

Regular Pickens County Council Meeting
December 7, 2015
6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman Jennifer Willis presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media on December 1, 2015.

Council Members in attendance:

Jennifer H. Willis, Chairman
Trey Whitehurst, Vice Chairman
Tom Ponder, Vice Chairman Pro-Tem
G. Neil Smith
Randy Crenshaw
Ensley Feemster

Staff:

Ralph Guarino, Interim Administrator
Ken Roper, County Attorney
Donna Owen, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of December 7, 2015 to order and welcomed those in attendance. The Invocation and Pledge of Allegiance was led by Councilman Randy Crenshaw.

PUBLIC FORUM:

- 1) Pree Hamilton- Ms. Hamilton thanked Councilman Smith for his \$500.00 donation to the Humane Society. Also Mr. Junius Smith for his \$50.00 donation. Ms. Hamilton stated this was the time of year when needs were great, and all donations are much appreciated. Ms. Hamilton stated she looked forward to the New Year with many things planned for the Humane Society. Ms. Hamilton thanked Council and Staff for all they do to help.
- 2) Sarah McNeill- Ms. McNeill came before Council to state her belief that the Elections office is not adequately funded. Ms. McNeill stated the argument that Mr. Allen is not efficient is irrelevant when most like size counties in South Carolina have two times more full time employees than Pickens County. Ms. McNeill also brought up the fact that Pickens County is paying their poll workers differently than other counties. It is her understanding that poll workers should be paid through payroll like county employees. Ms. McNeill asked for an explanation.

Chairman Willis stated that Pickens County has documentation to provide that poll workers are being paid through accounts payable as the poll workers are under the threshold required for payroll.

- 3) Junius Smith- Mr. Smith spoke on many subjects, first he presented a book written by Citizen Patricia Watkins. It is a book about her dog, and all proceeds go to animal rescue. The cost is \$10.95.

-Mr. Smith also wished Council a Merry Christmas and praised them again for their forward thoughts on refugees in Pickens County. Mr. Smith stated the County Council does a much better job than the Pickens School Board. Mr. Smith gave examples of issues that he disagreed with regarding taxes, bonds, and other decisions of the School Board.

-Mr. Smith requested that Pickens County Council reject the Tri-County Technical College's \$6.5M building project. Mr. Smith stated the State is responsible, and further encouraged Council to go to Columbia, S.C. and sue the State regarding this and many other issues, including the jail and judges not bringing cases to trial.

-Mr. Smith also requested the County Auditor to come to a council meeting and explain how the millage is set.

- 4) Weldon Clark- Mr. Clark stated the jail does have issues, and the State has a lot of responsibility regarding the court system, and the mental health system. Mr. Clark also noted that there have been several arrests lately in Pickens County, and not all the inmates were housed in the County jail. Therefore, there must be good mutual aid with other departments.
- 5) Margaret Thompson- Ms. Thompson commented on the issue of a new jail. She reported on the Jail Study that was conducted last year. The study showed that jail time from the previous administration was an average of ten (10) days versus the present being an average time of thirty (30) days. Therefore, the facilitator of the study stated there should not be a focus on a new facility until those numbers are down. Ms. Thompson explained that she is retired from the Sheriff's office and she has concerns about the type of criminal of today, and she has concerns about the safety of police officers. Ms. Thompson stated there are ways to work on a project like a new jail, and gave her opinion about a penny sales tax being voted on by the citizens. Ms. Thompson stated she has toured the new jail in Oconee and it is a much safer environment.

APPROVAL OF MINUTES:

- Motion was made by Councilman Tom Ponder, seconded by Councilman Neil Smith and unanimously passed to approve the minutes of November 16, 2015 as presented.

ADMINISTRATOR'S REPORT:

Mr. Guarino had no report. He wished Council a Merry Christmas and safe holidays with family.

COUNCIL CORRESPONDENCE:

Councilman Neil Smith asked Mr. Guarino if he had any knowledge of the county accepting out of county waste at a new landfill. Specifically, did he or staff have knowledge regarding coal ash coming into the county? Mr. Smith also noted that he recalled the Delegation being opposed to waste coming into the State from other areas.

Mr. Smith requested that staff look into this landfill, and to get the specifics of permits that would require coal ash.

MOTION PERIOD AND NEW BUSINESS:

Chairman Willis opened the floor up for Motion Period.

- Motion was made by Councilman Neil Smith to add items #10 and #11 to the executive session under contractual. Mr. Smith stated he had questions of a contractual nature regarding these items. Motion was seconded by Vice Chairman Trey Whitehurst and unanimously passed.

APPROVAL OF THE FY 2016/17 BUDGET CALENDAR:

- Motion was made by Councilman Neil Smith, seconded by Councilman Tom Ponder and unanimously passed to approve the FY 2016/17 budget calendar.

PRESENTATION OF THE FISCAL YEAR 2015 COMPREHENSIVE ANNUAL FINANCIAL REPORT:

Mr. Alan Robinson with Cherry Bekaert CPA firm came before Council to give the annual financial report.

Mr. Robinson stated the audits were on the table and the outline explains the significant audit findings. As always the financial condition of the County is good with all best practices in accounting being followed. Mr. Robinson did state that Mr. Guarino and his staff have for the tenth year in a row been the recipient of the award for excellence in financial accounting. He also thanked Mr. Guarino and his finance staff for being professional and providing material as needed.

Council had no questions and thanked Mr. Robinson for the report.

			05/04/2015	Staff will come back to Council with adjusted minimums, and have input from department heads as it relates to skill set issues and competition with private sector
			08/17/2015	No action, staff will obtain information about some of the questions relating to minimums in various departments. Also Staff will bring back a more condensed report and make recommendations
			10/12/2015	<p>>Staff will begin with the division of public works and come back with recommendations for starting pay for new hires and existing employees. Also, staff will begin the process of hiring an outside consultant for reviewing job descriptions, pay, and reviewing assessments. This should be proposed in phases.</p> <p>Recommendations from Staff came back with the public works division adjustments and a Phase I Study.</p> <p>>>Council unanimously approved the pay adjustments in the division of public works for positions as recommended by staff.</p> <p>>>Council unanimously approved Phase I study by Archer for approximately 175 positions at a cost of \$44,386.</p> <p>>Committee moved to accept recommendation for the correction of minimum pay (document dated 8/17/2015)</p> <p>>>Council approved committee action of 09/23/2015 to accept the minimum pay correction.</p> <p>Council did amend the motion to state the Salary review to stay in committee so Council can look at the how the minimum will shift across the board as salaries are adjusted.</p>
45	Ethics Policy Retained 2015 Retained 2016	08/18/2014		No action, committee request to retain for 2015
49	Pickens County Jail Facility Evaluation	09/15/2014		No Action, request to retain for 2015

	Retained 2016 (item has been looked at in the Committee of the whole)			
51	Pickens County 150 years Celebration Retained 2015 Retained 2016	10/20/2014	10/12/2015	150 year celebration is in 2018 – tourism staff will be seeking ideas from other organizations to begin planning events.
61	Twelve Mile River (Recreation) Retained 2016	04/06/2015	06/15/2015	No action Committee traveled to various areas in Pickens County to view river access areas.
62	FERC Plans Retained 2016	04/06/2015		
65	Waste e Disposal fees Retained 2016	05/04/2015		
66	Refinancing of bonds Retained 2016	06/15/2015		
67	Animal control/Storm water MOU Retained 2016	06/15/2015		
70	Consultant for the jail study. Retained 2016	08/17/2015		
71	Grant for Sealing Airport Runway Retained 2016	10/19/2015		
72	Redbud Ridge Site development Retained 2016	11/16/2015		
73	Time Study for Voter Registration Retained 2016	11/16/2015		

2) Committee of the Whole-

- Councilman Neil Smith moved to retain the Administration log for 2016. Motion was seconded by Chairman Willis and unanimously passed.

Item	Description	Referred	Report	Action
15	(former information regarding Pickens Gym) Pickens County Recreation facilities. Retained 2015 Retained 2016		08/19/2013	>>Committee recommends that effective with council action within the next 60 days, a policy will be in place that states all properties purchased with a deed will have full council approval and will come from capital funds and not recreation funds. There are (3) transactions as of this date that will be reimbursed to those recreation districts-1) Old Pickens Gym, 2) Dacusville School, 3) Liberty Middle School. Moving forward, Council will review all purchase transactions prior to them taking place, and those transactions will need council approval. Policy will also state that while all

				<p>capital projects involving a deed will have council approval, that other recreational request will have courtesy approval but not a requirement.</p> <p>>>Committee moved that the recreation fund be renamed to the Recreation, Tourism, and Hospitality fund to be disbursed by individual council members subject to the collective wisdom of the entire council; and reports will be submitted on a quarterly basis. This does not include capital purchases</p>
16	<p>Ordinance regarding EMS franchise issues</p> <p>Retained 2012</p> <p>Retained 2013</p> <p>Retained 2015</p> <p>Retained 2016</p>	01/09/2012	<p>02/06/2012</p> <p>04/01/2013</p> <p>05/06/2013</p>	<p>>Committee recommends staff to address issues of fees, penalties, administration and exemptions. The ordinance will remain in committee for further clarification.</p> <p>Committee recommends first reading of the franchise ordinance. 04/01/2013</p> <p>Council had second reading on May 6, 2013 and placed the Ord. back in the committee prior to third reading.</p>
18	<p>SC Equine Board to present an economic development study</p> <p>Retained 2012</p> <p>Retained 2013</p> <p>Retained 2015</p> <p>Retained 2016</p>	09/10/2012		
20	<p>Recreational property (Doodle Railway) relating to noise/nuisance ordinances</p> <p>Retained 2013</p> <p>Retained 2015</p> <p>Retained 2016</p>	10/13/2013		
22	<p>Facility Rental Policy</p> <p>Retained 2015</p> <p>Retained 2016</p>	2/10/2014	04/06/2015	<p>No action, staff is directed to bring the rental agreement back to the committee with fees as discussed. (was pulled from committee on 4/6/2015 for pricing for a May 3rd event. -remains in committee</p>
23	<p>Ordinance No. 479 to repeal ordinances 264 284 and 380 as they relate to conducting municipal elections</p> <p>Ord received:</p> <p>3/17 first</p> <p>06/23 second (to COW)</p> <p>Retained 2015</p> <p>Retained 2016</p>	06/23/2014		
25	<p>County Buildings/space and master plan-</p> <p>Retained 2015</p> <p>Retained 2016</p>	09/15/2014	04/06/2015	<p>No action, staff went over properties. The Committee did ask for staff feedback on several properties.</p>

34	Follow up plan for staff-(projects and other council instruction) Retained 2016	05/06/2015		
35	Long Range Plan for Economic Development Retained 2016	05/06/2015	10/19/2015	>Committee requested staff to get the data on past borings tests in the park; also to have engineers to move forward and provide bid package/quotes for overall grading for pad-ready sites. >approved
36	Recreation/Parks/Tourism Retained 2016	05/06/2015		
38	Investigation of the Hagood Mill property Retained 2016	06/15/2015		
39	Tri-County Technical College Building Retained 2016	08/17/2015	10/19/2015	>Committee approved a letter of support with the intent that funding, final building specifications, and bond information will come back during next year's budget for approval of funds. (Mr. Feemster abstained from the vote) >approved with Mr. Feemster abstaining. Mr. Smith did state he would approve the letter, but next year's budget will require much discussion.
40	Request to accept a donation of land on Highway 11 for a sub-station (Pumpkintown Fire). Retained 2016	08/17/2015		
42	Comprehensive Plan Update Retained 2016	11/16/2015		

3) Education Recreation and County Planning -

- Motion was made by Vice Chairman Trey Whitehurst and seconded by Councilman Neil Smith to retain the log for 2016. Motion passed unanimously.

Item	Description	Referred	Report	Previous Action
7	Lake Hartwell regarding rules and regulation as it pertains to lake management and understanding the Corps of Engineers. Retained 2013	01/22/2013		

	Retained 2015 Retained 2016			
9	Complaints with Shooting Ranges (specifically Whitmire Road) First reading 03/02/2015 for an ordinance to make provisions for safe shooting. Retained 2016	01/20/2015	06/15/15	Committee recommends for staff to draft an Ordinance based on many discussion items to include: <ul style="list-style-type: none"> • Types of ranges – rifle vs pistol • Distance from dwellings • Noise limits/and noise limits back to the development standards • Use of explosive devices/targets Fencing and other barriers
10	First reading of an ordinance to create a recreational district for Dacusville/unincorporated areas Reading 4/6/15 Retained 2016	04/06/2015		

4) Justice and Public Safety-

- Motion was made by Councilman Randy Crenshaw, seconded by Councilman Neil Smith and unanimously passed to retain #4 #5 and 6 for 2016.

Item	Description	Referred	Report	Action
4	Council rules/ update and ethics Retained 2013 Retained 2015 Retained 2016	01/22/2013	01/13/2014 03/02/2015	No Action No Action
5	Review of the animal control Ordinance Retained 2013 Retained 2015 Retained 2016	08/19/2013	01/13/2014	>Committee recommends first reading of an amendment to Ordinance No. 317 Section 1, Section 8- (a) (b) & (c) – >Committee recommends meeting again in January for feedback on proposed changes. >Council approved
6	Automatic Aid to Pickens Fire Department Retained 2016	01/20/2015	03/02/2015 05/04/2015	Committee recommends a written automatic aid agreement to come to council. >council approved No action, Committee asked Chief Gibson to continue working with a document for Automatic Aid; and looking at support for

				any of the unprotected areas.
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5) **Public Service Committee –**

- Councilman Tom Ponder moved to retain for 2016 all of the log with the exception of #22 which was removed. Motion was seconded by Councilman Neil Smith and unanimously passed.

Log	Description	Referred	Report Out	Action
20	Wastewater impact fee ord. Retained 2012 Retained 2013 Retained 2015 Retain 2016	08/20/2012	09/15/2014	Committee recommends for staff to update the ordinance and provide a memorandum back to the Administrator as it relates to providing services.
21	Events/Permitting re. public roads Retained 2013 Retained 2015 Retained 2016 First Reading 05/04/15	05/06/2013	09/15/2014 5/04/2015	>>Council recommends that staff write an Ordinance as it relates to permits for use of County Roads. This should include input from the Planning Director and the Sheriff. Items in the ordinance should include: <ul style="list-style-type: none"> • Fee/no fee • Types of events (Christmas Parade, Festivals, other) • Sponsors of the event • Liability insurance certificate for the event • Penalty for non-compliance • Maps, and road closures This ordinance will come back to the committee Committee recommends development of permit and first reading of an ordinance for events of bicycle races and runs/walks/marathons.
24	Waste Water Treatment Facilities Retained 2016	12/15/2014		
25	Septage receiving Center Retained 2016	12/15/2014		
26	Paving List Retain 2016	08/12/2015		
27	Resolution from the City of Central regarding the highway 93 bridge Retained 2016	09/19/2015		

APPROVAL OF EMERGENCY GENERATOR FOR CENTRAL RURAL FIRE DISTRICT:

- Councilman Tom Ponder moved to approve, Vice Chairman Trey Whitehurst gave the second. Mr. Whitehurst stated he has requested staff to verify that other fire districts have these generators. Mr. Guarino concurred that the equipment is appropriate. Both Mr. Whitehurst and Mr. Guarino stated the project will need to go out for bid per the procurement process.
>>Motion was amended to approve contingent upon the return of the bids. Motion carried with a unanimous vote.

EXECUTIVE SESSION: S.C. Code of Laws, Section 30-4-70 (a)

Chairman Willis called for a motion to convene into Executive Session as defined by S.C. Code of Laws, Section 30-4-70 (a). Chairman Willis further stated that each issue would be discussed as the Law provides.

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

Legal Issues-Section 30-4-70 (a) (2)
Boundary of County property near Clearwater Drive

Contractual Issues- Section 30-4-70 (a) (2)
Acquisition of Property
Administrator
MRR Pickens LLC
Dacusville Fire Station Bids
Funding of the Dacusville Fire Station

Personnel-30-4-70 (a) (1)
Clerk to Council Candidates
Public Works Position Classification

Economic Development-30-4-70 (a) (5)
Project Growth Grant
Project Starr

PUBLIC SESSION RECONVENED:

Chairman Willis called the Public Session Back to order, and allowed action as needed.

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

Legal Issues-Section 30-4-70 (a) (2)
Boundary of County property near Clearwater Drive-no action

Contractual Issues- Section 30-4-70 (a) (2)
Acquisition of Property - no action
Administrator – no action
MRR Pickens LLC – no action

Funding of the Dacusville Fire Station:

- Motion was made by Councilman Neil Smith and seconded by Councilman Tom Ponder to approve the funding for the Dacusville Sub-station up to \$400,000.00 finance via the County. Motion carried with a unanimous vote.

Approval of Bids for the Dacusville Fire Station:

- Motion was made by Councilman Neil Smith and seconded by Councilman Tom Ponder to approve the low-bid of \$359,848.00 to WT Murphy Construction. All members voted in the affirmative.

Personnel-30-4-70 (a) (1)

Clerk to Council Candidates – no action

Public Works Position Classification -

Ms. Willis explained this is a position that was split and now needs approval for merging back into one position.

- Motion was made by Councilman Tom Ponder, seconded by Councilman Neil Smith and unanimously passed to merge the position.

Economic Development-30-4-70 (a) (5)

Project Growth Grant – no action

Project Starr – no action

ADJOURN:

Hearing no further Council business, Chairman Willis called for a motion to adjourn. Motion was made by Councilman Tom Ponder, seconded by Councilman Neil Smith and unanimously passed. Pickens County Council stood adjourned at 9:30 p.m.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman