

June 18, 2012
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 June 8, 2012.

Council Members in attendance:

Jennifer H. Willis, Chairman
Tom Ponder, Vice Chairman Pro-tem
Jeff Martin
Trey Whitehurst
Sam Wyche

Donna Owen, Clerk to Council

Absent: G. Neil Smith, Vice Chairman

Staff:

Chappell Hurst, Administrator
Ken Roper, County Attorney
Ralph Guarino, Finance Director

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of June 18, 2012 to order and welcomed those in attendance. Councilman Sam Wyche gave the Invocation and Pledge of Allegiance.

PUBLIC FORUM:

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

- 1) Graham Fowler-Mr. Fowler stated he was concerned about the sale and use of “bath salts” in Pickens County. These are synthetic drugs that are being marketed toward youth, and have dangerous consequences. Mr. Fowler stated he would be interested in assisting with education programs to inform youth and adults about the hazard of these synthetic drugs.
 - Council remarked that it would be beneficial for him to get in touch with the school board and the district office.
- 2) Weldon Clark-Mr. Clark stated he was opposed to much of the language in the proposed amendment solid waste ordinance. Mr. Clark stated he could go to Greenville County and collect garbage, then come back into the Pickens County area and dump without penalty. Mr. Clark stated he was proving that the decal program would not work in that scenario. He further informed Council that he had issues with the penalties as well.

APPROVAL OF MINUTES:

- Motion was made by Councilman Tom Ponder, seconded by Councilman Jeff Martin and unanimously passed to approve the minutes of May 7, 2012.

ADMINISTRATOR’S REPORT:

Mr. Hurst updated Council on the following issues.

- 1) Rocky Bottom Fire District- Staff is in the process of looking for land to house the new fire truck. In addition, Emergency Management Director, Chuck Haynes obtained a grant to equip the district with (4) new air packs.
- 2) Pickens Alliance Brochure- Alliance Board Member, Ray Steck has created a brochure featuring executives and well known companies. This brochure is intended to target other business executives as an incentive to move their businesses to Pickens County. Mr. Hurst stated an interest has already developed as a result, and meetings are forthcoming.
- 3) Quail Haven Subdivision- The owners of Quail Haven subdivision are going into bankruptcy and do not have the means to service the sewer plant. DHEC will more than likely serve an order for Pickens County to operate this system. Mr. Hurst stated this has not happened yet, but wanted Council to be aware of this issue. Mr. Hurst also stated that in the 2008 sewer agreement there is language regarding this plant. Mr. Hurst stated that if this issue moves forward, he would advise a complete study for fixing the entire system because the lines from beginning to end will have infiltration of water in the sewer lines. There is funding for this type of project, but the funding would need to be for a complete repair.

Council concurred that a study would need to be done for the consideration of the costs as well as the welfare of the citizens within this area.

COMMITTEE REPORTS:

Chairman Willis called for the committee reports.

Public Service Report: Committee Chairman Councilman Tom Ponder gave the following report.

Meeting Notice Tuesday May 29, 2012--Tentative 6:45 PM or following the Committee of the Whole Meeting

The Public Service Committee met Tuesday, May 29th, 2012 at 6:45 PM in the Main Conference Room. Pickens County Administration Building 222 McDaniel Ave. Pickens SC 29671.

All Committee members were in attendance with Committee Chairman Tom Ponder presiding.

Staff:

Chap Hurst, County Administrator

Donna Owen, Clerk to Council

Gerald Wilson, Roads and Bridges Director

Lou Ponder, Recycling Coordinator

Log	Description	Referred	Report Out	Action
18	Review solid waste ordinance 03/5/2012-first reading to amend	01/09/2012		>Committee recommends the amendments of the ordinance, and to go to Council for second reading. Council recommends second reading

19	State portion of McDaniel Ave. being in the County Road System.	04/02/2012		>>Committee recommends the acceptance of McDaniel Avenue. Council recommends acceptance
20	FY 2012 2013 paving list	05/07/2012		>>Committee recommends approval of the paving list as presented. Council recommends approval. Note: Mr. Whitehurst stated at some point council will need to consider a road fee increase in order to keep up the current program.

COMMITTEE OF THE WHOLE-Chairman Willis gave the following reports:
Committee of the Whole Reports:

May 2, 2012- Twelve Mile River Issue

The committee of the Whole met in the Main Conference Room on Wednesday, May 2, 2012. All members of Council were in attendance.

Staff:
County Administrator, Chap Hurst
Clerk to Council, Donna Owen

Chairman Willis moved to go into executive session for the purpose of legal, contractual and personnel. Motion was seconded by Councilman Tom Ponder and unanimously passed.

Committee reconvened out of executive session and took the following action:

>>Committee to request the remaining funds associated with the superfund site be placed in a trust fund for potential issues. Furthermore, send letter to EPA to determine if the settlement from the removal of dams and fisheries limited potential lawsuits from land owners.

**Chairman Willis noted that there was no further action and the committee did not discuss a personnel issue.

May 21, 2012-Twelve Mile River Issue

The Committee of the Whole met in the Auditorium on Monday, May 21, 2012. All members of Council were in attendance.

Staff:
Donna Owen, Clerk to Council

No action- Committee met with Craig Zeller to ask more questions regarding remedies for Twelve Mile River. It was determined not to schedule further meetings until data is available relating to recent sampling.
(full transcript is available)

May 29, 2012

The committee of the Whole met in the Main Conference Room on Tuesday, May 29, 2012. All members of Council were in attendance.

Staff:
County Administrator, Chap Hurst

Clerk to Council, Donna Owen
Dale Powell, Recreation Director

Log Item # 18 FY 2012 Accommodation Tax Recommendation.

>>Committee recommends an additional \$15,000 for the Big League World Series (funds will come from the \$24,000 that come from 30% monies) Committee also recommends requesting the Big League World Series staff to promote Pickens County as part of their commercial advertisement.

**the remaining \$9,000 will be given to a marketing entity.*

>>Committee recommends approval of all recommendations as submitted.

Amendment: Councilman Trey Whitehurst amended the motion that the City of Easley participate in matching funds in the Big League World Series. Councilman Tom Ponder gave the second. All members voted in favor of the amendment.

Council approved the report as amended with the exception of Councilman Jeff Martin who abstained due to family members who work at one of the participating applicants.

**note- Councilman Jeff Martin abstained from the committee vote due to family members working for one of the applicant organizations.*

>>Committee recommends adding the following by using the \$5,000 refund from the State Accommodations.

- \$1500.00 to the Central Heritage Society
- \$1000.00 to the POSAM Winter Jubilee
- \$1500.00 to print brochures for Mile Creek Park

Councilman Martin stated to the public that the process of the accommodations tax funds being split among applicants is a success. He stated he served on the A-Tax board for a number of years and the process works very well. In addition, the recipients write detailed reports of how the funds are expended.

Amendment: Councilman Trey Whitehurst amended the motion that the City of Easley participate in matching funds in the Big League World Series. Councilman Tom Ponder gave the second. All members voted in favor of the amendment.

Council unanimously approved the report as amended with the exception of Councilman Jeff Martin who abstained due to family members who work at one of the participating applicants.

COUNCIL CORRESPONDENCE:

Chairman Willis stated the summer schedule as follows:

July 2012- no meeting

August 2012-August 20th

September 2012-to be determined

Councilman Tom Ponder stated he had gone to the Dacusville Fire District fund raiser, and he attended a rescue squad meeting. Mr. Ponder recommended that each Council member stop by their local rescue and fire to see how much they do for our County.

MOTION PERIOD AND NEW BUSINESS:

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

CONSIDERATION TO PULL THE ENCROACHMENT POLICY FROM THE PUBLIC SERVICE COMMITTEE FOR APPROVAL:

Mr. Hurst stated this policy has been informally in place with the Roads and Bridges Department and local utilities, and the system is working well. Mr. Hurst stated the program simply needs to be formalized, so that the County has documentation for various projects.

- Motion was made by Councilman Tom Ponder, seconded by Councilman Trey Whitehurst and unanimously passed to pull the encroachment policy from the committee for action.
- Motion was made by Councilman Tom Ponder, seconded by Councilman Trey Whitehurst and unanimously passed to approve the encroachment policy.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 455 FY 2011 2012 BUDGET AMENDMENT:

Chairman Willis opened the public hearing for Ordinance No. 455 FY 2011 2012 budget amendment. Hearing no comments the public hearing was closed.

Mr. Guarino did ask council to consider amending the motion to add (2) grants that have come in since the first reading- one is the airport property for \$771,480 and a grant for economic development for \$550,000.

- Motion was made by Councilman Jeff Martin, and seconded by Councilman Sam Wyche that this constitutes a third and final reading of Ordinance 455.
- Motion was made by Chairman Willis to amend the budget amendment to reflect the additional grants as described by Mr. Guarino. Motion was seconded by Councilman Sam Wyche and unanimously passed.

Hearing no further amendments, Chairman Willis called for a vote on Ordinance No. 455 as amended.

>>All members voted in favor of the original motion as amended. Ordinance No. 455 received a third and final reading as amended.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 456 FY 2013 BUDGET ORDINANCE:

Chairman Willis opened the public hearing for Ordinance No. 456 FY 2012 2013 budget amendment. Mrs. Willis cited that the County does have a balanced budget and no tax increase.

1) Weldon Clark stated as treasurer of the Pickens County Taxpayers Association, he appreciated that Council has a balanced budget with no tax increase.

Hearing no further comments, Chairman Willis closed the public hearing.

- Motion that this constitutes a third and final reading of Ordinance No. 456 was made by Councilman Sam Wyche, and seconded by Councilman Tom Ponder.

Mr. Guarino stated the Council many want to consider the following amendments:

- 1) A vehicle for the Crosswell Fire District. Mr. Guarino stated this was an SUV and should have been placed in the budget. \$35,000 will come from the Crosswell funds.
- 2) The Pickens Rural Fire Fees need to be \$75.00

- Chairman Willis moved to amend the budget to include the SUV at \$35, 000, and to raise the Pickens fire fee to \$75.00. Motion was seconded by Councilman Trey Whitehurst and unanimously passed.

Hearing no further amendments, Chairman Willis called for the vote on Ordinance No. 456 as amended.

>>All members voted in favor of the original motion as amended. Ordinance No. 456 received a third and final reading as amended.

FIRST READING OF AN ORDINANCE TO DELAY COUNTY-WIDE REASSESSMENT:

Chairman Willis stated this was placed on the agenda, and since that time it is deemed unnecessary due to resolved programming issues.

- Chairman Willis moved to table this item; motion was seconded by Councilman Tom Ponder and unanimously passed.

FIRST READING OF AN ORDINANCE TO AMEND THE CULTURAL COMMISSION ORDINANCE AS IT RELATES TO NUMBER OF BOARD MEMBERSHIP:

- Motion was made by Councilman Tom Ponder, seconded by Councilman Sam Wyche and unanimously passed.

Chairman Willis stated this was a first reading in title only, and Council has recently amended some of the boards that have over (7) slots, because they are difficult to keep full. Therefore council will send this to committee for discussion.

CONSIDERATION OF A METROPOLITAN PLANNING ORGANIZATION (MPO) THAT ENCOMPASSES PICKENS COUNTY:

- Motion was made by Councilman Tom Ponder, and seconded by Councilman Trey Whitehurst to support Pickens County areas to remain intact within the same MPO, whether with existing GPATS or new MPO; and further, to write a letter to Governor Haley.
- Trey Whitehurst moved to add that the County is also in favor of continuing funding of existing projects within GPATS. Chairman Willis seconded that to be added to the motion. All members voted in favor of the amendment.

During discussion, Councilman Jeff Martin stated he had read in the media that parts of Pickens County, Anderson County and Oconee were attempting to create an MPO; if that is true, does this motion affect their attempts? Chairman Willis stated that attempts to go out have to follow the criteria of the census track, and follow where the growth has taken place. This is per Federal highway administration. Therefore, the growth has taken place in Pickens County, so the County has to stay together.

Councilman Sam Wyche stated he would like to hold on to as much of Highway 183 as possible.

>>Council unanimously voted in favor of the motion as amended.

CONSENT AGENDA:

- Motion was made by Councilman Trey Whitehurst, seconded by Councilman Tom Ponder and unanimously passed to approve the consent agenda.
 - Proposed Ordinance regarding pawnbrokers: Justice and public safety
 - Proposed Ordinance regarding scrap metal recyclers: Justice and public safety

Chairman Willis opened the floor for new business. Hearing none, new business was closed with no action.

EXECUTIVE SESSION:

- Motion was made by Councilman Sam Wyche, seconded by Councilman Jeff Martin and unanimously passed to convene in executive session for the stated purposes.
 - Boards and Commissions
 - Legal Update

PUBLIC SESSION RECONVENED:

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

Chairman Willis stated that Council was updated regarding a legal issue, no action.

- Behavioral Health Services – Motion was made by Chairman Willis to reappoint Ernie Dandeneau, Cliff Collie, and Cheryl Warner. Motion was seconded by Councilman Tom Ponder and unanimously passed.
- Aeronautics Commission – Motion was made by Councilman Sam Wyche seconded by Councilman Tom Ponder and unanimously passed to appoint Arlie Asay to the Aeronautics Commission.

ADJOURN:

Hearing no further Council business, Chairman Willis called for a motion to adjourn. Motion was made by Councilman Tom Ponder, seconded by Councilman Jeff Martin and unanimously passed. Pickens County Council stood adjourned at 8:15 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman