

Regular Pickens County Council Meeting

August 7, 2023

6:30 PM

County Council met in regular session, in the Auditorium of the County Administration Facility, with Chairman Chris Bowers presiding. Final agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on August 4, 2023.

Council Members in Attendance:

Chris Bowers, Chairman
Roy Costner, Vice Chairman
Alex Saitta, Vice Chairman Pro-Tem
Chris Lollis
Henry Wilson
C. Claiborne Linvill

Staff in Attendance:

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

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the meeting of August 7, 2023 to order and welcomed those in attendance. Vice Chairman Roy Costner led the Invocation and the Pledge of Allegiance.

PUBLIC FORUM:

Chairman Chris Bowers opened the Public Forum and requested the Clerk to call upon the citizens signed up to speak.

1. Richard McWay: Mr. McWay addressed Council regarding vaccinations.
2. Steve Hayne: Mr. Haynie addressed Council regarding Allan Quinn and jobs in Pickens County.
3. Pat Mulkey: Mr. Mulkey addressed Council regarding jobs in Pickens County, and brush issues.
4. Dawn Crooks: Ms. Crooks addressed Council regarding the preservation and conservation districts within the UDSO, with adding architectural review board.
5. Tala Moore: Ms. Moore addressed Council regarding population in Pickens County.

Seeing no other public forum speakers, the Chairman closed the floor. Chairman Chris Bowers stated he would like to take a few moments to honor Mr. Allan Quinn, who passed away in July.

APPROVAL OF MINUTES:

Chairman Chris Bowers called for a motion to approve the following minutes as presented:

- July 10, 2023 Regular-Called Council Meeting
- July 17, 2023 Special-Called Meeting
- Motion was made by Councilman Chris Lollis, and seconded by Claiborne Linvill. Chairman Bowers asked if there was any discussion. Seeing none, the motion carried (6-0).

ADMINISTRATOR’S REPORT:

Mr. Roper addressed Council on the following:

- 2023 Council Goals – People, Purpose, Plan
- Special Edition of Administrator’s Report
- Updates to the UDSO
- Pickens County Animal Shelter
- SCAC President Recognition, Vice Chairman Roy Costner
- Behavioral Health Crisis Mapping Policy Academy, Chairman Chris Bowers

Council asked Mr. Roper questions that included, but was not limited to:

- Question regarding proof of legal residence that is required on a 4% designation on your home
- Question regarding Code Enforcement Class Three Officers
- Question regarding Pickens County Animal Shelter, Pickens County Humane Society, and Clemson Paw Partners

COMMITTEE REPORT for 7/17/23:

The Committee of the Whole met in Council Chambers, at the Pickens County Administration Facility, on Monday, July 17, 2023. All members of the committee were in attendance with Chairman Chris Bowers presiding. Councilman Alex Saitta led the Invocation and Pledge of Allegiance.

COMMITTEE OF THE WHOLE:

SEWER CAPACITY - Log No. 214

- ❖ Administrator Ken Roper stated this is regarding a Sewer Capacity Study that Council has provided funding for this year. He stated as we go into that service, we have two partners with us in our intergovernmental agreement for sewer capacity which are the Town of Central and City of Liberty. He stated Andy Blondeau, City of Clemson Administrator, approached him asking about potential for the City of Clemson to join in with some type of sewer arrangement. Mr. Roper stated the Central and Liberty have passed resolutions stating they believe it will be a good idea if we leave it into a joint study.
- ❖ Mr. Blondeau went into discussion with Council on why he would like to join in on the study. He stated he is asking for permission to see if Council will let help pay for the study and City of Clemson join in.
 - After some discussion between Council, Chairman Chris Bowers made a motion allow the City of Clemson into the sewer capacity study. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

Council Action on Log No. 214: Chairman Chris Bowers made a motion allow the City of Clemson into the sewer capacity study. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. Hearing no discussion, the motion carried (6-0).

2023 ATAX FUNDING APPLICATIONS – Log No. 211

- Council and staff had very detailed discussion that included, but was not limited to:
 - City of Pickens Request for Independence Day Spectacular
 - Total calculation cost for County to approach but not exceed \$30,000
 - City of Pickens spent less than \$20,000
 - Councilman Alex Saitta made a motion to allocate \$7,000 of ATAX Funding to the City of Pickens and reimburse the County \$30,000 regarding the Independence Day Spectacular Event. Motion was seconded by Councilman Henry Wilson. Discussion included:
 - Councilwoman Linvill stated the City of Pickens did not submit a formal application like all of the other organizations. She stated she realizes this is different but all Council has received was a memo and she is wondering where the \$7,000 is coming from.
 - Discussion on invoicing the Trump Campaign for the expenses
 - Chairman Chris Bowers amended the original motion, stating he would like to bill the campaign to see if they will help pay any expenses of the \$30,000 and \$7,000 before allocating the ATAX money. Motion was seconded by Councilwoman Claiborne Linvill. Discussion included:
 - Councilman Alex Saitta went into discussion on why he opposes this amendment and original motion.
 - Councilwoman Claiborne Linvill stated she feels it is important for this Council to set a precedent that when it comes to Pickens County, we have some obligations to understand that there will be police and EMS expenses, and we would like for them to cover it because some campaigns have. She stated she realizes it may not get paid because a contract wasn't met, and that is a whole other issue.
 - Seeing no other discussion on the amendment, the motion failed (1-5), with Councilwoman Claiborne Linvill in favor.
 - Vice Chairman Roy Costner made an amended motion, stating he would like the City of Pickens to fill out an application to be turned into the ATAX Committee and the \$7,000 to be contingent on the application. Motion was seconded by Councilman Alex Saitta and approved unanimously (6-0).
 - After more discussion, Councilman Henry Wilson made a motion to amend the total from \$7,000 to \$10,100 of ATAX Funding for the City of Pickens for life safety. Motion was seconded by Councilman Alex Saitta. After some discussion, the motion carried (5-1), with Councilwoman Claiborne Linvill opposed.
 - Seeing no other discussion, the motion carried (5-1), with Councilwoman Claiborne Linvill opposed.

Council Action on Log No. 211:

1. Councilman Alex Saitta made a motion to allocate \$7,000 of ATAX Funding to the City of Pickens and reimburse the County \$30,000 regarding the Independence Day Spectacular Event. Motion was seconded by Councilman Henry Wilson.
 - Chairman Chris Bowers amended the original motion, stating he would like to bill the campaign to see if they will help pay any expenses of the \$30,000 and \$7,000 before allocating the ATAX money. Motion was seconded by Councilwoman Claiborne Linvill.
 - The motion failed (1-5), with Councilwoman Claiborne Linvill in favor.
2. Vice Chairman Roy Costner made an amended motion, stating he would like the City of Pickens to fill out an application to be turned into the ATAX Committee and the \$7,000 to be contingent on the application. Motion was seconded by Councilman Alex Saitta and approved unanimously (6-0).

3. Councilman Henry Wilson made a motion to amend the total from \$7,000 to \$10,100 of ATAX Funding for the City of Pickens for life safety. Motion was seconded by Councilman Alex Saitta. After some discussion, the motion carried (5-1), with Councilwoman Claiborne Linvill opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. Discussion included but was not limited to:

- ATAX Application from City of Pickens
- Update from County Attorney on Council's Questions

Chairman Bowers made an amended motion to require the application for the \$30,000 to go before the ATAX Committee to reimburse the County, since the city of Pickens is no longer requesting funding, and the County to seek the opinion from the Ethics Commission on the allocation of ATAX funding to reimburse our Emergency Services cost on that day. He withdrew his motion.

Councilman Henry Wilson made a motion to table discussion until the ATAX Committee reviews the application from the County. Motion was seconded by Councilwoman Claiborne Linvill.

- Councilwoman Claiborne Linvill made an amended motion to direct the invoice to the City of Pickens, instead of sending the application the ATAX Committee. The motion was not seconded, and the motion died.

After much more discussion, the amended motion carried (6-0).

The motion out of Committee carried (6-0).

UDSO – Log No. 141

- Council and staff had very detailed discussion that included, but was not limited to:
 - Comments from Public Meetings: Administrator Roper went into great detail on the following concerns/comments from the Public Meetings that have been held:
 - Increase Open Space Requirements
 - Concern about Increased Traffic with Increased Development
 - Concern about Impact to the Roads with Increased Development
 - Concern about Storm Water Issues related to Increased Development/Tree and Waterway Protections
 - Annexation
 - Concern about Quality of Home Construction
 - Attainable Housing
 - Increased Trash
 - Impact on Schools
 - Hector Perez, Senior Manager of DTA Finance, gave Council a brief overview of a nexus study.
- ❖ No Action Taken by the Committee.

Council Action on Log No. 141: No Action Taken by the Committee.

COUNCIL RULES – Log No. 215

- Council and Staff had detailed discussion that was included, but not limited to:
 - Discussion of Councilwoman Linvill's request, *Alternative Attendance by a member*
 - Councilwoman Linvill went into discussion on her proposed changes for Council consideration regarding Alternative Attendance by a Member.

- Councilwoman Claiborne Linvill made a motion to amend the bylaws to allow alternative attendance. Councilman Henry Wilson seconded the motion. Discussion included:
 - SCAC Rules on Alternative Attendance
 - Capable of Technology at County Administration Building
 - Excuses as to why Council Members are missing the meetings
- Seeing no other discussion, the motion carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

- Discussion of Vice Chairman Costner’s request, *Rule 2, 2.1, section D*
 - Vice Chairman Costner made a motion to remove the following from Rule 2.1, Section D: “*No officer can serve more than two consecutive two-year terms in a particular office.*” Motion was seconded by Councilman Henry Wilson. Discussion included:
 - Councilman Saitta went into discussion on why he will not be voting in favor.
 - The motion carried (5-1), with Councilman Alex Saitta opposed.

- Discussion on Rule 2, County Officers, *Succession of the Office*
 - Attorney Les Hendricks went into discussion on this Rule.
 - Councilman Henry Wilson made a motion to eliminate Section D in Rule 2.1. Motion was seconded by Vice Chairman Roy Costner.
 - Chairman Chris Bowers made a motion make language for all three positions (Chair, Vice Chair, Vice Chair Pro-Tem) be in the events of their vacancy, the position will be replaced by an election of Council. Motion was seconded by Councilwoman Claiborne Linvill and carried (5-1), with Councilman Alex Saitta opposed.
 - The original motion carried (5-1), with Councilman Alex Saitta opposed.

Council Action on Log No. 215:

1. Councilwoman Claiborne Linvill made a motion to amend the bylaws to allow alternative attendance. Councilman Henry Wilson seconded the motion. The motion carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. The motion carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

2. Vice Chairman Costner made a motion to remove the following from Rule 2.1, Section D: “*No officer can serve more than two consecutive two-year terms in a particular office.*” Motion was seconded by Councilman Henry Wilson. The motion carried (5-1), with Councilman Alex Saitta opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. The motion carried (5-1), with Councilman Alex Saitta.

3. Councilman Henry Wilson made a motion to eliminate Section D in Rule 2.1. Motion was seconded by Vice Chairman Roy Costner. The motion carried (5-1), with Councilman Alex Saitta opposed.
 - a. Chairman Chris Bowers made a motion make language for all three positions (Chair, Vice Chair, Vice Chair Pro-Tem) be in the events of their vacancy, the position will be replaced by an election of Council. Motion was seconded by Councilwoman Claiborne Linvill and carried (5-1), with Councilman Alex Saitta opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. Councilman Alex Saitta went into discussion on why he is not voting in favor for this. The motion carried (5-1), with Councilman Alex Saitta.

ADJOURN:

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Henry Wilson, seconded by Vice Chairman Roy Costner and carried unanimously (6-0). Meeting was adjourned at 8:07 p.m.

COUNCIL CORRESPONDENCE:

Chairman Chris Bowers announced the following:

- The Committee of the Whole meeting will take place on Monday, August 21, 2023, at 6:00 p.m. in the Main Conference Room of the Administration Building.
- Non-Essential County Offices will be closed on Monday, September 4 for the Labor Day Holiday.
- The next Council meeting will be held on Tuesday, September 5, at 6:30 p.m. in Council Chambers of the Administration Building.

Chairman Bowers called for other council correspondence.

Seeing no other correspondence, Chairman Bowers announced moving to Motion Period and New Business.

MOTION PERIOD AND NEW BUSINESS:

Chairman Chris Bowers opened the floor for motion period and new business.

Seeing no discussion, Chairman Bowers closed the floor.

ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:

- a) CONSIDERATION OF A RESOLUTION DECLARING AUGUST 23 AS C. DAVID STONE DAY IN PICKENS COUNTY
 - Vice Chairman Roy Costner made a motion to consider this Resolution. Councilman Chris Lollis seconded the motion. The motion carried (6-0).

- b) FIRST READING IN TITLE ONLY OF AN ORDINANCE No. 627 AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH OCONEE COUNTY (THE “PARK”), SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH OCONEE COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF AD VALOREM TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN PICKENS COUNTY; AND (4) OTHER MATTERS RELATED THERETO.
 - Vice Chairman Costner made a motion to constitute first reading in title only. Motion was seconded by Councilman Wilson. The motion carried (6-0).

ORDINANCES FOR SECOND READING

None

ORDINANCES FOR THIRD READING

- a) THIRD READING OF AN ORDINANCE No. 625 REGARDING AMENDMENTS TO CHAPTER 6 OF THE PICKENS COUNTY CODE OF ORDINANCES SPECIFIC TO THE OPERATIONS OF THE PICKENS COUNTY AIRPORT AND MATTERS RELATED THERETO.
 - Councilman Alex Saitta made the motion to constitute third reading of this Ordinance. Motion was seconded by Councilman Chris Lollis. The motion carried unanimously (6-0).
- b) PUBLIC HEARING AND THIRD READING OF AN ORDINANCE No. 626 TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING TWELVE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$12,750,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF PICKENS COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.
 - Chairman Bowers gavelled into Public Hearing and asked if there were any speakers. Seeing none, he declared public hearing is now closed.
 - Councilman Henry Wilson made a motion to constitute third reading of this ordinance. Motion was seconded by Councilman Chris Lollis. Discussion included:
 - Councilman Saitta went into discussion on why he will be voting no on this ordinance.
 - Councilman Henry Wilson and Vice Chairman Roy Costner discussed why they are in favor for this Ordinance.
 - State Infrastructure Bank Money being used in Pickens County
 - After much more discussion, the motion carried (5-1), with Councilman Alex Saitta opposed.

OTHER REQUEST AGENDA ITEMS:

- a) PROPOSED UPDATES TO CATEECHEE POINT PARK AND SOURCE OF AVAILABLE FUNDING
 - Mr. Roper went into discussion on proposed improvements for the Catechee Point Park. He stated the PCB Class Action Funding will be funding \$27,000 that they would like to fund towards Catechee Point park. He stated \$25,500 will be also be funded from the Local Accommodations Tax. He went into detail on the proposed improvements.
 - After some discussion between Council, Councilwoman Linvill made a motion to approve funding for Catechee Point Park. Motion was seconded by Councilman Chris Lollis. Motion carried (6-0).

CONSENT AGENDA

- a) Administration Roof Replacement – Committee of the Whole
- b) Emergency Services – Committee of the Whole

- o Chairman Chris Bowers asked for a motion to approve the Consent Agenda. Motion was made by Councilman Alex Saitta and seconded by Councilwoman Claiborne Linvill. The motion carried (6-0).

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

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

- Personnel– Section 30-4-70 (a) (5)
 - Personnel – County Employee Recognition

- o Motion was made by Councilman Henry Wilson, seconded by Councilman Chris Lollis and carried unanimously (6-0), to convene in executive session for the stated purposes after a five-minute recess.

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

Chairman Chris Bowers called the Public Session back to Order and advised the following:

- Personnel– Section 30-4-70 (a) (5)
 - Personnel – County Employee Recognition – **No Action Taken**

ADJOURN:

Hearing no further Council business, Councilman Henry Wilson made a motion to adjourn. The motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0). Pickens County Council stood adjourned at 8:57 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Chris Bowers, Chairman of County Council