

****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.**

August 21, 2006
Regular Meeting
6:00 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, August 16, 2006.

Council Members in attendance:
Jennifer H. Willis, Chairman
G. Neil Smith, Vice Chairman
James B. London, Vice Chairman Pro Tempore
C. Roy Collins
Tom Ponder
Ben L. Trotter

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

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of August 21, 2006 to order and welcomed those in attendance. Invocation was given by Councilman Neil Smith.

Announcements:

Welcome Mr. Hurst. Chairman Willis stated this was the first Council Meeting for the new Pickens County Administrator, J. Chappell Hurst. Council welcomed Mr. Hurst and encouraged the public to stop by his office.

SCAC Barrett Lawrimore Award. Chairman Willis announced during the SCAC annual conference, Pickens County had been successful in winning the Barrett Lawrimore regional cooperation award. This award comes as a regional effort with Oconee, Anderson and Abbeville to enhance safety and pool resources in the event of disaster.

PUBLIC FORUM:

Chairman Willis opened the floor for citizen comments. With no citizens requesting to speak, public forum was closed.

COMMITTEE REPORTS:

Administration and Finance. Chairman Willis gave the following report.

The Committee of Administration and Finance met in the Main Conference Room at 9:30 AM on Tuesday, August 8, 2006 with Chairman Willis presiding, all committee members in attendance. Council Member Ben Trotter was also in attendance.

Staff:

Ralph Guarino, Interim County Administrator
 Donna Owen, Clerk to Council
 Jennifer Graham, Human Resources Director

Item	Description	Referred	Action
14	Policy to determine needs for computer monitors per County Departments. Also issue with the Clerk of Court and a request for monitors.	04/03/06	Committee recommends following the proposed policy as recommended. Council approved with reservations from Mr. Trotter regarding the Clerk of Courts request. Mr. Trotter stated he thought the Clerk should be granted her request for the flat screen monitor.
22	Consider hours of operation regarding the Recycling Centers	06/05/06	No action, committee did not have time for this item.
24	County Health Insurance rates for 2007	06/19/06	Committee requested the insurance brokers to provide costs and various options on September 12 th 2006 at 9:30 AM. While this is in committee the committee members stated the <u>importance of each Council Member being in attendance.</u>

Justice and Public Safety. Committee Chairman Ponder gave the following report.
 The Committee of Justice and Public Safety met on Monday, August 14, 2006 in the Main Conference Room with Committee Chairman Tom Ponder presiding. All Committee Members were in attendance as well as Councilman Collins.

Staff:

J. Chappell Hurst, County Administrator
 Lynn Fisher, Assistant County Administrator
 Donna Owen, Clerk to Council

Item	Description	Referred	Action
7	Six-Mile Fire Department Budget Issues	07/17/06	The committee heard from the Six Mile Fire Board regarding their process to obtain a millage based fire district versus a Fee based district. The Committee also heard from citizens who were opposed to millage and further petitioned council to remove them from the Six Mile Fire District.

			<p>>Committee recommends moving forward with the issue of amending all fire districts to hold an Advisory Election within any district that intends to change the structure from a fee to millage.</p> <p>Committee formally recommends Second Reading of the stated ordinance:</p> <p>ordinance to amend sections in the Pickens County Code Chapter 22, titled Fire Prevention and Protection; to provide that section 22-56; 22-86; 22-116; 22-146; 22-176; 22-206; 22-236; 22-266; 22-316; 22-346. Amended to mandate an Advisory election for changing a fee based structure to a millage rate.</p> <p>>>Council unanimously passed that this constitutes second reading of the Ordinance to amend the fire district code.</p> <p>First reading 6/5/06 Second reading 8/21/06</p>
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APPROVAL OF MINUTES:

Motion was made by Roy Collins and seconded by Neil Smith.

Amendment to the minutes of July 17, 2006

Councilman Smith requested clarification regarding the Maple Creek Estates issue as it relates to Road Maintenance participation, and to clarify the functions of a Homeowners Association regarding the discussion about 100% participation. Mr. Smith clarified he was addressing the fact that once an association is formally formed and petitions are submitted by the association that the “association” itself represents the 100% participation.

>>All Council voted to approve the minutes as amended.

ADMINISTRATORS REPORT:

Mr. Hurst thanked Council and the citizens for the opportunity to serve Pickens County. He stated that Pickens County had great staff and employees and he was genuinely glad to be here. Mr. Hurst briefly informed council that he was progressing with meetings and looking at economic development, and agreed the county needed to find its strengths and weaknesses in that area. Also council was informed about progress with the insurance brokers regarding employee health insurance and wellness programs; he stated Jennifer Graham was doing a good job securing the walking trail that connects to Cannon Hospital. Mr. Hurst also informed council that he would be looking into EMS fees and other fee related departments.

>Mr. Hurst stated it was his understanding that staff was prepared to present the candidate to council for the position of RMC Director; thus this would need to be added to executive session.

MOTION PERIOD AND NEW BUSINESS:

- **Plans for preparing for future infrastructure.**

Mr. Trotter stated he wanted to go ahead and let his constituents know that he is going to raise taxes by (2) mills next fiscal year. Mr. Trotter explained he was very concerned

about issues regarding water and sewer infrastructure for the development of the County. Mr. Trotter further stated he wanted to be honest about his plans so his district would have an opportunity to ask questions and express concerns.

- **Executive Session addition regarding personnel in the RMC office.**

Mr. Smith moved to add the personnel issue to the executive session. Motion was seconded by Roy Collins.

Mr. Trotter stated he was not in favor of this being added due to the fact he had received a phone call and he informed the citizen this was not on the agenda.

>>Chairman Willis called for the vote. All voted in favor with the exception of Mr. Trotter. Thus the motion to add to the agenda did not qualify and was placed in the Administration and Finance Committee.

- **Issues regarding industrial growth in residential areas.**

James London moved to add to the agenda to send to the Planning Commission the issues of businesses growing within the residential areas. Dr. London gave examples of the mulch yard in Crosswell and the concrete plant in Six Mile. Roy Collins seconded the motion.

Councilman Smith stated he had an issue with this going to the Planning commission, and further stated he was concerned about planning issues being about certain areas of the County. Mr. Smith pointed out the diversity in the county and explained what may be considered good planning for one part of the county was not necessarily good for another.

Other Council members expressed concerns that the Planning Commission was not given enough direction as it relates to many issues of the Development Standards Ordinance.

>>James London, Chairman Willis and Tom Ponder voted in favor of the motion; Neil Smith, Ben Trotter and Roy Collins opposed. Motion failed and was placed in the Education, Recreation, Health, Welfare, and County Planning Committee.

PRESENTATION OF FUNDS FROM THE SOUTH CAROLINA FORESTRY COMMISSION. THESE FUNDS ARE FROM RECEIPTS EARNED FROM THE POE CREEK STATE FOREST FOR LAST FISCAL YEAR:

Hub Smith with the S.C. Forestry Service presented the County with a check in the amount of \$14,937.00; Mr. Smith stated this was from the license fees from the Poe Creek State Forest. Council thanked Mr. Smith for the receipt of funds.

ADOPTION OF A RESOLUTION AUTHORIZING AN INDUCEMENT CONTRACT BETWEEN PICKENS COUNTY, SOUTH CAROLINA (THE COUNTY) AND JOHN PROJECT (THE COMPANY) RELATING TO THE COUNTY'S EXECUTION AND DELIVERY OF A FEE AGREEMENT WITH THE COMPANY PURSUANT TO TITLE 12, CHAPTER 44 CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE COUNTY TO THE COMPANY:

This item was requested to be postponed by the company attorney.

FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN PICKENS

COUNTY, SOUTH CAROLINA (THE COUNTY) AND JOHN PROJECT (THE COMPANY); AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE COUNTY TO THE COMPANY; AND OTHER MATTERS RELATING THERETO:

>>Motion was made by Neil Smith, seconded by Ben Trotter and unanimously passed that this constitutes first reading of the stated ordinance by title.

FIRST READING OF AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS FOR 1976, SECTION 4-1-170 ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX TO THE COUNTIES AND RELEVANT TAXING ENTITIES:

This item was requested to be postponed by the company attorney.

MEMORANDUM OF UNDERSTANDING FOR WASTEWATER FACILITIES BY AND BETWEEN PICKENS COUNTY PUBLIC SERVICE COMMISSION AND CATEECHEE VILLAGE ASSOCIATION:

>> Motion was made by Roy Collins, seconded by Neil Smith and unanimously passed to approve the memorandum of Understanding as amended.

Amendment:

Sewer easements will be transferred to Pickens County for the purpose of maintaining the collection system. No new permanent structures will be allowed on the easements. Existing structures may have to be relocated, with the exception of churches and homes, at the homeowner's expense, for service of the sewer mains.

EXECUTIVE SESSION:

Discussion of litigation

>>Motion was made by Neil Smith, seconded by Ben Trotter to convene in executive session for the stated purpose.

PUBLIC SESSION RECONVENED:

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

>>Neil Smith moved to instruct the county attorney to move forward with mediation with the Upstate Homeless Coalition. Motion was seconded by Ben Trotter and unanimously passed.

ADJOURN:

With there being no further business of the Pickens County Council, motion to adjourn was made by Neil Smith, seconded by Roy Collins and unanimously passed. Council stood adjourned at 7:40 PM

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman