

****Please note - These are not official minutes of the Pickens County Council meeting. This reflects the issues that were before Council and shows the actions, however the minutes are not “official” until the County Council meets and approves them as presented. Please contact, Donna Owen, Council Clerk for any questions.**

February 5, 2007
Regular Council Meeting
7:00PM

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, January 31, 2007

Council Members in attendance:

G. Neil Smith, Chairman
Ben L. Trotter, Vice Chairman
Tom E. Ponder, Vice Chairman Pro-Tempore
Randy Crenshaw
James B. London
Jennifer Willis

Staff: J. Chappell Hurst, County Administrator
Lynn Fisher, Assistant County Administrator
Ken Roper, County Attorney
Olivia Vasse, Research Analyst
Donna Owen, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Smith called the meeting to order and welcomed those in attendance. Chairman Smith further gave the invocation.

APPROVAL OF MINUTES:

January 16th, 2007 – Motion was made by Jennifer Willis, seconded by Ben Trotter and unanimously passed to accept the minutes as presented.

January 22, 2007- special called meeting. Motion was made by Ben Trotter, seconded by Tom Ponder and unanimously passed to accept the minutes as presented.

PUBLIC FORUM:

The Clerk announced the following citizens have requested to speak.

1. Sara Rampey. Ms. Rampey requested the citizens be given information regarding their request for the fire district lines to be redrawn in order for them to be in the Central Fire District instead of the Six Mile Fire District.
2. Louise Johnson. (the Clerk announced that Ms. Johnson had called the Council Office and requested placement on Public Forum. Ms. Johnson was not in attendance.

COMMITTEE REPORTS:

- **Committee of the whole work sessions**

Chairman Smith updated Council regarding the two work sessions of 01/16/07 and 01/31/07

1. Work session of 01/16/07

**Work Session
Council as a whole
Tuesday, January 16, 2007
Following the regular Council Meeting**

All Council Members were in attendance and met in the Main Conference Room, Pickens County Administration Facility, to hold a Council as a whole work session.

Staff:

Chap Hurst, Administrator
Lynn Fisher, Assistant Administrator
Olivia Vassey, Research Analyst
Donna Owen, Clerk to Council
Chris Brink, Planning Director

Others: members of the Pickens County School Board

Agenda:

- Saco Lowell Property Project

Chairman Smith provided maps to illustrate the proposal from Cedarwood Development for the project known as the Easley Commons Project located at the Saco Lowell Property.

Council was informed of the project, infrastructure improvement requirements, and requests as outlined by the developer. Council was provided with preliminary cost estimates and projected revenues.

With this being a work session of Council, no action was allowed and meeting was adjourned at 9:35 PM

2. Work Session of 01/31/07

**Work Session
Council as a whole
January 31st, 2007**

Council Members met at the Public Service Commission in Liberty, SC. with Chairman Neil Smith presiding. James London and Jennifer Willis were absent from the work session, all other Council Members were in attendance.

Staff:

Chap Hurst, Administrator
Donna Owen, Clerk to Council
William Nicholas, Public Service Director

Others:

Staff of Hulsey McCormick & Wallace
 Tom Smith, Public Service Commission Member
 Rick Clark, City of Liberty / 18 Mile Creek Representative

A work session was held for Council to tour the wastewater treatment facilities and to review history of the Roper and Cramer projects. Council was also updated regarding Cramer and the force main project, as well as discussion regarding alternate routes.

Discussion was held about Catechee Village and Council was updated regarding Central North and Quail Haven.

1. Staff was asked to prepare a resolution for Council Consideration regarding Cramer and the Force Main.
2. Staff was asked to prepare the State Revolving Fund Loan amounts and millage amounts for Council review.

With this being a work session of Council, no action was allowed and meeting was adjourned at 1:50 PM.

Public Service Report Committee Chairman Tom Ponder gave the following Report:

Tom Ponder, Chairman
Neil Smith
Jennifer Willis

The Committee of Public Service met in the Main Conference Room with Committee Chairman Tom Ponder presiding. All Committee members were in attendance.

Other Council Members:

Ben Trotter

Staff:

Chappell Hurst, County Administrator

Lynn Fisher, Assistant County Administrator

Olivia Vassey, Research Analyst

Donna Owen, Clerk to Council

Bo Beauchemin, Roads and Bridges

Item	Description	Referred	REPORT
10	Ballard Hill Road – Retained 12/04/06	04/03/06	No action, committee was updated with plans to begin construction on the new bridge at Odem Road; the slabs will be poured by Ballard Hill Road Construction Co.
4	Recycling station in the Daniel Area/Crosswell area Retained 12/04/06	01/17/06	Work should begin on March 25, 2007 to focus funding and land search in the Crosswell area for the next recycling center. >council unanimously passed.
79	Shooting Range Road Haven Retained 12/04/06	09/08/06	Committee was informed that the Haven and Coker sites had approved funding to pave the road contingent upon the gates being moved.
8	Assistance with Dacusville Recreation Retained 12/04/06	03/06/06	Committee instructed staff to obtain prices on gravel and also a quote for an end gravel pad to be put in the gravel area on way a 6th Wildcat game parking. Also noted was the Solid Waste Department staffs request reconsideration from the Council on the Roads and Bridges Department area this project to be gated for safety reasons.

			>>Council unanimously passed.
20	Study if the Road user fee ordinance needs an amendment due to the DOT now picking up on State Roads.	12/04/06	No action, staff informed the committee that the DOT agreement does not make the current ordinance out of compliance.

Justice and Public Safety. Committee Chairman Ben Trotter gave the following report:
Ben Trotter, Chairman
Jim London
Randy Crenshaw

The Committee of Justice and Public Safety met in the Main Conference Room at 6:00 PM on Monday, February 5th 2007 with Committee Chairman Ben Trotter presiding. All Committee members were in attendance.

Staff:
Chappell Hurst, County Administrator
Lynn Fisher, Assistant County Administrator
Donna Owen, Clerk to Council
Olivia Vassey, Research Analyst
Donnie Green, Animal Control
Phillip Snow, Chief Magistrate

Item	Description	Referred	REPORT
3	Study issues regarding vicious animals and other matters of animal control. Retained 12/04/2006	03/20/06	>>No Action. Committee heard information from staff and the Magistrate regarding animal issues and the fines as well as the court system. Committee was informed if the fines are too high, then citizens will request jury trials and cases will be lengthy and problems will not be resolved. Committee also brought up issues regarding an over-population of coyotes in the county. >Staff was asked to write a letter to Department of Natural Resources and to copy it to the Delegation.
4	Fire District By-Laws Pulled from committee of the whole 05/15/06 Retained 12/04/2006	05/15/06	>>Committee deleted off the log as by laws have been passed and ordinances are being looked at in the Administration and Finance Committee
8	Study district lines for all fire districts. Petition from citizens in Six-Mile to be made part of the Central Fire District Retained 12/04/2006	07/18/06	>>No action

9	Council Rules, adding Pledge of Allegiance	01/08/07	>>Committee recommends amending the council rules to add the Pledge of Allegiance to the council agenda and to also set that Public Forum will be limited to 3-5 minutes per participate at the discretion of the Chairman. Also the entire Public Forum will not exceed 30 minutes. >>Council approved with a unanimous vote.
---	--	----------	---

ADMINISTRATORS REPORT:

Mr. Hurst provided Council with the following memorandums:

Emergency Watershed Protection Program

The Pickens County Soil & Water Conservation District was awarded over one million dollars from the Emergency Watershed Protection Program. This was the entire amount for the State of South Carolina due to the efforts of Ross Stewart and the District. Pickens County will have an opportunity to repair much of the damage caused by the recent heavy rains. The grant requires a 25% match, which will be in kind; that is labor and equipment furnished by the County will qualify as the match. The District will administer the money and work with the County Road Department to develop a list of road repairs. The Public Works Director will provide the District with a list of roads for their February meeting. Work that is done off of right of ways will require temporary easements and Pickens County Soil & Water Conservation District will secure these easements. These funds are not available for federal or state roads, only County roads.

Arial Mill Cleanup Update

Pickens County is working with the residents of Arial Mill to develop a cleanup program for the area. One of the issues was getting appliances and other items that need to be removed from the community to the street. We have developed a partnership with Clemson University's Community Service Office to allow us to use students to make a positive impact as a volunteer in this community. The County will train these students to insure that they violate no rules or regulations and to insure that they do not injure themselves in the process of assisting these residents. The University will help us to alert students of the needs of Pickens County and the various programs that the County has initiated that require volunteer efforts. Currently we have two fraternities who are interested in assisting with the cleanup and we look forward to utilizing these young citizens in this cleanup effort. We are working with a local representative of Arial Mill to advertise a cleanup date so that all residents will identify those items that need to be removed from their community and coordinate these efforts with us. Public Works staff will pick up the items from the road right of way and transport them to the landfill for disposal. We are continuing to work with the owners of the property to try to secure a donation of those properties where large expenditures of funds will be made. The owner did agree to a 30-year lease.

Pickens County Wellness Policy

I have included for your review a proposed wellness policy. The policy addresses all of the issues that were addressed during recent committee meetings. We held our Health Fair on Tuesday and Wednesday, January 30th and January 31st and it was a

tremendous success. As you can see from the outline, the County will attempt to address all aspects of our employees' health. This will include the nurse practitioner working with our employees to secure a physician that can address their individual health needs. We have established an office for the nurse practitioner and equipped the office with supplies. The nurse will begin seeing employees on a regular scheduled basis over the coming weeks. As the weather warms up we will have employees involved in group exercise programs as well as programs on diet and physical fitness in general. Our wellness committee is working on events for each month that will focus on our employees' health and wellness and we will advise you of these events as they occur.

Car Demolition Program

We are working on a program that will complement the abandoned mobile home program for Pickens County. The program will involve Code Enforcement Officers identifying abandoned automobiles that need to be removed from private property. At the time of the notification of the owner of the vehicle, the County will inform the owner of a program to assist them in removal of this abandoned auto. We have contacted wrecker services around the County to determine if they have an interest in pulling these abandoned vehicles to the landfill for recycling and have received very positive feedback. We are currently determining a fair rate for this service and then will formulate a list of those wrecker services that are willing to pull vehicles for this amount. Once the vehicles are pulled to the landfill we have a mechanic who will remove the gas tank in order for the recycle company to transport the vehicle from our property. No vehicle will be crushed on county property; therefore, no fluids will be spilled or contamination of our property will result. The recycling company will account for all Freon, antifreeze and oils that they remove from each vehicle and will provide the County with appropriate documentation. The County will receive approximately \$175 for each vehicle, which will be used to offset the towing costs. This should provide residents with a means to have their vehicle removed with as little inconvenience to them as possible.

Humane Society Update

As you recall, the County has been working with Foothills Humane Society to improve their adoption rate. One of the focus areas that was identified was the building needed painting and the general appearance of the area cleaned up. I have included a list of those items that County Maintenance Department performed and as you can see from the pictures we made a tremendous difference in the appearance of this building and it is now much more inviting to individuals wishing to adopt an animal. These improvements were made within the budgetary allowance that was provided by Council. The Humane Society is working with us to develop a website that will contain photos of animals for adoption. These photos can be shared among the various groups that wish to adopt animals. We hope to have this process in effect by the middle of February. The Spay and Neuter Program is continuing to gain acceptance and we are now scheduling three trips per month, as the response has been overwhelming.

Council Questions/Comments

- Council thanked Mr. Hurst for the report and praised the Mobile Home Program and the Spay and Neuter Program.

- Tom Ponder stated a need to monitor the removal of the gas tanks regarding the car demolition.
- Jennifer Willis commented regarding a need for the Humane Society website link to be placed on the County's website.
- Ben Trotter stated he had issues with the County Wellness Program, especially regarding use of tobacco.
Chairman Smith suggested that if Mr. Trotter brought this subject up during Motion Period then it could go to the consent agenda for committee and debate could take place at the committee level.

COUNCIL CORRESPONDENCE:

Chairman Smith provided to Council a memorandum received by Joel Ledbetter regarding a meeting at Southern Wesleyan University to discuss the Vision 2025 program. Mr. Smith stated all Council are invited to attend. Meeting will be on February 15th.

MOTION PERIOD AND NEW BUSINESS:

- 1) **Wellness Program.** Ben Trotter moved to add this issue to the agenda. Neil Smith seconded the motion. Mr. Trotter opposed while other council voted in favor. Motion failed due to not being unanimous, thus was placed on consent for committee.
- 2) **Heritage Corridor Funding.** James London moved to place on the agenda discussion of funding for the Heritage Corridor. Motion failed with James London and Chairman Smith voting in opposition, thus was placed on consent for committee.
- 3) **Resolution NO. 07-01**-Ben Trotter moved to add to the agenda Resolution No. 07-01. Motion carried with a unanimously passed vote and was added.

FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT PURSUANT TO SECTION 6-31-10 ET.SEQ CODE OF SOUTH CAROLINA AS AMENDED, BETWEEN PICKENS COUNTY, SC AND MRR PICKENS, LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY, RELATING TO THE CONSTRUCTION AND OPERATION OF A SOLID WASTE DISPOSAL FACILITY TO BE LOCATED IN PICKENS COUNTY SOUTH CAROLINA, TMS# 4098-00-82-5916, ALSO RELATING TO THE SALE OF REAL PROPERTY TO PICKENS COUNTY FOR AN INDUSTRIAL PARK EXPANSION AND RELATING TO THE DONATION OF REAL PROPERTY TO PICKENS COUNTY FOR PUBLIC USES, AND OTHER MATTERS RELATING THERETO:

>>Motion was made by Ben Trotter, seconded by Tom Ponder that this constitutes a first reading of this ordinance. James London, Jennifer Willis, Tom Ponder, Randy Crenshaw, and Ben Trotter voted in favor. Chairman Smith opposed. Motion carried.

Mr. Smith informed the public that the Planning Commission would be having a Public Hearing on this issue on February 12, 2007 and the Council would hold a Public Hearing on February 19th 2007.

Mr. Smith explained this was a Construction/Demolition landfill and not a solid waste. Mr. Smith also stated more information would be forthcoming during the public hearings.

APPROVAL OF A LOCAL GOVERNMENT FEDERAL TRANSIT ADMINISTRATION RESOLUTION, TO VERIFY THAT PICKENS COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS IS LOCATED IN PICKENS COUNTY AND PROVIDES TRANSPORTATION:

>>Motion was made by Ben Trotter, seconded by Randy Crenshaw and unanimously passed.

James London made comments about the need for inventory of vehicles for purposes of sharing resources.

Mr. Smith stated this was not an expense to the County and this resolution was adopted each year stating the Board of Disabilities is a valid State agency which is housed in Pickens County and provides transportation.

APPROVAL OF CRAMER FORCE MAIN CONSTRUCTION BID:

>>Motion was made by Ben Trotter, seconded by Jennifer Willis and unanimously passed to award the Construction Bid to Chandler Construction located in Ninety Six, SC. at a price of \$884,799.00.

Addition:

RESOLUTION NO. 07-01.

>>Motion was made by Tom Ponder, seconded by Randy Crenshaw to approve the Resolution to apply for funding with the State Revolving Fund in the amount of \$1.2 million.

Chairman Smith provided this was for the Cramer project and was not expected to cost this much but wanted to go forth and apply in the event of unforeseen expenses.

APPROVAL OF ALTERNATE PLAN TO ROPER UPGRADE:

>>Motion was made by Tom Ponder, seconded by Randy Crenshaw to approve the Alternate Plan for the Roper Upgrade for \$2.7 million. Motion passed with a unanimous vote.

Chairman Smith noted this was a plan that was presented in December of 2006 at \$4.4 million. Council and Staff have worked on solutions and held work sessions in order to come to this alternative.

Council thanked staff for their work.

MOTION TO RENAME THE SEWER CHARGE REQUIRED ON THE TAX NOTICES:

Chairman Smith stated the Justice and Public Safety Committee had proposed renaming the Sewer Fee to "State Debt Fee". However Chairman Smith stated due to these various sewer projects, the fee will actually increase 7/10 of a mill and he did not want citizens thinking the renaming was due to the increase. Also noted was it has been called the sewer fee since its inception and the citizens were used to it.

Tom Ponder stated he just did not like the term "sewer fee" because of the extreme rural parts of the county that would never benefit from sewer service and it was difficult to explain.

James London stated he was more in favor of changing the name to reflect more of an economic development fee, and further stated he had always disagreed with this fee being the burden of the unincorporated areas.

>>Chairman Smith called for the vote. Chairman Smith, Ben Trotter, Randy Crenshaw and Tom Ponder voted in favor of the tax notices reflecting the fee as "Sewer Fee". James London and Jennifer Willis opposed. Motion carried.

CONSIDERATION OF WIMBERLY LANE PROPOSAL:

Jennifer Willis asked to be excused from discussion and left the Council Chambers.

Chairman Smith provided that Mrs. Willis had excused herself due to the fact that Wimberly Lane is an area of development that she and her husband are part owners. Chairman Smith ruled it proper for her to be excused.

Chairman Smith further stated the memorandum from the City of Easley is requesting that the County support their request with the Transportation Committee to fund this improvement project. Mr. Smith stated the real issue is that this area is opened to heavy traffic because of the Park area where the Big League World Series is being held. The improvements to this area would promote safety.

James London stated he would like to know the cost of the project before he could support a request from the C-Fund.

Chairman Smith stated he did not have an issue with supporting the City's request. Tom Ponder stated he did not think they had another choice.

Chairman Smith called for a vote to support the City going to the C-Fund Committee for the improvement project on Wimberly Lane.

>>Motion was made by Tom Ponder and seconded by Ben Trotter. Randy Crenshaw, Ben Trotter, Tom Ponder and Chairman Smith voted in favor. James London opposed. Motion carried.

CONSENT AGENDA:

>>Motion was made by Randy Crenshaw, seconded by Jennifer Willis and unanimously passed to approve the consent agenda as amended.

- Acceptance of Spring Estates Drive and Spring Oaks Court into the County Road System. Public Service Committee.
- Ordinance relating to parcel #4181-07-68-3169 known as the old Brunswick Yarn Manufacturing Facility, declaring it eligible for the property tax credit provided in the Textiles Communities Revitalization Act. Administration and Finance Committee
- Policy regarding 3 & 4 Way Stop signs. Public Service Committee

Additions to consent agendas as amended during motion period.

- Heritage Corridor funding issues, referred to the Administration and Finance Committee.
- County Employee Wellness program, referred to the Administration and Finance Committee.

Mr. Trotter requested that Council thank the emergency workers and the public works employees for working during the snow.

Chairman Smith called Mr. Trotter out of order and requested that he make such comments during the appropriate place on the agenda.

EXECUTIVE SESSION:

- Appointments to Fire Districts
- Appointments to Planning Commission
- Legal advice regarding Boards and Commission

>>Motion to go into executive session was made by Tom Ponder, seconded by Randy Crenshaw .During the vote to convene in executive session, Mr. Trotter voted in opposition.

>>Chairman Smith moved to adjourn; motion was seconded by Tom Ponder and unanimously passed.

Council stood adjourned at 7:40 PM and did not convene in executive session.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

G. Neil Smith, Chairman