

August 15, 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 August 08, 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 8/15/2011 to order and welcomed those in attendance. Invocation and Pledge of Allegiance was led by Vice-Chairman Smith.

PUBLIC FORUM:

Roddy Gettys-Mr. Gettys addressed Council about his concerns of no funding for the Soil and Water Conservation. Mr. Gettys stated he is a member of the board and in order for the Soil and Water Conservation to obtain grant funds; they had to be funded by the County at a minimum of \$300.00. Mr. Gettys further stated that the Soil and Water Conservation was a key factor in looking out for the safety of rivers and streams.

Johnnelle Raines- Ms. Raines came before Council to caution council about the approval of the Comprehensive Economic Plan that is on the agenda. Ms. Raines stated the plan calls for items that citizens have not had any input on. Ms. Raines also stated her displeasure concerning the school property being sold and not using the funds to directly pay toward debt.

Junius Smith-Mr. Smith stated that the sale of the school property was not legal and that several procedures were not followed as required by law. Mr. Smith also agreed with Ms. Raines on the agenda item which calls for approval of the Comprehensive Economic Development Plan, and the plan should not be looked at as a region; Pickens County should decide without regional support what is best for Pickens County.

Lois White-Ms. White came before Council to state that she visited the prison and that she realized there are no vending machines in the visitation area. Ms. White stated that visits would be more enjoyable if there could be a way to have refreshments.

Elizabeth Tickle- Ms. Tickle came before Council and handed out new information regarding the ongoing issue with rock veins going into the Saluda River. Ms. Tickle stated that there is good information from an expert who has written about the failures in North Carolina with similar projects. Ms. Tickle requested

that if Council had any influence regarding this project being stopped, the citizens would greatly appreciate the assistance.

Weldon Clark – Mr. Clark advised the Superintendent of Education is turning down federal and state funds which make it more difficult for local school boards to obtain funding. Therefore selling school property is a means for obtaining those needed funds.

Ben Trotter- Mr. Trotter stated that as a member of the Pickens County School Board, he would like to state that the school board did receive legal input about the sale of school property, and that he thought procedures were followed. Mr. Trotter also agreed the school needs money, and that he was on the board in hopes of hiring good teachers and being able to retain teachers for tenure, and not examining their employment on a year to year basis.

APPROVAL OF MINUTES - June 6, 2011, June 7, 2011 and July 18, 2011

- Trey Whitehurst moved to approve the minutes of 6/6/2011 and 6/7/ 2011 as presented. Motion was seconded by Neil Smith and unanimously passed.
- Trey Whitehurst moved to approve the minutes of 7/18/2011, and seconded by Sam Wyche. All members of Council voted in favor with the exception of Tom Ponder who abstained due to absence.

ADMINISTRATOR'S REPORT:

Mr. Hurst updated Council on the following information.

- a) Introduction of new Emergency Management Director- Mr. Hurst introduced Chuck Haynes. Mr. Hurst stated that Mr. Haynes has experience with the State emergency operations, has worked in fire and rescue. Mr. Haynes is also familiar with the emergency operations at Oconee Nuclear. Mr. Hurst concluded by stating he thought Pickens County was fortunate to have Mr. Haynes.
- b) Introduction of the new Forestry agent- Caroline Dawson- Ms. Dawson stated she was pleased to fill this position for the upstate, and she encouraged anyone who needs forestry services to contact the Clemson extension.
- c) Mr. Hurst gave Council photos of the new parking lot at Hagood Mill. Also construction of the new Rock Art center.
- d) Clean up at Cateechee Mill is progressing; however, the owner is in a law suit with Schlumberger.
- e) Mr. Hurst also informed Council that he had spoken with Mr. Craig Zeller from EPA who was going to speak to Council about Twelve Mile River and the contamination. However, Mr. Zeller stated at this time the decision about how to handle the issues are in the jurisdiction of the judge and the trustees. Mr. Hurst concluded by informing council that a road has been built within the contamination area, and he has forwarded pictures to council.
- f) Mr. Hurst informed Council that he is working to obtain property around the airport with FAA funds. He is still pursuing the project, but is waiting to make sure that FAA funds are available.
- g) Budget concerns- Mr. Hurst stated that obviously citizens are nervous about upcoming budget cycles, and he has heard these concerns and further updated council on areas where he has cut spending.
 - GPS systems are saving drivers with routes, and in some cases the routes have been shortened by 70 miles.
 - Mr. Hurst stated he has been in touch with a firm that will be working to re-coup funds for the delivery of Medicaid services. Mr. Hurst stated he thought this would generate approximately \$150,000.

- Mr. Hurst stated that personnel cost has been cut by the decision to not fill the position of the purchasing director. Mr. Hurst stated the Finance Director and the Purchasing Assistant had taken more responsibilities and those funds would be a great savings.
- Also in the area of personnel, Mr. Hurst is utilizing an employee from Clemson Extension and the Carolina Clear program who will be assisting in the monitoring of mandated Storm Water programs.
- Mr. Hurst stated that while he was looking at personnel, he realized that Animal Control continues to do a phenomenal job. Mr. Hurst stated that Director, Donnie Green and one additional person responded to over 11,000 calls in the year 2000, and last fiscal year that department has responded to 7,734 calls. Mr. Hurst also stated that farm stock animals such as cattle and horses are problem areas due to job loss.

Mr. Hurst stated he thought it was prudent to be in front of these budget cuts in order to begin planning further out, as he expects more economic strife.

>Tom Ponder commented about the GPS systems, and cautioned Mr. Hurst about making sure shorter routes were as safe.

>Trey Whitehurst asked Mr. Hurst about an issue relating to selling scrap metal/steel. Mr. Hurst responded that the decision about which vendor to use is based on the location of the product. Mr. Whitehurst stated he still did not understand the difference in one vendor obtaining 30% more than another. Mr. Hurst stated it was actually about \$.02 more, and equated to about \$40.00 per load. Mr. Hurst also said there is benefit in being able to deliver direct to the vendor because it cuts out issues of theft.

COMMITTEE REPORTS:

Chairman Willis requested to pull the redistricting item from the Committee of the Whole in order to have first reading of an ordinance for approving redistricting lines. Mrs. Willis also stated that the redistricting maps have been approved by the State, and maps would be located in council chambers and the libraries for public comment.

- Motion was made by Neil Smith and seconded by Chairman Willis to pull the redistricting item from the Committee and give a first reading in title only for a redistricting ordinance. Motion carried with a unanimous vote.

COUNCIL CORRESPONDENCE:

-Schedule process for redistricting- Chairman Willis restated that maps would be published and the public would have plenty of opportunity for input or further explanation.

-Committee Meetings – Chairman Willis stated that the Committee of the Whole would meet on Monday August 22, 2011 at 6:30 PM. Also, Sam Wyche called his Committee for 5:45 PM on the same date

-Air Quality Control Meeting- Chairman Willis informed Council about the Air Quality meeting on Thursday August 25, 2011.

MOTION PERIOD AND NEW BUSINESS:

Chairman Willis opened the floor for motion period.

- Neil Smith moved to add to the consent agenda the Saluda River Study and the Stockade vending machine issue. Mr. Smith requested these go to the appropriate committee.
- Neil Smith moved to add to executive session the issue of incentive packages for economic development. Trey Whitehurst seconded and unanimously passed.
- Chairman Willis requested that council add the Crosswell Fire grant request to the agenda for action, Mrs. Willis explained that Crosswell is requesting the same grant application as Dacusville, which is already on the agenda. Neil Smith seconded the motion, and all voted in the affirmative.
- Tom Ponder moved to add to the agenda for action the request for funding of Soil and Water. Jeff Martin gave the second. During discussion, Tom Ponder and Jeff Martin withdrew the motion for action, and Mr. Ponder requested this issue be added to consent for committee referral. Neil Smith, seconded and all members voted in favor.

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

- Motion was made by Neil Smith that this constitute a first reading, motion was seconded by Tom Ponder.
Mr. Smith asked legal staff about the dissolving of a district. Mr. Roper stated this ordinance was created by council, and could be dissolved by county ordinance. Council requested to see the original ordinance prior to second reading. Motion passed with a unanimous vote.

FIRST READING OF ORDINANCE 445 TO AMEND ORDINANCE 399, FLOOD DAMAGE PREVENTION ORDINANCE:

- Motion was made by Jeff Martin and seconded by Neil Smith. During Council discussion, it was unclear about the concept or reasoning behind the State mandating a change in the Ordinance language. Council was also unaware that citizens could be without flood insurance. Council voted that this constitute a first reading, but requested the motion include going to the Committee of the Whole for further interpretation. Motion carried.

FIRST 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 Trey Whitehurst that this constitutes the first reading of an ordinance authorizing the creation of the SC Worklink Corporation. Motion carried with a unanimous vote.

SECOND READING OF ORDINANCE 443 AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND PROJECT SL; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT:

- Motion was made by Trey Whitehurst, seconded by Sam Wyche and unanimously passed that this constitute a second reading of Ordinance No. 443 to enter into a Fee in Lieu with project SL.

SECOND READING OF ORDINANCE 444 AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA (THE COUNTY) AND PROJECT CB (THE “COMPANY”) AND OTHER MATTERS RELATING THERETO:

- Motion was made by Trey Whitehurst, seconded by Sam Wyche and unanimously passed that this constitute a second reading of an Ordinance of Fee in Lieu with project CB.

APPROVAL FOR DACUSVILLE FIRE DISTRICT TO APPLY FOR FEMA GRANT WITH AN APPROXIMATE \$5,000.00 COST:

- Motion was made by Tom Ponder, seconded by Neil Smith and unanimously passed to approve the grant application for Dacusville Fire District.

APPROVAL FOR CROSSWELL FIRE DISTRICT TO APPLY FOR FEMA GRANT WITH AN APPROXIMATE \$5,000.00 COST:

- Motion was made by Tom Ponder, seconded by Neil Smith and unanimously passed to approve the grant application for Crosswell Fire District

APPROVAL OF THE APPALACHIAN REGION COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY:

Chairman Willis allowed some discussion and explanation on this issue due to the public forum concerns.

Neil Smith stated that the Council of Governments puts together a “wish” list for the territory of counties. Mr. Smith explained that the document is imperative for grants and other federal funding. Mr. Smith further stated that none of these projects would be approved without bonds, ordinances, and public hearings. Therefore, the public should not assume that theses were items that were already done. This is simply a list of large projects that would be considered if funds were feasible.

Council stated the appropriate language would be that Council is “accepting” the document, and not approving.

- Motion was made by Neil Smith, seconded by Chairman Willis and unanimously passed to accept the comprehensive economic development strategy as submitted by the Appalachian Council of Governments.

APPROVAL OF AMBER DRIVE FOR MINIMUM MAINTENANCE:

- Motion was made by Tom Ponder, seconded by Trey Whitehurst and unanimously passed to approve the minimum maintenance of Amber Drive.

CONSENT AGENDA:

- Motion was made by Neil Smith, seconded by Tom Ponder and unanimously passed to approve the consent agenda as amended.

--REFER TO PUBLIC SERVICE COMMITTEE – GEORGES CREEK SERVICE AREA
--REFER TO COMMITTEE OF THE WHOLE- TOURISM PLAN

- REFER TO ADMINISTRATION AND FINANCE COMMITTEE-REVIEW FINANCE POLICIES
- ITEMS ADDED DURING MOTION PERIOD.
- REFER TO ADMINISTRATION AND FINANCE-FUNDS FOR SOIL AND WATER CONSERVATION DISTRICT
- REFER TO COMMITTEE OF THE WHOLE-SALUDA RIVER STUDY
- REFER TO ADMINISTRATION AND FINANCE FOR VENDING MACHINES TO BE IN THE PRISON VISITATION AREA.

EXECUTIVE SESSION:

- Motion was made by Tom Ponder, seconded by Trey Whitehurst and unanimously passed to convene in executive session for the stated purposes.

LEGAL UPDATE (1)

BOARDS AND COMMISSIONS (2)

PUBLIC SESSION RECONVENED:

Chairman Willis called the public session back to order and advised no action on the legal update or board appointments at this time.

ADJOURN:

Hearing no further business, Chairman Willis called for a motion to adjourn. Motion was made by Neil Smith, seconded by Trey Whitehurst and unanimously passed. Pickens County Council stood adjourned at 9:40 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman