

Regular Pickens County Council Meeting  
May 6, 2013  
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 April 26, 2013

Council Members in attendance:

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

Donna Owen, Clerk to Council

Absent: Randy Crenshaw

Staff:

Chappell Hurst, Administrator  
Ken Roper, County Attorney

**WELCOME AND CALL TO ORDER:**

Chairman Smith called the meeting of May 6, 2013 to order and welcomed those in attendance. Councilman Tom Ponder led 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) Randy Bowers-Mr. Bowers, owner of Bowers Ambulance Service came before council regarding Ordinance No. 468. Mr. Bowers stated his business has been in place since 1986 for the specific purpose of providing Emergency Medical Services (EMS) for special events. Mr. Bowers stated his business does not compete with Pickens County 911, and would like to work with Pickens County to enhance EMS. Mr. Bowers concluded by requesting that Council not have second reading of ordinance No. 468, but to place the ordinance in a committee so that further items can be added to make this a better ordinance for EMS services.
- 2) Thomas Watson- Mr. Watson came before Council to request their future assistance with the Farm Days event in Dacusville. Mr. Thomas stated that the Robinson Family began this festival, but will no longer be able to maintain sponsorship after this year. Mr. Watson stated this festival has grown over the years and is worthy of a tourist type event.
- 3) David Lane- Mr. Lane introduced himself to Council as the new president of the Clemson Chamber of Commerce. Mr. Lane stated he felt privileged to serve in many communities in Pickens County, and was most interested in quality communication and good relationships with other government agencies and Chambers of Commerce.
- 4) Weldon Clark – Mr. Clark stated he was a spectator at the budget work session where the sheriff's office discussed needs at the courthouse where inmates are transported to and from trial dates. Mr. Clark stated one issue that was not mentioned was the importance of accessibility for inmates that may be wheelchair bound or have other disabilities. Mr. Clark warned Council of the costly effects of lawsuits.

>>Vice Chairman Tom Ponder spoke regarding the comments from Mr. Watson. Mr. Ponder being the councilmember representing Dacusville thanked Mr. Watson for his comments about Farm Days. Mr. Ponder stated that a committee of citizens have met and shown great interest in the prosperity of the Farm Day Festival. Mr. Ponder stated that he agreed with Mr. Watson that this festival can expand and is worthy of future tourism support.

With no other citizens addressing Council, Chairman Smith declared the public forum closed.

**APPROVAL OF MINUTES – April 1, 2013 and April 22, 2012**

Motion was made by Vice Chairman Tom Ponder and seconded by Councilman Jeff Martin to approve the minutes, all voted in the affirmative with the exception of Councilwoman Jennifer H. Willis who abstained from the April 1, 2013 minutes due to her absence. Motion carried.

**ADMINISTRATOR’S REPORT:**

Mr. Hurst stated the following items.

1. The Library System participated in the Income Tax Preparation Program for citizens who needed assistance. This year (892) citizens were aided in this endeavor.
2. Reunion of the Upcountry Families- This was held in April and attracted many people in and out of State. Mr. Hurst stated this is a growing event.
3. Road Paving Project- the road pavement project using sand-mix was demonstrated this week. Mr. Hurst stated on certain roads this will be a solution to pave more roads with less money.

**COUNCIL CORRESPONDENCE:**

- 1) Chairman Smith announced the Summer/Fall 2013 schedule as follows:

Monday, June 10, 2013  
July – No Meeting  
Monday, August 19, 2013  
Monday, September 16, 2013  
Monday, October 21, 2013  
Monday, November 18, 2013

(all meetings will begin at the usual time of 6:30 PM)

**MOTION PERIOD AND NEW BUSINESS:**

Chairman Smith opened the floor for new business.

- Councilman Trey Whitehurst moved to place the Medal of Honor recipients for Pickens County in committee for the purpose of naming county buildings/structures after these recipients. Motion was seconded by Councilman Jeff Martin and unanimously passed.

**APPROVAL OF A LEASE AGREEMENT BETWEEN THE COUNTY OF PICKENS AND THE SOUTH CAROLINA BAPTIST CONVENTION FOR THE USE OF ROCKY BOTTOM FIRE DISTRICT:**

- Motion was made by Vice Chairman Tom Ponder, seconded by Chairman Smith and unanimously passed to approve the lease. Council noted this was for the Rocky Bottom Fire District.

**PROCLAMATION TO PROCLAIM MAY 15<sup>TH</sup>, 2013 AS PEACE OFFICERS MEMORIAL DAY:**

- Motion was made by Councilman Jeff Martin, seconded by Councilman Trey Whitehurst and unanimously passed to approve the proclamation for Peace Officers Memorial Day.

**RESOLUTION 2013-02 TO OPPOSE HOUSE BILL 3290:**

- Motion was made by Councilman Jeff Martin, seconded by Councilman Trey Whitehurst and unanimously passed to approve Resolution No. 2013-03

**APPROVAL FOR THE SHERIFF’S DEPARTMENT TO APPLY FOR THE 2013 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG):**

- Motion was made by Councilman Jeff Martin, seconded by Councilman Trey Whitehurst and unanimously passed to approve the Sheriff’s office to apply for JAG grants.

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

- Motion was made by Vice Chairman Tom Ponder, seconded by Councilman Jeff Martin and unanimously passed that this constitutes a second reading of Ordinance No. 461.

**SECOND READING OF ORDINANCE NO. 462 AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND PROJECT CT, THE CODE NAME FOR A SOUTH CAROLINA CORPORATION, WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES; AND OTHER MATTERS RELATED THERETO.**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Vice Chairman Tom Ponder and unanimously passed that this constitutes a second reading of Ordinance No. 462.

**SECOND READING OF THE FISCAL YEAR 2013/2014 BUDGET ORDINANCE NO. 463:**

- Motion was made by Councilman Jeff Martin, seconded by Councilman Neil Smith and unanimously passed that this constitutes a second reading of the FY budget Ordinance No.463.

**SECOND READING OF ORDINANCE NO. 464 TO AMEND THE FISCAL YEAR 2012/2013 BUDGET ORDINANCE:**

- Motion was made by Vice Chairman Tom Ponder, seconded by Councilman Trey Whitehurst and unanimously passed that this constitutes a second reading of Ordinance No. 464.

>During council discussion, Councilwoman Jennifer H. Willis stated she would be voting in opposition of the budget amendment due to the fact that there were funds in the amendment for the magistrates building. Ms. Willis stated she did not have an issue with the building in concept; however, she had issues with the State not allowing Pickens County Magistrates to be online with their filing services. Councilwoman Willis stated she personally had contact with Chief Justice Toal, and had a vendor to implement the programming at no cost. Therefore, she could not vote for buildings and improvements until they were willing to streamline the paperwork.

- Motion for second reading carried with Councilwoman Jennifer H. Willis voting in opposition. All other members of Council voted in the affirmative.

**SECOND READING OF ORDINANCE NO. 466 TO AMEND THE AERONAUTICS COMMISSION AS IT RELATES TO THE NUMBER OF YEARS OF THE TERM:**

- Motion was made by Vice Chairman Tom Ponder, seconded by Councilwoman Jennifer H. Willis and unanimously passed that this constitutes a second reading of Ordinance No. 466.

**SECOND READING OF ORDINANCE NO. 468, ESTABLISHING THE EXCLUSIVE MEANS OF PROVIDING EMERGENCY AMBULANCE SERVICES WITHIN PICKENS COUNTY AND THE PICKENS COUNTY AMBULANCE DISTRICT AND ESTABLISHING THE TERMS AND**

**CONDITIONS UPON WHICH NON-EXCLUSIVE FRANCHISES MAY BE GRANTED TO PRIVATE AMBULANCE SERVICES OPERATING IN PICKENS COUNTY:**

- Motion was made by Vice Chairman Tom Ponder and seconded by Councilman Trey Whitehurst that this constitutes a second reading of Ordinance No. 468.
- Motion was made by Councilwoman Jennifer H. Willis and seconded by Councilman Jeff Martin to amend the motion to state that this ordinance should go back to the committee of the whole in light of many of the circumstances that Mr. Bowers has brought to the table, and also to work together with other providers.  
Chairman Smith agreed with the ordinance going back to committee prior to its public hearing and third reading. Chairman Smith called for the vote on the amendment. Motion carried with a unanimous vote.
- Chairman Smith called for a vote on the second reading as amended. The vote was unanimous that this constitutes a second reading of Ordinance No. 468, as amended. Motion carried.

**SECOND READING OF ORDINANCE NO. 469 AUTHORIZING THE CONVEYANCE OF PROPERTY KNOWN AS THE OLD LIBERTY MIDDLE SCHOOL CAFETERIA TO PICKENS COUNTY MEALS ON WHEELS, INC., ALONG WITH OTHER INDUCEMENTS, IN ORDER TO FACILITATE THE OPERATION OF THE CHARITABLE PROVISION OF MEALS TO INDIVIDUALS IN NEED IN PICKENS COUNTY:**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Jeff Martin and unanimously passed that this constitutes a second reading for Ordinance No. 469.

**THIRD READING OF ORDINANCE NO. 465, TO AMEND THE CULTURAL COMMISSION AS IT RELATES TO THE NUMBER OF ITS MEMBERSHIP:**

- Motion was made by Vice Chairman Tom Ponder, seconded by Councilman Jeff Martin and unanimously passed that this constitutes a second reading for Ordinance No. 465.

**CONSENT AGENDA:**

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Jeff Martin and unanimously passed to approve the consent agenda as amended.
- Lighting Project- Administration and Finance
- Accommodations Tax- Administration and Finance
- Events/Permitting re. public roads-Public Service Committee
- Pickens County Medal of Honor recipients- Education, Recreation, County Planning (added during motion period)

**EXECUTIVE SESSION:**

Motion was made by Vice Chairman Tom Ponder, seconded by Councilwoman Jennifer H. Willis and unanimously passed to convene into executive session for the stated purposes.

- Boards and Commissions
- Legal Update

**PUBLIC SESSION RECONVENED:**

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

Legal Update- Chairman Smith stated Council heard a legal update, and no action was forthcoming.

Boards and Commissions:

- Public Service: Motion was made by Councilman Trey Whitehurst, seconded by Councilwoman Jennifer H. Willis and unanimously passed to approve the re-appointment of Jennifer Wood to the Public Service Commission.

**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 Jeff Martin and unanimously passed. Pickens County Council stood adjourned at 7:50 PM.

Respectively Submitted:

Approved:

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Donna F. Owen, Clerk to Council

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G. Neil Smith, Chairman