

COMMITTEE OF COUNCIL AS A WHOLE REPORT

Council Members:

Roy Costner, Chairman
Chris Bowers, Vice Chairman
Wes Hendricks, Vice Chairman Pro-Tem
Carl Hudson
Ensley Feemster
Trey Whitehurst

Staff in Attendance:

Ken Roper, Acting County Administrator
Meagan Bradford, Clerk to Council
Les Hendricks, Contract County Attorney

The Committee of the Whole met in the Main Conference Room, at the Pickens County Administration Facility, on Monday, March 16, 2020 at 6:00 PM. All members of the committee were in attendance, with Chairman Roy Costner presiding.

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the Committee of the Whole meeting to order. Councilman Carl Hudson led the Invocation and Pledge of Allegiance.

COMMITTEE OF THE WHOLE:

Chairman Roy Costner stated if all of Council agrees, he would like to make a motion to suspend the discussion for any of the log numbers on the agenda this evening, and go into an Emergency Special Called meeting in regards to the Coronavirus and how it is affecting Pickens County.

ADJOURN:

Chairman Roy Costner made a motion that we suspend the discussion for any of the log numbers on the agenda this evening for the Committee of the Whole, and immediately go into an Emergency Special Called Meeting if all six council members agree in regards to the Coronavirus and how it is affecting us in Pickens County. Lastly, Chairman Roy Costner made a motion to adjourn. The motion was seconded by Councilman Wes Hendricks and carried unanimously (6-0).

EMERGENCY SPECIAL-CALLED MEETING FOLLOWING THE COMMITTEE OF THE WHOLE MEETING

Mr. Roper, Acting County Administrator, stated he would like to give Council some information for Council and the public regarding Emergency Procedures for Counties and the State Law. He stated that Pickens County is fortunate that Council had the foresight in 2017 to pass an ordinance that contemplates these kinds of circumstances. He stated that Council developed an Emergency Ordinance that deals with how the county handles situations that we do not anticipate.

Mr. Roper stated he would like to talk about the background that gives Council the authority to do this and also allows Council to have this meeting tonight. He stated during the second part of this conversation, he would like to update Council on where we were last Friday when staff went home, and where we are this morning when staff returned to the office. He stated he would like to update Council on things that have happened today to prepare us for the next few weeks.

Mr. Roper quoted section 4-9-25-Power of Counties, stating "All counties of the State, in addition to the powers conferred to their specific form of government, have authority to exercise powers in relation to health and order in counties, for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government. The powers of a county must be liberally construed in this regard." Mr. Roper stated as we look

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as this situation, and move through tonight and the next few days, he wants Council and the public to know that Council is empowered to take action on a county level. He stated all actions of Council must be done by Resolution or Ordinance, and ordinances usually require a public hearing. Mr. Roper stated if we get in a circumstance where we have to pass an emergency ordinance, then we can do this. He stated emergencies are excluded under Section 4-9-120.

Mr. Roper quoted an email that Council received from SC Associations of Counties and went into further detail regarding what authority County Council has to cancel or postpone council meetings:

- SCAC legal staff is of the opinion that absent a declaration of a state of emergency by the Governor, county councils must meet at least once in each and every calendar month. Section 4-9-110 of the S.C. Code provides in part that county council after public notice shall meet at least once each month but may meet more frequently in accordance with a schedule prescribed by the council and made public. That section also provides that council determines its own rules and order of business.
- The Attorney General has opined that § 4-9-110's provision that councils determine their own rules applies only to rules of procedure or order and does not act to circumvent conflicting state laws. In an opinion issued last year the Attorney General wrote that they believed that "a court likely would hold that S.C. Code Ann. § 4-9-110 requires county councils to hold publicly noticed meetings at least once in each and every calendar month." 2019 WL 3243868 (S.C.A.G.)
- The underlying issue in that 2019 opinion did not implicate the authority of the Governor to act after the declaration of a state of emergency pursuant to Article 7, Chapter 3 of Title 1 of the S.C. Code. §§ 1-3-410 through 490.
- Pursuant to Article 7, the Governor could order the temporary prohibition or limitation on public and private gatherings. Such an order would take precedence over the statutory requirement that county council meeting at least once a month, during the invocation of the state of emergency.

He also went into great detail on the authority that County Council has in conducting public meetings:

- If a county decides to conduct public meetings, there are alternatives to address the health of members and the public. Section 30-4-20(d) of the Freedom of Information Act (FOIA) defines a public meeting as including both physical and electronic means. A county can choose to hold a meeting by electronic means such as telephone or video, as long as the public has means to attend. Prior Attorney General opinions have opined that the public attendance is met if those attending by alternate means have the ability to fully hear what is being discussed and to be heard during any public comment period. All meetings held by alternative means must be conducted by the usual public meetings provisions of FOIA such as notice, agenda and minutes.

Mr. Roper stated questions come up frequently regarding Freedom of Information Act. He stated we are required by law to public notice our meetings, and we do this in multiple ways to ensure the public has notice of the meetings. He stated in an emergency situation, Council can take action and would require a 2/3 vote and finding that the county is in an emergency situation. He stated all meetings have to be open to the public, even if we decide to have a virtual meeting; we have to have mechanism for the citizens to listen in. Mr. Roper stated it is the citizens' rights to be involved in this process and we want the public to be reassured by this.

Mr. Roper quoted Section 30-4-80: Notice of meetings of public bodies; stating this requirement does not apply to emergency meetings of public bodies. He stated if a situation comes up in the next few days where Council has to have an emergency meeting; the requirement that we publish an agenda in advance is not under state law. He stated of course we only like to do this in very limited circumstances.

Mr. Roper went over in detail Ordinance No. 526, AN ORDINANCE ESTABLISHING CONDITIONS AND PROCEDURES FOR THE DECLARATION OF A STATE OF EMERGENCY WITHIN PICKENS COUNTY AND FOR THE OPERATION OF COUNTY GOVERNMENT SUBSEQUENT THERETO.

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Mr. Roper stated this is a very serious situation we find ourselves in but it is not one that is changing minute by minute. He stated this is something that we can give some thought to. He stated rather his staff contacting the Chairman stating they believe they should declare an emergency; it might be good for Council to discuss what you thought the appropriate triggers are for a State of Emergency in this situation. Mr. Roper presented a photo to Council of a white board from the Emergency Operations Center with these four State of Emergency triggers on it:

1. Cases: 1-5 or 5-10
2. Counties around US implementing
3. Businesses closing
4. Employee reduction

Chairman Roy Costner stated he feels it is important that we project to the public how serious, and how careful the work everyone is doing to make sure our citizens is safe. He stated sometimes he believes through social media, they can create more of the panic. He stated the number of cases is something to consider for a state of emergency, business closures, etc. and he feels the important thing is, if Council decides to declare a state of emergency then we are giving our Administrator the authority if we need to spend money. Chairman Costner asked Council what should be our trigger point to declare a State of Emergency.

Councilman Carl Hudson stated if we have a couple of cases, we can quarantine those, but what happens if this gets inside the jail. He asked what the plan is if we have it in a local nursing home, because some of this is already happening in Washington State. Councilman Hudson stated he feels Emergency Management needs to really look into this and see what the best practices on areas that have dealt with this before.

Chairman Costner stated the county has been in contact with Prisma Health and An-Med. He stated it is important that our Emergency Management Director not only has a plan of what Council needs to do, but also working with the people already in place.

Vice Chairman Chris Bowers stated to declare a State of Emergency; you typically have to have a reason. He stated the problem with this is that it isn't a tornado, it isn't a flood, isn't a fire, isn't a rescue, etc. but this is something that you can't physically see. He stated we do not know the worst case or best case scenario. He stated the definition of a disaster is something that overtaxes or overwhelms the resources you have available, and something that you can't handle with day to day operations. Vice Chairman Bowers stated the problem with triggers is that it is not black and white, there is no right or wrong answer, but it is truthfully when staff determines we no longer can handle this because we need additional resources. He stated the moment to pull the trigger on declaring a state of emergency has to be quick as soon as staff says we need help.

Mr. Roper stated normally in emergency situations, it is a call like that. He stated in this case, it seemed like it was appropriate for him to ask how Council is approaching it.

After more discussion, Vice Chairman Chris Bowers stated there may be situations under normal operations where staff has to follow one set of guidelines, where under a state of emergency, those guidelines may be relaxed.

Mr. Roper stated an example would be that our procurement code requires us to get 3 bids to circumstances if it is over a certain dollar figure. He stated if we are in a state of emergency, we are not going to get 3 bids, he is going to get the closest piece of equipment he can to do the job.

Councilman Trey Whitehurst stated what we get out of a state of emergency is financial flexibility. He stated until we get to the point where we are overwhelmed, that is when you declare a state of emergency.

Councilman Ensley Feemster stated it is not as big of deal when you have middle age people who have the virus, but it becomes a bigger deal when senior citizens and people who have health issues.

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Councilman Wes Hendricks asked Mr. Roper how many employees work for the county who are 65 and older. He asked if there was a way we could be more proactive with this work force.

Mr. Roper stated Councilman Hendricks asked a good question and he does not know how many employees are 65 and older, but he will check on this. Mr. Roper stated as we look at the risk factors, we need to be more thoughtful on these employees. He stated we have been looking throughout the day at our sick leave and vacation policies and seeing how we need to adapt to different things happening. He stated we did discuss parents with young children, but did not discuss the older employees. He thanked Councilman Hendricks for bringing this point up.

Councilman Hendricks also asked how many employees could work from home remotely.

Mr. Roper stated he will be discussing this during the second part of his presentation. Mr. Roper discussed the following with Council:

- The County's Response to COVID-19
 - Department Head Conference Call every morning at 8:30 a.m.; a set list of departments who call in to give an update on their certain department.
 - Signage on all doors and glass windows advising the public to call or go online
 - Blast social media with all department phone numbers, advising residents to call with questions instead of coming in the Admin building unless absolutely necessary
 - Tax payers can do online services or use the drive-thru
 - Minimize face to face interactions with the public
 - Libraries, Museum, PAC, parks, etc. closed until further notice
 - Chairman Costner asked Council what should be our policies on upcoming events.
 - Mr. Roper stated they reached out to clients who have rented the PAC over the next few weeks to engage and see if they would like to move forward with their event. He stated we have not publicly announced anything final with this.
 - Councilman Wes Hendricks asked what happens if we get to the point where it is so extreme in our county, and some residents can't get out to go pay taxes. He asked if we will get to a point where we have some forgiveness period.
 - Mr. Roper stated residents right now can pay their taxes over the phone, mail or online. He discussed the instructions on how to pay tax bill over the phone by looking at the sheet mailed.
 - Vice Chairman Chris Bowers stated he knows we usually charge a fee for the online portal when using a debit card. He asked if there was an idea of how much that fee is and what that would cost us if we suspended it during this situation.
 - Mr. Roper stated if you pay it by e-check (routing and accounting number) it is \$1.50. He stated if you use a credit card, it is \$1.50 plus a small percentage of what the bill is. He stated what staff has found is that people who are paying small taxes, he would probably not worry about paying it by credit card because it will not be much. He stated he asked the Treasurer to look into this.
 - Employees practicing social distancing from one another
 - Department heads to screen employees before they work (fever, cough, traveled)
 - Keep all municipalities informed of all decisions the County makes
 - EMS needs to screen all employees before their shift and after, even have temperature taken
 - EMS needs to track each COVID-19 call (start to finish)
 - Documentation on all actions we take

Mr. Roper showed Council an example of the website, stating we are encouraging citizens to receive medical attention and not come in the building if they have symptoms. He stated we put this on the website and social media.

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Mr. Roper stated the Sheriff's office is also proactively instituting measures to try to prohibit foot traffic in their dispatch area. He stated they do not want people coming to dispatch for deliveries or general questions, because those dispatchers need to stay healthy and be there to do their important job.

Mr. Roper went into discussion on the Department Head Responses, stating:

Human Resources:

- Employees should limit all visits between county offices. Departments should interact by phone, fax or email
- Employees should practice "social distancing" within their own departments
- Public is encouraged to limit in person visits to county offices
- All training and travel for Pickens County is being suspended until further notice
- Protecting employees by assisting in wiping down areas in your department with disinfectant
- Food truck of the month has been cancelled and will be rescheduled for a later date
- Presently, all county departments will remain open, although some will limit their interacting with the public by providing other options

EMS Headquarters:

- Interior door in front lobby will be kept closed and locked.
- Recommended signage will be posted on interior door advising deliveries to be dropped in lobby area.
- Wireless doorbell will be installed with instructions to ring doorbell if a signature is required or a visitor must speak with someone personally.
- Screening and precautions will be taken if direct contact with the public is required.
- All incoming packages will be disinfected with disinfectant spray prior to any contact or movement from lobby area.
- Doors, door-handles, glass will be disinfected routinely with disinfectant sprays or wipes.
- Hand washing materials will be maintained readily available for employees and visitors.

EMS Stations:

- Crew will secure each station by keeping all outside doors locked and bay doors closed when not responding to or from a call.
- Recommended signage will be placed on all outside doors.
- A No Visitor Policy will be implemented immediately.
- A process/form will be developed and implemented as soon as possible for the screening of all employees at the beginning and end of each shift.
- Crews will be advised to increase daily cleaning/decontamination of all equipment, vehicles, and stations to include all common areas, bedrooms, bathrooms, door knobs/handles.
- Crews will continue to adhere to protocols set forth in the response protocols already distributed.
- A tracking form will be developed for all potential COVID-19 patients to include Patient name, Address, Patient Care Attendants' names, Fire/Rescue/Law Enforcement Names, Disposition Name, and any other personnel who crew(s) have contact with.
- PPE and cleaning/disinfecting materials will be made readily available to all crews.

Information Systems:

- Current equipment will accept up to 250 concurrent VPN connections if we had to all work from home. We should limit this down to around 100 because of the bandwidth coming into Administration Building. We currently have a 60mb Internet connection with AT&T which all VPN traffic would flow thru.
- Getting mask and gloves from EMS for when IS employees have to go work on EMS and Sheriff's Office computers, especially EMS laptops that are located in ambulances.

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Library Systems:

- All branches of The Pickens County Library System will be closed to the public. Assistance to patrons will be provided via virtual library services, telephone, and chat at all branches M-F 9am-5pm. Drive-thru services will be available at the Central-Clemson Library and the Hampton Memorial Library in Easley Monday-Saturday from 10am-2pm and Sunday 2pm-6pm.
- Patrons will **not** incur fines on materials during this time, and holds on materials will not expire.

Community Development:

- Activating ALL permits, plans, and inspections for online submittal and asking the public to please use the CSS portals rather than visiting the office for permit application. Email submissions are also accepted.
- Inspections will continue, with limited public interaction out in the field.
- Planning Commission - All meetings scheduled for the months of March and April will be canceled and all applications will be scheduled for the 1st available meeting in May.
- The Board of Appeals case on March 23rd will be conducted via teleconference at the scheduled time. Staff will initiate this meeting in our office.

Animal Shelter:

- Since inmate labor will not be available, additional staffing is needed. By implementing a combination of non-lethal reduction of the animal population and using staff temporarily loaned from Solid Waste, the available staff would be able to provide sanitary conditions for the animals in a timely manner.
- Cleaning will be staggered to times most convenient to the additional labor provided.
- Acceptance of owner surrenders and cats will be suspended.
- Intake of dogs will be reduced to the extent practical.
- Public interaction will be limited to owner pickups by appointment only.

Engineering:

- Staff Engineer will be allowed to work from home and/or alternate work schedule to mitigate child care concerns.

Public Service Commission:

- Office Manager/Lab Manager will be allowed to work from home and/or use alternate work schedule to mitigate child care concerns.

Roads and Bridges:

- Since inmate labor will not be available, litter pick-up has been suspended.
- Travel policy to and from work sites will be limited to a maximum of 2 persons per vehicle.

Solid Waste:

- Staffing of the recycle centers will be minimal and the attendants contact with the public will be minimized. Some attendants to be temporarily reassigned to assist with cleaning animal shelter.

Alliance Pickens:

- Rescheduling meetings or holding conference calls as an alternative. Events postponed/canceled. Working remotely, as is done regularly on weekends.

Risk Management:

- Sent emails to department heads offering services as a resource for the department safety procedures.

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Operations:

- In the event that the County must close, only take care of emergency calls. Tim Owens and Tommy Webster have the ability to work from home using laptops. Main phone line can be transferred to the office manger's home if needed. On call employee and the other employees would also be called in if the emergency work load warrants it.

Auditor and Treasurer:

- We are encouraging the use of our online and phone services:
- For new vehicles: <https://www.co.pickens.sc.us/Auditor/VehicleTaxNotice/default.aspx>
- For high mileage application: <https://www.co.pickens.sc.us/Auditor/HighMileage/default.aspx>
- For homestead exemption: Complete the application over the phone with taxpayer, and then mail the application to the taxpayer to sign.
- If a situation arises where the building is closed to the public, the Treasurer and I have concluded that someone from our office could work in his office to generate bills. The taxpayer could send their documents through the drive thru where a bill could be generated. We also have a window in our back break room that could be opened to help taxpayers if needed.
- Taxpayers needing bills on new vehicles purchased or boats would be encouraged to email, scan, or fax their documents so personal contact would be minimized.

Airport:

- The airport is potentially a vector multiplier for the obvious reasons of people traveling from all over the country in unknown conditions. All that balanced with the responsibility to serve jets that require fuel to continue on their way.
- We will post a letter from airport ops.
- Airport will be on call 24/7 till 4/1. Fuel sales would suffer but it appears corporate flights have been constricting anyways.
- If we are called out, we will direct passengers/pilots away from terminal and directly to their transportation.
- Bathrooms will be available in a sectioned area.

Finance:

- Drop off invoices in the mail room next to building codes.
- If the County shuts down the building, we would be limited in paying invoices since we receive the paperwork in our office.
- Process payroll remotely with laptop.
- Purchasing can process purchase orders remotely if a laptop with to access the software is available.
- Most utility bills are paid with a credit card.

Register of Deeds:

- Encourage use of online records, mail in recording, and calling for assistance. Possibly closing the record room/ computer area.

Veterans Affairs:

- We are eliminating our walk-in traffic for our Veteran's Offices office thru March 31, 2020.
- We serve many Veterans and families every day and take every precaution to keep everyone safe and well. Effective immediately, we are asking that our Veteran's call rather than come to our office and we will do our best to handle what we can over the phone. If we feel an appointment is needed, we will schedule that in the near future.

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Magistrate's Office

- Suspended all jury trials until further notice.
- Suspended all hearings with the potential of ten or more persons (traffic court, preliminary hearings).
- Suspended the issuance of bench warrants for failure to appear.
- Rescheduling court dates as requested and necessary.
- Posted the door signs provided by PCEM.
- Encouraged the use of hand sanitizer throughout the building to both staff and public.
- Windows already in place between staff and public.
- And any other Orders, suggestions or recommendations from SC Court Administration and Pickens County Administration.

GIS:

COVID-19 plan for the GIS Mapping Department if the Admin building remains open:

- In addition to CDC recommended practices, keep window closed at counter as much as possible and use latex gloves at counter.
- Only use your own workspace (phone, computer, desk, etc). Restrict the office space to employees only.

COVID-19 plan for the GIS Mapping Department for working at home if the Admin building closes:

Equipment:

- Utilize existing equipment for employees to work from home through VPN and/or the ESRI GIS license checkout tool. This has been utilized numerous times in the past by the GIS Department head when work was required after hours and over the weekend. It's proven to be a more productive work environment.
- ArcGIS Online for moderate editing and website development. This only requires an internet connection without the need to logon to the County network through VPN.

Inventory:

- Two laptops (will be assigned to Bobby and Brenda)
- One departmental mobile phone with unlimited internet
- All employees have high-speed internet at their residence. Jimmy (Northland 100mb internet), Brian (high speed AT&T), Brenda (AT&T 10mb), Bobby (AT&T 18mb)
- Jimmy and Brian have GIS software and a high-end pc at their residence. Personal pcs are not compliant for the County VPN connection, but the GIS Department has a couple of external hard drives to transport large amounts of data without the need for the VPN connection.
- GPS units if remote field work is permitted. For example, remote trails in and around Table Rock State park need to be mapped for Emergency Management purposes. This was requested recently by Emergency Management due to lost hikers.

Customer Service:

- Forward phone calls on the main line to departmental cell phone. Forward main line calls to individual employee voice mail from departmental cell phone. Employees to check voice mail remotely on regular basis. Also, the employee in charge of the mobile phone will notify other staff of critical voice mail. Check emails regularly throughout the workday. Deeds and other GIS projects will be divided up between staff and taken home to be completed.

Mr. Roper stated that he thinks the County Government can demonstrate calm, preparation, competency, and we can be a reassuring force locally. He stated we also need to let people see the government is still working and people can go on with their daily lives. He stated we do not want to overreact, but use common sense and be cautious. He stated you all will see more information come out on Social Media.

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Chairman Roy Costner stated we prepare a budget because we are thinking about the future of Pickens County. He stated this budget is in place as a plan of where we are going based on the vision of the citizens we represent. He stated if we have an uncertainty in which way it could possibly go, he would like for Council to consider giving instructions to staff as they prepare the budget for us that they keep it absolutely flat, and we take everything else off the table. He stated in other words, let's not consider anything about moving any money out of general funds, or raising fees, etc. Chairman Costner stated we need to look towards areas to save money as well. Chairman Costner stated it is his opinion we do not look at anything else until this crisis comes under control.

Councilman Trey Whitehurst stated to his understanding, Chairman Costner is saying all the ask and wants that everyone is asking for will have to wait to be considered. He stated what he is hearing Chairman Costner say is we start where we were last year and work backwards.

Chairman Costner stated yes, and that should be quick to come up with those numbers.

Vice Chairman Chris Bowers stated we could start where we were last year and work from there, but he believes we will find some inefficiencies because we are being forced to operate the County in a way it has never been operated before in this current situations. Vice Chairman Bowers stated he believes we will find some savings in some areas we never knew we had because we've always done it this way, but we are being forced to doing it a different way now.

Councilman Carl Hudson stated he would not look at raising any taxes, fees, etc. this year because he thinks by the time this plays itself out, it will be too late in the budget year to even look at this anyways. He stated he had some concerns about hurting businesses with increasing the 1% sales tax. He stated the road issue probably still needs to be addressed, but the county revenues have been growing each year and maybe next year, the next council can look at taking some of that money from growth and using it on the roads.

After more discussion, Councilman Wes Hendricks asked if there was a plan where if it gets really bad, that if we have to start making some hard decisions on cuts, where do we start.

Mr. Roper stated we are lucky in one regard, and that Council's first goal for 2020 was to maintain a conservative budget. He stated he knows the subparts on this was that we go to a zero based approach, and we look for efficiencies. He stated we are not done with the budget process, but we do plan to bring you a budget for the first meeting in April that meets those goals.

Mr. Roper stated one thing they looked at before this meeting was the legal requirements for the budget, like could we give Council a bare bones budget and they pass it in the meantime with no tax increasements, etc. He stated the timing is unfortunate because it is budget time.

Councilman Feemster stated one of the things we run into is unforeseen expenses that we do need to keep our budget tight.

Vice Chairman Chris Bowers stated he would like to commend staff for all they have done already. He stated he was looking forward to Food Truck Thursday, but he understood the reason. He stated he appreciates everything staff has done thus far.

Chairman Costner stated communication is key, and asked Council to continue checking emails for updates. He stated everything changes so quickly.

Seeing no other discussion, Councilman Trey Whitehurst made a motion to adjourn. Motion was seconded by Councilman Wes Hendricks and carried unanimously (6-0).