

November 3, 2008
Regular Council Meeting
6:00 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, October 30, 2008.

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 H. Willis

Donna Owen, Clerk to Council

Staff: J. Chappell Hurst, County Administrator
Ken Roper, County Attorney
Olivia Vassey, Special Projects Coordinator

WELCOME AND CALL TO ORDER:

Chairman Smith called the meeting of November 3, 2008 to order and welcomed those in attendance. Tom Ponder gave the invocation and Pledge of Allegiance.

PUBLIC FORUM:

Chairman Smith opened the floor for the citizens who signed up to speak to Council as it relates to their issues.

Dianne Anastos—Ms. Anastos came to Council to introduce SOS, which stands for Save Our Saluda. Ms. Anastos explained this was an effort to protect and restore the Saluda watershed through environmental awareness and citizen action. Council was given a complete packet as it relates to the various grants and the South Carolina Scenic Rivers Programs.

Hal Johnson—Mr. Johnson, Executive Director for Upstate Alliance gave Council the annual report for the 13 county alliance for attracting new industry to the Upstate. Also Mr. Johnson gave an overview of new promotions that were currently being utilized.

Junius Smith – Mr. Smith spoke to Council about the Development Standards Ordinance as it relates to the set-backs and right of way. Mr. Smith stated that under the new (DSO) that he would lose several feet of property and he would seek legal action against the County. Also Mr. Smith stated that he and others from his citizen group went to the Governors' office and did a presentation. Mr. Smith concluded by stating the Governor was very impressed with their presentation and ideals.

Dewayne Bennett – Mr. Bennett came to Council to discuss the issue of metal recycling businesses being able to open without regulation or guidelines. Mr. Bennett stated the issue was that thieves can steal metal such as the catalytic converter from vehicles and then go to a metal recycling shop and sale them. Mr. Bennett stated there is no

regulation for these establishments to be ethical because there is no business license and there is no paper process.

....Council stated they would place this issue in a committee and would contact Mr. Bennett for further discussion.

Weldon Clark—Mr. Clark stated his main concern with the Development Standard Ordinance was the shooting range and golf courses were not sectioned correctly. Also, Mr. Clark stated he would like Council to look at the part of the DSO that discussed a home being partially destroyed by fire. Mr. Clark stated that insurance would only cover so much and he was afraid that under the new guidelines, that a homeowner could run out of insurance money.

APPROVAL OF MINUTES:

- Jennifer Willis moved to approve the minutes of October 20, 2008. Motion was seconded by Ben Trotter and unanimously passed.

ADMINISTRATOR'S REPORT:

Mr. Hurst reported the following items to Council.

PetSmart Grant. Mr. Hurst stated that PetSmart has granted the County \$10,000 for the provision of more animals being spayed and neutered.

Vehicle Maintenance Shop- Mr. Hurst stated that Vehicle Maintenance has received \$10,000 for placement of oil heaters in the building instead of gas; Mr. Hurst stated this will be a substantial savings.

Market Analysis- Mr. Hurst informed Council that Pickens County ranked 720 for having the lowest taxes in populations of 65,000 and over nationwide. This survey included 788 counties. Mr. Hurst also stated that out of the state of South Carolina, Pickens County has the second to the lowest tax rate.

Bio Diesel – Mr. Hurst stated that the Bio Diesel project is moving forward and the building should be complete by Thanksgiving. Also, the County has contracted with the school district to receive all their cooking oil. Mr. Hurst explained that the County will also begin to experiment with the propane fuel, and will be testing several vehicles.

Public Defenders Office – Mr. Hurst stated that Council had provided additional funding to the Public Defenders Office and this funding was being utilized for additional judges and to double the court time.

COUNCIL CORRESPONDENCE:

Chairman Smith announced that Mr. Hub Smith with the Forest Service had delivered a check to Pickens County from the Forest Service in the amount of \$3,640.00. These funds come to the County from a percentage of hunting and fishing licenses.

MOTION PERIOD AND NEW BUSINESS:

- **Refer to Committee** --- Tom Ponder moved to refer to committee the issue of guidelines for metal recycling centers. Motion was seconded by Randy Crenshaw and unanimously passed.
- **Sale of Property** --- James London moved to add to the agenda a first reading for the sale of property in relation to the Tri-County project. Motion was seconded by Tom Ponder and unanimously passed.

FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED FEE AGREEMENT BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND THE RELIABLE AUTOMATIC SPRINKLER CO. INC. AND ADDING LASALLE NATIONAL LEASING CORPORATION, DE LAGE LANDEN FINANCIAL SERVICES, INC., BANK OF AMERICA LEASING & CAPITAL, LLC, BB&T EQUIPMENT FINANCE CORPORATION AND CROWN CREDIT CORPORATION AS SPONSORS; AND OTHER MATTERS RELATED THERETO:

- Motion was made by Jennifer Willis and seconded by Ben Trotter that this constitutes a first reading of the stated ordinance. Motion carried with a unanimous vote.

SECOND READING OF AN ORDINANCE TO AMEND THE BUILDING CODES ORDINANCE TO COMPLY WITH 2006 INTERNATIONAL BUILDING CODES COUNCIL:

- Motion was made by James London, seconded by Neil Smith for a second reading of the Building Code amendments.

...During Council discussion, Jennifer Willis stated she wanted to know what the changes were and the reasoning behind stated changes. Tom Ponder stated that the County had always been under the Southern Building Codes. Mr. Ponder further stated that he thought it prudent to know more about the changes.

Chairman Smith requested more information and asked the attorney to advise procedurally.

Mr. Roper stated that a Public Hearing had been set for the November 17 meeting and that Council could table the second reading and bring it back for the next meeting.

Neil Smith and James London withdrew the original Motion.

- Motion was made by Jennifer Willis, seconded by Ben Trotter and unanimously passed to table the second reading of the stated ordinance.

SECOND READING OF AN ORDINANCE TO CREATE A TOURISM BOARD FOR PICKENS COUNTY:

- Motion was made by Ben Trotter, seconded by Tom Ponder and unanimously passed that this constitute a second reading of the stated ordinance for tourism.

THIRD READING OF ORDINANCE NO. 409 TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL PARK IN CONJUNCTION WITH GREENVILLE COUNTY:

- Motion was made by Jennifer Willis, seconded by Tom Ponder and unanimously passed that this constitutes a third and final reading of Ordinance No. 409.

THIRD READING OF ORDINANCE NO. 410 TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL PARK IN CONJUNCTION WITH OCONEE COUNTY.

- Motion was made by Jennifer Willis, seconded by Ben Trotter and unanimously passed that this constitutes a third and final reading of Ordinance No. 410.

THIRD READING OF ORDINANCE NO. 411 TO INVOKE THE PROVISIONS OF SECTION 12-43-217 (B) OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED TO PROVIDE THAT REASSESSMENT OF ALL PROPERTY IN PICKENS

COUNTY, SOUTH CAROLINA SUBJECT TO AN AD VALOREM PROPERTY TAX BE POSTPONED FOR ONE PROPERTY TAX YEAR:

- Motion was made by Jennifer Willis, seconded by James London and unanimously passed that this constitutes a third and final reading of Ordinance No. 411.

AN ORDINANCE, AUTHORIZING THE PURCHASE AND SUBSEQUENT CONVEYANCE OF PROPERTY KNOWN AS THE EDENS TRACT, IN ORDER TO FACILITATE THE LOCATION AND CONSTRUCTION OF A NEW CAMPUS FOR TRI-COUNTY TECHNICAL COLLEGE IN PICKENS COUNTY:

- Motion was made by Ben Trotter, seconded by James London that this constitutes a first reading of an ordinance to sale property to Tri-County Technical College.

CONSENT AGENDA:

- Motion was made by Jennifer Willis, seconded by Ben Trotter and unanimously passed to approve the consent agenda as amended.
 - a. Refer to the Administration and Finance Committee – County vehicles driven home and organizational chart recommendations
 - b. Refer to the Administration and Finance Committee – Job Duties for Fire Director Service position.
 - c. Refer to the Administration and Finance Committee – Request for the relocation of the Easley Magistrates office.

Item d) added during New Business

- d. Refer to the Justice and Public Safety Committee – request for guidelines or regulation for metal recycling centers.

EXECUTIVE SESSION:

- Motion was made by Jennifer Willis, seconded by Ben Trotter and unanimously passed to convene in executive session for the stated purposes.

Appointments to boards and commissions:

Worklink Board
Library Board

PUBLIC SESSION RECONVENED:

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

- Library Board --- Motion was made by Ben Trotter, seconded by Jennifer Willis and unanimously passed to re-appoint Tonya Hendricks to a full term on the Library Board of Directors.
- Worklink Board – Motion was made by James London, seconded by Jennifer Willis and unanimously passed to appoint Stan Brooks, Kimberly Cureton, Roger Powell, Ray Farley, and Craig Brandon.

ADJOURN:

Hearing no further business, Chairman Smith called for a motion to adjourn. Motion to adjourn was made by Jennifer Willis, seconded by James London and unanimously passed. Pickens County Council stood adjourned at 7:30 PM.

Chairman Smith announced a work session to follow for discussion of the Development Standards Ordinance.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

G. Neil Smith, Chairman