

September 19, 2011
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 September 9, 2011.

Council Members in attendance:

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

Donna Owen, Clerk to Council

Staff:

Chappell Hurst, Administrator
Ken Roper, County Attorney

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of September 9, 2011 to order and welcomed those in attendance. Invocation and Pledge of Allegiance was led by Councilman Martin.

PUBLIC FORUM:

Junius Smith-Mr. Smith spoke about the fact that he was displeased with the committees that gave input to the comprehensive plan, and he encouraged Council not to allow those same citizens to have further input. In addition, Mr. Smith stated that he and other citizens had put together a plan based on capitalism, which was ignored.

Bonnie Kay- Ms. Kay came before Council to inform them about an abandoned mill in her neighborhood. Ms. Kay stated the mill was Alice Mills, and Mr. Jim Johnson was the mill owner. She expressed concerns about rodents, trash, safety, and graffiti. Ms. Kay also informed Council that derelicts were loitering around the mill site. Ms. Kay asked for assistance from the County Building Codes in order for this property to be condemned or cleaned up. Ms. Kay stated it was not fair treatment of local laws, and Mr. Johnson should be made to clean the site up.

Weldon Clark: Mr. Clark spoke about recent EPA air quality standards, and stated he thought the only way to deal with the issue of the new standards was to take the funding away from EPA during the next election cycle.

APPROVAL OF MINUTES:

- Motion was made by Trey Whitehurst, seconded by Jeff Martin and unanimously passed to approve the minutes as presented for August 15, 2011 and August 22, 2011.

ADMINISTRATOR'S REPORT:

Mr. Hurst updated Council on the following matters.

- 1) Mr. Hurst stated he hoped everyone was able to see the new bariatric stretchers that were on display in the administration parking area this evening. Mr. Hurst stated this would make lifting much easier for the EMS staff, and would be safer for the citizens. Mr. Hurst reminded Council these new stretchers were purchased with grant funds.
- 2) Mr. Hurst informed Council that a recent airport grant had been successful and the County was issued \$136,000 in funding which will provide additional land to expand the airport. Mr. Hurst further said the County had received over \$1.6 million in grant funding and that does not include the \$1.4 million for the sewer plant. Mr. Hurst stated that staff has been working to obtain these Federal funds for the citizens of Pickens County.
- 3) Council was informed that the Arts and Crafts fair was Saturday, September 24, 2011 at Table Rock State Park Lodge from 10:00 am – 4:00 pm. Mr. Hurst stated this was the sixth annual fair for this organization.
- 4) Mr. Hurst stated unless Council opposed, he was going to leave a \$50,000 position in the Solid Waste Department open without filling it at this time. Mr. Hurst stated he thought the Solid Waste Department could combine other positions and provide the same service.
- 5) Mr. Hurst introduced Allison Anderson, Director of the Library System, to demonstrate the new E-books feature at the Pickens County Library System.
Ms. Anderson and library staff demonstrated the new service for checking out electronic books from the library. Citizens and Council were shown how to follow the steps for downloading books on I-phones, Nooks and other compatible electronics. It was noted that Kindle should be participating soon. Ms. Anderson stated the project had begun on August 1, 2011, and the use by library patron is increasing.

COMMITTEE REPORTS:

- 1) **Education Recreation Health Welfare and County Planning-**
Committee Chairman Sam Wyche gave the following report:

The Education Recreation, Health, Welfare, and County Planning Committee met in the Main Conference room on Monday, August 25, 2011 with all members present including Vice Chairman Smith; Committee Chairman Sam Wyche presided.

Staff:
Chappell Hurst, Administrator
Donna Owen, Clerk to Council

Item	Description	Referred	Report	Previous Action
1	Request for support of a wellness Center	12/06/2010	09/19/2011	>>Committee removed from the log – *Council approved
2	Discussion relating to the Pickens Gym	12/06/2010	09/19/2011	>>Committee recommends making efforts to see if the gym could be of use to local churches. Also to move for a request of easement from Mr. Earl Finley. During discussion, Mr. Smith asked if council may want to delay the easement due to possible sale of the property, and the fact this is in another committee for overall recreation use. Also Mr. Smith asked where the easement would be located. Staff stated the easement was on the edge of property, and the easement did not require other special action.

				*Council approved as recommended by the committee.
3	Development standards for racetracks and other special purpose uses	03/07/2011	09/19/2011	>>Committee recommends sending the request to the Planning Commission to review the issue of standards of a smaller track, lighting, facilities, and other matter as it relates. *Council approved

2) **Committee of the Whole-**

Chairman Willis gave the following committee report:

The Committee of the Whole met on August 22, 2011 in the main conference room with Chairman Willis presiding. All members of Council were in attendance.

Staff:

Chappell Hurst, County Administrator

Donna Owen, Clerk to Council

Carla Whitlock, Special Projects Coordinator

Item	Description	Referred	Report	Action
1	<p>Third reading of an ordinance to amend the Economic Development Ordinance</p> <p>Retained 12/21/2009 Retained 12/06/2010</p> <p>Original Ordinance and Bylaws</p> <p>Amended Ordinance</p> <p>New Bylaws</p>	12/07/09		<p>>>Committee recommends amending the section as it relates to non-governmental appointments, and to amend the section as it relates to removing the bylaws from the ordinance.</p> <p>>>Committee recommends to Council third reading as amended.</p> <p>During Council discussion, the following amendments were made:</p> <p>Amendments:</p> <ol style="list-style-type: none"> 1) In section A) III- public sector-Neil Smith moved that after the word “presidency” to add the following language: “providing the municipal association is a member in good standing with the economic development alliance.” Motion was seconded by Jeff Martin and unanimously passed. 2) In section B) -Higher education- Neil Smith moved that after the word “appointee” to add, if it is an appointee of the presidents, this appointment is subject to County Council approval. Motion was seconded by Sam Wyche and unanimously passed. 3) Neil Smith moved to amend that this section is section (4) and not section (6). Motion was seconded by Chairman Willis and unanimously passed. <p>Neil Smith also stated that if there were any corrections or further amendments, he would like to</p>

				<p>be able to recall at the next meeting. Legal counsel stated that would be in order, if the ordinance needed further amendments by the next meeting.</p> <p>>>Council approved that this constitute third reading as amended.</p>
5	<p>EPA Air Quality Issues</p> <p>Meeting scheduled for August 25, 2011</p> <p>Attendee list</p> <p>Retained 12/21/2010</p>	06/07/2010		<p>>No action, committee was updated and informed about a forum on August 25, 2011 in the administration building.</p>
6	Comprehensive Plan	12/06/2010		<p>>Committee recommends the comprehensive plan going to the planning commission with the updated 2010 new census data.</p> <p>>Neil Smith moved to amend the motion and clarify that the comprehensive plan is not going back to the planning commission as a whole, but for the specific reasons of obtaining updated economic development data and updated 2010 census data. Sam Wyche gave the second, and all voted in favor.</p> <p>>Council approved the committee recommendation as amended.</p>
7	<p>Twelve Mile River Updates/Saluda River Issue</p> <p>Items to council 08/15/2011</p>	02/07/2011		<p>>>Committee was updated that Mr. Hurst has been in touch with officials from DHEC, and they have informed him that the trustees and the judge are in charge of this issue, and DHEC would not be involved at the Twelve Mile River site.</p> <p>>>Regarding the Saluda River- Committee request that staff issue a freedom of information request to obtain the studies, guidelines and research as it relates to the project. Also, obtain the specifics on what the basis is for stream restoration failure. Committee also allowed \$10,000 from contingency if needed.</p> <p>>Councilman Ponder stated the work on Saluda River has already started. Mr. Hurst stated he would obtain information.</p> <p>>Council approved</p>
8	Review the Tourism Board	05/02/2011		>>see item 10

10	Tourism Plan	08/15/2011	<p>>>Committee recommends that at this time the board of tourism remain defunct; and authorize the administrator to utilize funds for creating a brand, website, and restaurant guide.</p> <p>>Jeff Martin stated he would like to amend the motion to reference the tourism board as created in Ordinance 412. Motion was seconded by Neil Smith and unanimously passed.</p> <p>>Council approved as amended.</p>
11	<p>Reading of an Ordinance to amend the existing Flood Ord. 399</p> <p>First reading 08/15/2010</p>	05/15/2011	<p>>no action, administrator is getting more information.</p> <p>>During discussion Council was informed by Mr. Hurst that the language that needs to be amended is actually a procedure that staff had been providing, and the audit is not asking for more than is already being done. Mr. Hurst stated he was comfortable with this amendment, and did not think it was any further liability.</p> <p>>Mr. Smith stated he would like to examine using different language, and not using the audit's "word for word" language. Mr. Smith further said he would like the attorney to draft the amendment, and the committee could pull for a second reading at that time.</p> <p>There was no formal action, and Council will look at amended language for amending Ordinance No. 399.</p>

3) **Public Service Committee.** Committee Chairman Tom Ponder gave the following report-

The Public Service Commission met on August 24, 2011 with all members present including Councilman Wyche and Councilman Martin. Committee Chairman Tom Ponder welcomed those in attendance and called the meeting to order.

Staff:

- Chappell Hurst, Administrator
- Donna Owen, Clerk to Council
- Gerald Wilson, Public Works Director
- Brian O'Kelly, Public Service Commission

Others:

- Visitors from REWA- water
- Six Mile Water District

Log	Description	Referred	Report Out	Action
4	<p>Study road system prescriptive easements/right of ways for all county roads</p> <p>Retain 12/21/2009</p>	02/02/09		>No action, committee is continuing to monitor roads and obtain right of ways as older roads come into the county road system.

	***Committee discussed – this would continue to be managed as new roads and minimum maintenance roads come into the county, right of ways would be obtained.			
9	Property Easement Ordinance (also discuss how utilities can notify citizens when they are working) Retained 12/2010	08/16/2010 05/02/2011		>Committee discussed issues with utilities as it relates to easements on the public right of way. - Also committee further discussed issues with item number 14.
14	Policy regarding utility easements Policy Application Retained 12/2010	11/1/2010		>>Committee recommends that the policy for encroachment permits be discussed with staff and other utility companies; and bring back to the committee with feedback.
16	Georges Creek Service Area **Brian O’Kelly to give history and discussion.	08/15/2011		>>no action but committee instructed staff to discuss the Georges Creek Service area with ReWa and bring back to committee.

4) Administration and Finance Committee.

Chairman Willis gave the following report.

The Administration and Finance Committee met in the Main Conference Room on Wednesday, September 14, 2011 at 11:00 AM. Chairman Willis presided with all committee members in attendance.

Staff: Chappell Hurst, Administrator
Donna Owen, Clerk to Council
Ralph Guarino, Finance Director

Item	Description	Referred	Action
3	Security policy Retained 12/2009 Retained 12/2010	10/19/09	>Committee recommends that staff work with departments to get their input regarding safety issues and concerns. Staff will bring recommendations to committee within 60 days.
22	A review of the old Pickens High School gym which was bought last year. Review funding for repair, maintenance, and future uses. Retained 12/2009 Retained 12/2010	08/17/09	>Committee recommends reimbursing Pickens recreation funds for utilities retroactive back to July 1, 2010. Moving forward utilities will be charged from unallocated money in recreation funds > Council approved. >Committee also recommends sending to the Committee of the Whole, an overall use plan for recreation. This would be utilizing the study that council has, and to fit in the new

			properties as well as looking at parks and all issues of recreation as a whole. >Council approved
34	Rules concerning boards/commissions and volunteers for Pickens County Retained 12/2010	10/01/2010	The committee recommends adding language to the Boards and Commissions application to state: 1) Statement about falsifying a board application would render the application null and void. 2) Statement regarding running for a county elected office while serving on a County Board. 3) To note on question 12 as it relates to convictions. > Neil Smith moved to amend the motion to reflect the changes on the application, but retain this item for discussion on background checks, and other liability issues. Motion was seconded by Tom Ponder and unanimously passed. >Council approved committee recommendation as amended.
35	Review of Finance policies	08/15/2011	No action, Council was updated on bonds, banking practices, and other general finance issues. Chairman Willis requested that the finance director give full council a copy of bond and debt reports
36	Request of funding soil and water conservation	08/15/2011	>Committee approved funding of \$300.00 to the Soil and Water Conservation. This funding allows the Soil and Water Conservation to obtain grant funding in the amount of \$13,000. >Council approved.
37	Request for vending machines in the prison visiting area	08/15/2011	>Committee recommends removing this item from the log, as vending machines have been placed in the reception area.

COUNCIL CORRESPONDENCE:

- 1) Chairman Willis reminded Council that there would be an Economic Development announcement on September 20, 2011 at 10:00 AM.
- 2) GPATS- will be hosted in Pickens County on January 9, 2012; Chairman Willis stated more information will be forthcoming.

MOTION PERIOD AND NEW BUSINESS:

- 1) Dacusville School- Mr. Ponder asked questions regarding the closing documents of Dacusville School- Mr. Ponder stated that Fall and Winter sports will be beginning and the closing of the property should be complete. Mr. Hurst stated that it is his understanding that the School Board is waiting on one further document for signature.
- 2) Mr. Whitehurst asked about the Saluda River project. Mr. Roper stated the property owners did not appeal the decision of the court, and have exhausted their avenues to stop the project. Therefore DNR can move forward. Mr. Roper stated he was working on a freedom of information request in anticipation of tonight's committee report, and would be getting information regarding the project. Mr. Whitehurst stated he was not interested in DNR's report; he wanted to obtain information that was independent. Mr. Hurst stated that Council has provided up to \$10,000 for obtaining information regarding this project, and this would need an engineering firm and much

study. Mr. Hurst stated the courts have already ruled in favor of the project. However, Mr. Hurst stated he would contact an attorney immediately for further opinion, and options.

PRESENTATION OF REVENUE FUNDS FROM THE SOUTH CAROLINA FOREST SERVICE:

Tom Patten issued the check for 25% of revenue from the sale of timber. The County received a check from the Forest Service in the amount of \$6,427.53.

ESTABLISHMENT OF MILLAGE RATE FOR FISCAL YEAR 2011/2012

- Motion was made by Neil Smith, seconded by Tom Ponder and unanimously passed to approve the millage rate for fiscal year 2011/2012.

SECOND READING OF ORDINANCE 446 AUTHORIZING THE CREATION AND ORGANIZATION OF THE SOUTH CAROLINA WORKLINK WORKFORCE INVESTMENT CORPORATION AS A SOUTH CAROLINA NONPROFIT CORPORATION TO SERVE AS THE LOCAL WORKFORCE INVESTMENT BOARD FOR THE WORKFORCE INVESTMENT AREA COMPRISED OF ANDERSON COUNTY, OCONEE COUNTY, AND PICKENS COUNTY, SOUTH CAROLINA:

- Motion was made by Neil Smith, seconded by Tom Ponder and unanimously passed that this constitutes second reading of Ordinance No. 446.

SECOND READING OF ORDINANCE NO. 447 TO DISSOLVE THE SALUDA LAKE SPECIAL TAX DISTRICT:

- Motion was made by Neil Smith, seconded by Trey Whitehurst and unanimously passed that this constitutes second reading of Ordinance No. 447.

PUBLIC COMMENT AND SECOND READING OF ORDINANCE NO. 448 TO ADOPT A REDISTRICTING PLAN FOR PICKENS COUNTY PURSUANT TO TITLE 4, SECTION 4-9-90, AS AMENDED OF THE 1976 CODE OF LAWS OF SOUTH CAROLINA:

Chairman Willis explained that Council has had the proposed maps online and in the libraries since September 6th, 2011. In addition, suggestion boxes were provided at each library so citizens could express concerns or recommendations.

Chairman Willis opened the floor for any comments.

- 1) Weldon Clark – Mr. Clark stated he had looked at the proposed maps and thought Council had done a good job.

Hearing no further discussion, Chairman Willis closed the public comment.

- Motion was made by Tom Ponder and seconded by Sam Wyche that this constitutes a second reading for Ordinance No. 448. Motion carried with a unanimous vote.

CONSENT AGENDA:

- Motion was made by Tom Ponder, seconded by Trey Whitehurst and unanimously passed to approve the consent agenda.

Refer to the Committee of the Whole—recycling practices regarding selling and pricing.

EXECUTIVE SESSION:

- Motion was made by Neil Smith, seconded by Jeff Martin and unanimously passed to convene into executive session for the stated purposes.
 - Legal Issue –(2)
 - Contractual issue – (2)
 - Boards and Commissions (4)

PUBLIC SESSION RECONVENED:

Chairman Willis called the public session back to order and stated no action relating to legal issues; Chairman Willis further entertained the following motions.

- 1) Contractual item: Chairman Willis moved to approve the sale of the Liberty school property to the County, seconded by Tom Ponder and unanimously passed.
- 2) Heritage Corridor: Neil Smith moved to approve a \$5,000.00 sponsorship to the Heritage Corridor Conference. Tom Ponder gave the second and Jeff Martin abstained. All other members voted in favor. Motion carried.
- 3) Water Authority: Neil Smith moved to re-appoint George Teat and William Smith to the Pickens County Water Authority. Motion was seconded by Tom Ponder and unanimously passed.
- 4) Easley Central Water: Neil Smith moved to appoint James Wilson and re-appoint Daniel Boone to the Easley Central Water. Motion was seconded by Tom Ponder and unanimously passed.
- 5) Six Mile Water: Trey Whitehurst moved to re-appoint Joe Dunn and Tom Breazeale to the Six Mile Rural Water District, seconded by Tom Ponder and unanimously passed.
- 6) Economic Development Alliance: Trey Whitehurst moved to reappoint Ben Cole and Ray Steck and make new appointments of Daniel Crosby and David Collins. Motion was seconded by Tom Ponder and unanimously passed.

ADJOURN:

Hearing no further business, Chairman Willis called for a motion to adjourn. Motion was made by Tom Ponder, seconded by Neil Smith and unanimously passed. Pickens County Council stood adjourned at 10:10 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman