion was seconded by Councilman Neil Smith and unanimously passed.

Legal Issues:

Coordination- Councilman Tom Ponder moved to invoke coordination on all waterways in Pickens County to include Saluda River; motion was seconded by Councilman Trey Whitehurst and unanimously passed.

Presidential Primary- Councilman Neil Smith moved that due to the recent Supreme Court decision regarding the primary that Pickens County will extend the appropriate funding for the presidential primary. Motion was seconded by Chairman Willis and unanimously passed.

ADJOURN:

Hearing no further business, Chairman Willis called for the motion to adjourn. Motion was made by Councilman Jeff Martin, seconded by Councilman Sam Wyche and unanimously passed. Pickens County council stood adjourned at 9:00 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman