

December 21, 2009  
Regular Council Meeting  
6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman Neil Smith presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media, December 15, 2009.

Council Members in attendance:

G. Neil Smith, Chairman  
Jennifer H. Willis, Vice Chairman  
James B. London, Vice Chairman Pro-Tempore  
Randy Crenshaw  
Tom Ponder  
Sam Wyche

Clerk to Council: Donna Owen

Staff: J. Chappell Hurst, County Administrator  
Ken Roper, County Attorney

**WELCOME AND CALL TO ORDER**

Chairman Smith called the meeting of 12/21/09 to order and welcomed those in attendance; Councilman Wyche was recognized for the Invocation and Pledge of Allegiance.

**APPROVAL OF MINUTES**

- Jennifer Willis moved to approve the December 7, 2009 minutes; motion was seconded by Randy Crenshaw and unanimously passed.

**COMMITTEE REPORTS:**

Administration and Finance- Chairman Smith gave the following report.

Administration and Finance:

The Administration and Finance Committee met in the Main Conference Room on Thursday, December 10, 2009 at 10:00 a.m. with Chairman Smith presiding. Jennifer Willis and Sam Wyche were in attendance.

**Staff:**

Chap Hurst, Administrator  
Ralph Guarino, Finance Director  
Olivia Harris, Special Projects Coordinator  
Jennifer Woods, Human Resources Director  
Brian O Kelly, Public Service Commission  
Allison Anderson, Library Director  
Donna Owen, Clerk to Council

***\*\*\*Chairman Smith advised that his committee report would also include retention votes as it was the last meeting of the calendar year.***

<u>Item</u>	<u>Description</u>	<u>Referred</u>	<u>Report</u>

71	Request for the relocation of the Easley Magistrates.  Retained 12/2008	11/03/08	Committee request retaining for more study.  Retained 12/21/09
3	Investment policy/ <b>Security</b>  Investment complete- request to keep Security issue on log.	10/19/09	Committee request retaining for more study.  (finance director will gather information regarding how long money is kept before deposit, etc)  >>retained 12/21/09
4	Legal Policy	03/02/09	Council would like quarterly updates.  Remove from the log  >>removed 12/21/09
5	Personnel Handbook	04/13/09	Committee request retaining for more study  Staff will highlight major changes that need to be council policy and others that need to be administrative.  >>retained 12/21/09
7	P-Card stimulus issue	04/13/09	Remove from the log  >>removed 12/21/09
11	Workers compensation issues	05/04/09	Committee request retaining for more study.  Retained
13	Historic building reinvestment district	05/04/09	Committee request retaining for more study
15	Hester Store issue (property)	05/18/09	>>Committee declines acceptance of land gift.  >>removed 12/21/09
16	Ethics training/ guidance for boards and commissions	06/01/09	Committee request retaining for more study
17	Study library branches in Six Mile and other areas without libraries	06/15/09	Remove from the log  >>removed 12/21/09
19	Investigation of potential uses of landfill generated methane.	08/17/09	Remove from the log  >>removed 12/21/09
21	Committee to do a study and evaluate the EMS stations, especially in the north and Northwest areas of the County.	08/17/09	Committee request retaining for more study >>further study retained 12/21/09
22	A review of the old Pickens High School gym which was bought last year. Review funding for repair, maintenance, and future uses.	08/17/09	Committee request retaining for more study >>further study retained 12/21/09
23	a review of the 4% residents vs. 6% non-residence and commercial property tax practices in Pickens County.	08/17/09	>>Committee recommends a resolution for non-residents  (see attached resolution that address taxation issues) >>Approved with James London opposing
25	Traffic light Study	10/05/09	>>Committee request funding from GPATS for study  >>removed 12/21/09

**ADMINISTRATOR’S REPORT:**

Mr. Hurst advised Council on the following events.

1. Food Drive--Mr. Hurst stated that Pickens County employees have sent enough food this year during the holidays to feed over 24 families. Mr. Hurst stated he was very proud of the employees and their participation with the food drive, especially since this year has been difficult for everyone.
2. Building Code report- Mr. Hurst gave an account of building code activities and permits issued. Mr. Hurst stated that he has been able to keep the inspectors busy with other projects, but such a report shows how the economy has slowed the construction business.

**MOTION PERIOD AND NEW BUSINESS:**

Chairman Smith asked if any council members had new business. Hearing none, Chairman Smith closed the motion period.

**AIR MONITORING SITE – DHEC:**

Chairman Smith stated this issue was placed on the agenda for discussion because Pickens County is receiving another letter about the Air Monitor at Clemson. Mr. Smith stated that the Council has been told the monitor was in the wrong place and could be moved; then the Council was informed that it could not be moved, and now more correspondence is on the table to state that only EPA can coordinate moving the monitor.

Much discussion was held as it relates to whether the County should be proactive in selecting a second site for the monitor in order to produce better numbers for air quality, and perhaps being able to prove that the current monitor absorbs pollutants that are not common for the entire area.

- Jennifer Willis moved to place this issue in the committee of Education, Recreation, Health, Welfare, and County Planning. Chairman Smith also advised the county attorney to research other law firms who were already invested in this issue. Tom Ponder stated he would like people from DHEC and EPA invited to a meeting for discussion of this issue. Motion was seconded by Sam Wyche and unanimously passed. (item will appear on the committee log, but not for the purpose of this evening)

**COMMITTEE LOGS:**

Chairman Smith reminded Council that his committee of Administration and Finance had been complete during his report, and also he would report on the Committee of the whole after the committee meeting.

- 1) Education Recreation and County Planning:

Committee Chairman Jennifer Willis advised no retention, and committee log was cleared

Item	Description	Referred	Report	Previous Action
4	Sullivan Property re- parks	03/02/09	03/16/09	>>Motion is to move forward up to \$257,000 for the purchase of Southerland Property contingent upon conservation easement.

				<p>Jennifer Willis opposed</p> <p>&gt;&gt;&gt;James London moved to recommit this item to and allow more time for staff to look at possibilities and to also know more about economic issues with the State.</p> <p>&gt;&gt;Council unanimously approved. Item is recommitted.</p> <p>&gt;&gt;removed 12/21/09</p>
6	Renewable Water Resources/ executive plan for sewer growth and long range planning	09/14/09		>>removed 12/21/09

## 2) Justice and Public Safety

Committee Chairman, James London advised no retention, and committee logs were cleared.

Item	Description	Referred	Report	Action
2	Study of the Uniform Fire District Ordinance- elections and other issues	01/20/09	08/17/09	<p>Committee recommends a first reading of an ordinance to amend ordinance No. 404 as it relates to the rules for fire district boards. The amendment would state that fire district elections would be held and members of a fire board would be voted on in the odd numbered year calendar election. The amendment would also change the terms of said boards.</p> <p>The County Attorney will look at the amendments.</p> <p>See attached documents</p> <p><b>10/19/09-</b> Council agreed to allow voting boxes in fire districts for the annual meeting, however, the elections are advisory only and council will still make the appointments.</p> <p>11/2/09- Council agreed to appoint fire districts like all other boards and commissions. The issue of elections and amending the ordinance would have to be studied.</p> <p>&gt;&gt;removed 12/21/09</p>

4	Railroad crossing issues as it relates to speed.	07/20/09	08/17/09	No action >>removed 12/21/09
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### 3) Public Service Committee

Committee Chairman, Tom Ponder advised the following

Item	Description	Referred		Action
4	Study road system prescriptive easements/right of ways for all county roads  Retained: 12/21/09	02/02/09	03/16/2009	No action, staff and committee will have further study.  >>Retained
11	Griffwood Lynn Drive to be accepted into the minimum maintenance system.	10/19/09		>>Tom Ponder requested this item be voted on for council action. Motion was seconded by Chairman Smith and unanimously passed.  >>Committee requested to allow Griffwood Lynn Drive to be accepted.  >>Council approved.

#### **MOTION TO RECESS:**

Jennifer Willis moved to recess for the purpose to meet as the committee of the whole. Motion was seconded by Chairman Smith and unanimously passed.

Chairman Smith declared the council now in a committee meeting. Mr. Smith also stated that part of the committee meeting would include executive session issues for legal/contractual reasons.

#### **REGULAR MEETING BACK TO ORDER:**

Chairman Smith called the regular meeting back to order and advised for a motion to come out of recess; motion was made by Jennifer Willis, seconded by Tom Ponder and unanimously passed.

Chairman Smith also advised a motion for a risk assessment audit.

- Motion was made by Sam Wyche, seconded by Chairman Smith and unanimously passed to instruct the administrator to seek a risk assessment audit and report back to Council.

#### **COMMITTEE REPORT:**

Chairman Smith gave the following report of the Committee of the whole.

#### **Committee of Council as a whole**

G. Neil Smith, Chairman  
Jennifer H. Willis, Vice Chairman  
James B. London, Vice Chairman Pro-Tempore  
Randy Crenshaw

Tom Ponder  
Sam Wyche

**12/21/2009 Report:**

At the regular council meeting on 12/21/09, the council recessed from the regular meeting and held a Council Committee of the Whole meeting on the following issues. All council members were in attendance, with Chairman Smith presiding.

Staff: J. Chappell Hurst, County Administrator  
Ken Roper, County Attorney  
Clerk to Council: Donna Owen

Item	Description	Referred	Report	
1	Third reading of an ordinance to amend the Economic Development Ordinance  Retained 12/21/09	12/07/09	12/21/09	>>Committee moved to convene in execution session for the purpose of discussing legal/contractual issues.  >>Motion was unanimously passed and approved  Retain in committee
2	Issues relating to the Twelve Mile River and the third dam  (solid waste issue – executive session)	12/07/09	12/21/09	>>Committee requested solid waste issue to be placed in the executive session as a contractual issue. Motion was unanimously passed.  >>Committee of the whole moved for this issue to be placed in the committee of Education, Recreation, Health, Welfare, and County Planning. Motion included that council understood the concept of proposal but were concerned about the liability of contaminated soil.  Approved with James London and Randy Crenshaw opposing.
3	Amendments to the Development Standards Ordinance  Retained 12/21/09	12/07/09	12/21/09	Retain in committee

**ADJOURN:**

Hearing no further business, Chairman Smith called for the motion to adjourn. Motion was made by Jennifer Willis, seconded by Randy Crenshaw and unanimously passed. Pickens County Council stood Adjourned at 9:50 PM.

Respectively Submitted:

Approved:

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Donna F. Owen, Clerk to Council

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G. Neil Smith, Chairman  
Pickens County Council