

Regular Pickens County Council Meeting

November 2, 2020

6:30 PM

County Council met in regular session, in the Auditorium of the County Administration Facility, with Chairman Roy Costner presiding. Agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on October 27, 2020.

Council Members in Attendance:

Roy Costner, Chairman

Chris Bowers, Vice Chairman

Wes Hendricks, Vice Chairman Pro-Tem

Carl Hudson

Ensley Feemster

Trey Whitehurst (absent)

Staff in Attendance:

Ken Roper, County Administrator

Meagan Nations, Clerk to Council

Les Hendricks, Contract Attorney

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the meeting of November 2, 2020 to order and welcomed those in attendance. Councilman Ensley Feemster led the Invocation, and Veteran Mary Lynn Perry led the Pledge of Allegiance.

Following the Pledge of Allegiance, Council presented a Certificate in Honor to Veteran Mary Lynn Perry, thanking her for her service.

PUBLIC FORUM:

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

1. **Allan Quinn** – Mr. Quinn stated he would normally bring Council new information about the lack of Economic Development in Pickens County, but this month he stated he would like to bring up the time Council sets aside for public forum. He stated citizens are given only three minutes to give public input, which he does a lot but it is a short period of time. He stated on many occasions, after he gives input, a member of Council or the County Administrator speaks after he is finished with his public input to deflect given information that is not relevant in what has been presented. Mr. Quinn stated that Council always says Economic Development in Pickens County is okay, which it is not. After more discussion, Mr. Quinn stated he repeatedly asks to be able to respond to Council's input but the Chairman of Council has repeatedly denied the opportunity. He stated he is there tonight to ask any member of Council to make a motion during motion period that the political forum rules be added to the next Committee of the Whole meeting. He stated he does not have a problem with Council's deflections, but he would just like to respond. After more discussion, Mr. Quinn stated he would like a chance to respond as he feels he is the only person this happens to. He stated he has discussed this with some Council members individually, but he would like a chance to discuss it with Council as a whole at the next Committee of the Whole meeting.

2. **Franklin Reynolds** – Mr. Reynolds stated Council needs to support the 2nd Amendment Sanctuary Proposal for Pickens County and we need to get it on the move to make sure we can pass this. Mr. Reynolds stated every time we turn, our 2nd Amendment is under attack.
3. **Johnnelle Raines** – Ms. Raines stated Conservative of the Upstate’s membership has major problems with the Fire Fee Ordinance. She stated the top reasons they oppose this ordinance are:
 1. When you take local control away from a community, it is never a good thing. She stated each fire district knows their own community needs better, and can distinguish need vs. want better.
 2. She stated Council can only give an estimate on how much the fire fee will change. She stated this plan will make it easier for taxes to be raised on all of us going forward, regardless of district needs. She stated this is a net tax increase and we are already taxed enough.
 3. Ms. Raines stated we have hard times going on right now due to COVID and many of our citizens are struggling to make ends meet, and God only knows how bad the economy will get if Biden is elected. She stated he has already told us taxes will go up if he is elected. Ms. Raines stated she feels Council should table this ordinance until after the Elections.
 4. She stated the plan screams “social justice,” where people who have bigger homes, will be forced to pay with those with smaller homes. She stated is it really fair for a smaller, square footage home, that has asbestos shingles and outdated insulated wiring that is not up to building codes, and is more likely to catch fire to pay less than a larger home that is built to the latest fire codes? We do not think so.

Ms. Raines stated if we must have a fire fee because the taxes are collected are not enough, then we think a flat fee that everyone pays for the fire service regardless of the size of their home is what Council needs to be considering. She stated finally, our members are 100% in favor of passing a strong 2nd Amendment sanctuary ordinance that has not been watered down. She stated if Biden wins, he has told us he will not honor our constitutional gun rights and he will be infringing. She stated it is Council’s job to pass ordinances that ensure our God giving rights are indeed protected.

4. **Anselm Salins** – Mr. Salins stated he and his wife have been blessed to be a part of this county. He stated they have been in the USA legally for the past 30 years. He stated one of the things they cherish most about this country is the blood that has been spilt for our freedom. He stated the bible speaks of the love of money is a rude of all evil. He stated he is here to give his convictions on how he feels. Mr. Salins stated he calls himself a person who is fairly new to this county, and there is something special about Pickens County. Mr. Salins read, “A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” Mr. Salins stated that constitutional right has been given to us by our four founding fathers, and he is saying we need to keep those rights guarded. After more discussion, Mr. Salins guns are not the issue, and the issue is in the heart.
5. **Phil Pauley** – Mr. Pauley stated for years, he has come to the county offices to do his county business. He stated there is a really small sign that says “you are not allowed to be on this property with a concealed weapon.” He stated this is on the property that county citizens pay for. Mr. Pauley stated he researched the law, and the law says that on schools, universities, public owned buildings, etc. that you are not allowed to bring a weapon. He stated it does not apply to those people who have concealed weapons permits, as long as they leave it locked up in their car or truck. He stated the problem he has with the sign, is though the signs on the doors are compliant with the law, and it says that for the doors the signs must be 8x12inches in size. He

stated when you drive about 50ft up the driveway, and you are locked in because you cannot turn around when you get to that sign, it is a man trap. He stated the sign on the premises that do not have doors, aka dirt, by the law says that it is supposed to be 36 inches wide and 48 inches tall in size. He stated if you put a sign that is compliant with the law, everyone will notice the sign. After more discussion, Mr. Pauley asked Council that the sign be replaced with a compliant sign.

6. **Melissa Winkler** – Ms. Winkler stated at the last meeting, she listened to Council’s comments and fears pertaining to the second amendment and she wanted to respond. While there is always going to be some reservations of legalities associated with an ordinance, she feels the fear of being sued by passing a second amendment ordinance is not a reality. She stated the vast majority of Pickens County are law-abiding citizens and she agrees with the gentleman who stated there is something special about this area. Ms. Winkler stated the only laws we tend to violate are traffic laws. She stated she understands Council’s discomfort in wording Section C of Anderson County’s ordinance. She asks Council to simply soften the wording of that one section, but don’t change the rest of it. She stated the fact is the Sheriff already has the power that Council spoke of in section C. She stated he swore an oath into office and he was given that power. After more discussion, she asked Council to think for a moment; if the law changes and the Government comes to Council’s door, to take their guns and their ability protect their family, what are you going to do? She stated if your first thought is to fight for your family, then do it now. She stated this is the first step, to have the courage to stand your ground right now before the temptation comes. Ms. Winkler stated stand with the people of Pickens County and pass a second amendment ordinance that stands strong in our commitment to the constitution and our freedoms; tomorrow may be too late.

APPROVAL OF MINUTES:

Chairman Roy Costner called for a motion to approve the following minutes as presented:

- October 5, 2020
 - October 19, 2020 – Special-Called Meeting
- Motion was made by Vice Chairman Chris Bowers and seconded by Councilman Ensley Feemster. Seeing no discussion, motion passed unanimously (5-0).

ADMINISTRATOR’S REPORT:

COVID-19 Response Briefing

Mr. Roper updated Council on COVID-19 cases in Pickens County. Mr. Roper stated there are currently 699 active cases reported in Pickens County, within the last 14 days. He stated there have been sixty-eight (68) deaths in Pickens County due to COVID-19. He advised a total of 4,724 confirmed cases of COVID-19 have been reported in Pickens County since March 20th, 2020. Mr. Roper stated there are 12,196 cases reported in SC, within the last 14 days. The total number of confirmed cases in SC is 170,048, and the total of probable cases to 8,869. He stated this brings the number of confirmed deaths to 3,697 and probable deaths to 249.

Mr. Roper presented to Council a chart of COVID-19 cases and deaths, from March 19 – October 19, 2020. This chart showed the active cases in Pickens County, total cases in Pickens County, and deaths in Pickens County. He also presented a chart of active COVID-19 cases in Pickens County, from March 19-October 19.

Welcome Department Heads

Mr. Roper stated Pickens County is excited to welcome Steve Raines, as our new Solid Waste Manager and Robert Furr, as our new Information Systems Director. Mr. Roper introduced both Department Heads to Council and the public.

Unemployment Data

Mr. Roper presented Unemployment Data from the South Carolina Department of Employment and Workforce and SC Works. He stated the unemployment rate for Pickens County is currently 3.5%, and for South Carolina is 5.1%. He presented data for South Carolina and Pickens County, regarding the population size, labor force, and numbers for employed/unemployed citizens. He also presented a chart of monthly unemployment rate in the past 13 months. Mr. Roper also provided information for the public regarding the Drive-Thru Job Fair, which is happening in the Pickens High School Parking Lot on Thursday, November 5th from 9-11:00 a.m.

Hurricane Zeta Clean-up

Mr. Roper stated that this is the second time on record that Pickens County was placed under a Tropical Storm Warning. He stated that Roads and Bridges removed over 115 trees from County roads. Fire Department and PRT assisted with tree removals. He stated all roads were back open by the end of the day on Friday, and this week, Roads and Bridges will be focusing on 87 trees that still need to be cleaned up from the roadside. He presented photos of the R&B crews cleaning up the roads and trees.

Solid Waste – Grinder Repair

Mr. Roper stated our Grinder at Solid Waste has been repaired last week and our solid waste crews worked through the weekend to get caught up. He presented Council with photos of the grinder operating today. He stated he apologizes for any confusion regarding the grinder repair.

The Grant Meadow Overlook

Mr. Roper stated county was awarded \$57,743.79 through the SC PRT Parks and Recreations Development Fund for a project on Highway 11 to provide a safe location for locals and visitors to view Table Rock.

Pickens County 2020 Road Improvement Projects

Mr. Roper presented the 2020 Road Improvement Projects.

Pickens County Road Rehabilitation Project

- Anticipated Start date: Early Fall 2020
- Anticipated Completion Date: Spring 2021
- Lane Miles to be Improved: 64 miles
- Length of Guardrail to be Improved: 2,367-ft
- Cost: \$4,027,696

Laurel and Hardy Lake Road Repair Project

- Anticipated Start date: November 2020
- Anticipated Completion Date: Spring 2021
- Cost: \$600,000

2020 PCTC Pavement Preservation Project

- Start Date: November 1, 2019
- Completion Date: June 17, 2020
- Lane Miles Improved: 11 miles

- Cost: \$1,077,684

2020 PCTC Guardrail Upgrade Project

- Start Date: April 13, 2020
- Completion Date: June 24, 2020
- Length of Improved Guardrail: 5,955-ft
- Cost: \$430,718

Secona Road and Cardinal Drive Resurfacing Project

- Start Date: September 13, 2019
- Completion Date: July 22, 2020
- Lane Miles Improved: 5.5 miles
- Length of Guardrail Improved: 938-ft
- Cost: \$544,045

Road Striping Project

- Start Date: July 15, 2020
- Completion Date: August 1, 2020
- Length of Roads striped: 21 miles
- Cost: \$100,000

Arch Culvert Replacements

- Start Date: September 16, 2020
- Anticipated Completion Date: December 15, 2020
- Anticipated Cost: \$250,000

Culvert Replacements and Other Road Repairs due to February Flooding

- Start Date: February 12, 2020
- Completion Date: July 15, 2020
- Cost: \$123,739

COMMITTEE REPORT:

The Committee of the Whole met in the Main Conference Room, at the Pickens County Administration Facility, on Monday, October 19, 2020, immediately following the special-called meeting. 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.

COMMITTEE OF THE WHOLE:

Chairman Roy Costner stated the meeting will begin with *Log No. 151 – AN ORDINANCE NO. 590 AMENDING THE UNIFORM ORDINANCE FOR FIRE PROTECTION DISTRICTS (AS PREVIOUSLY ENACTED BY ORDINANCE NO. 404, AS AMENDED BY ORDINANCE NO. 405 AND ORDINANCE NO. 571) TO CONSOLIDATE CERTAIN EXISTING FEE PAYOR FIRE PROTECTION DISTRICTS THROUGH THE CREATION OF A NEW UNIFIED FIRE PROTECTION DISTRICT; AND OTHER MATTERS RELATING THERETO.*

AN ORDINANCE NO. 590 AMENDING THE UNIFORM ORDINANCE FOR FIRE PROTECTION DISTRICTS (AS PREVIOUSLY ENACTED BY ORDINANCE NO. 404, AS AMENDED BY ORDINANCE NO. 405 AND ORDINANCE NO. 571) TO CONSOLIDATE CERTAIN EXISTING FEE PAYOR FIRE PROTECTION DISTRICTS THROUGH THE CREATION OF A NEW UNIFIED FIRE PROTECTION DISTRICT; AND OTHER MATTERS RELATING THERETO. – Log No. 151

- Mr. Roper stated first reading of this Ordinance was on September 14, 2020, second reading was on October 5, 2020 and the public hearing/third reading is scheduled for November 2, 2020. He stated these are the legal requirements for passing this ordinance. Mr. Roper stated discussion on this issue took place during the Committee of the Whole meetings on September 21st

and this evening, October 19th. He stated the Emergency Services Board has also discussed this at their meeting on October 15, 2020. He stated we have had some newspaper coverage, Facebook live video, set up the FREE room, fire fee survey online and in paper form in the FREE room. He stated Billy Gibson spoke of this issue at the Conservative of the Upstate meeting on October 8th, and there were three public fire fee meetings at three different fire stations in October. Mr. Roper advised that Staff has communicated more on this proposal than anything else he can think of in memory. Mr. Roper discussed the survey results to Council, stating 75 citizens took the survey.

- Councilman Carl Hudson stated when will we know the exact fee schedule for the new fire fees based on the square footage of these homes.
 - Mr. Roper stated we will not know the fee at this point, because that is determined in the annual budget. He stated this ordinance, as it exists now, does not address this. He stated in the spring, the way we have proposed this, Council will look at expenses that they deem appropriate and they will set the fee. He stated the way that would break down is something Council will decide.
 - Councilman Carl Hudson stated that could have a big input on the public's support for this.
 - Vice Chairman Chris Bowers stated if we go by the Berkeley County model that staff presented a couple of months ago, we do have an idea of what the fire fee schedule would be like.
 - Councilman Whitehurst stated he likes the idea of having the fee schedule in the ordinance as a base. He stated we can put a base in there of a neutral number.
 - Chairman Costner states all the ordinance does is change the structure, and when we get to the budgeting process, we will look at the numbers based on the square footage.
 - Councilman Carl Hudson stated before moving forward on third reading and public hearing, he would like to know some numbers. He stated if we do not inform the public without them not knowing a ballpark of what the fee will be, we will not get support for it.
 - After much more discussion between Council and the Administrator, Vice Chairman Chris Bowers made a motion that we move this out of Committee, taking in the amendments that are noted in red, addressing the city issues for Liberty, Six Mile, Central and Easley, as it is stated in this amended ordinance, and to also add the amendment titled "Fee Schedule", making note that this would be a sample of what this current year levied fees would be. Chairman Costner seconded the motion and carried unanimously (6-0).
- ❖ **Vice Chairman Chris Bowers made a motion that we move this out of Committee for third reading, taking in the amendments that are noted in red in the ordinance, addressing the city issues for Liberty, Six Mile, Central and Easley, as it is stated in this amended ordinance, and to also add the amendment titled "Fee Schedule", making notes that this would be a sample of what this current year levied fees would be. Chairman Costner seconded the motion and carried unanimously (6-0).**
- ❖ **Action on Log No. 151: Vice Chairman Chris Bowers made a motion that we move this out of Committee for third reading, taking in the amendments that are noted in red in the ordinance, addressing the city issues for Liberty, Six Mile, Central and Easley, as it is stated in this amended ordinance, and to also add the amendment titled "Fee Schedule", making notes that this would be a sample of what this current year levied fees would be. Chairman Costner seconded the motion and carried unanimously (6-0).**

- **Before Council moves forward with Public Hearing and Third Reading, Chairman Costner stated he has a letter from Councilman Whitehurst he would like to read as a part of public record. He read:**

"Dear Pickens County Councilmembers and the citizens of Pickens County,

Unfortunately, due to a work related conflict, I will not be present for the final reading of Ordinance 590, "Amending the Uniform Ordinance for Fire Protection Districts to Consolidate Certain Existing Fee Payor Fire Protection Districts through the Creation of a New Unified Fire Protection District." I am requesting this letter be read as a part of the meeting and entered as a part of public record.

County Council has been working towards a fairer and better Fire Fee Structure for the past several months. Council has had extensive debates and conversations throughout First and Second readings of this Ordinance. After listening to the constituents in my district and those citizens across the county, I would like it to be noted that I am in favor of passing Ordinance 590 as presented to Council this evening.

*Sincerely,
Trey Whitehurst"*

Public Hearing for Ordinance 590

- Chairman Costner called the Public Hearing into order and called for citizen comment.
 - **Rick Spencer** – Mr. Spencer stated he is thrilled that Council is doing something about the fire fees and it has been a thorn in his side for a while now. He stated he owns properties in several different fire districts and its crazy how it is set up. He stated as glad as he is that something is being done, he would ask that Council reconsider charging a variable fee by the square foot. Mr. Spencer stated it doesn't take into account the possibility of a fire at all, and as Johnnelle Raines mentioned, we have large houses well built with modern wiring that is not probable to have a fire, and will be paying 50% or more than a smaller house that is waiting to burn. He stated there are a lot of mill houses around made out of wood, with poor wiring, and it's an accident waiting to happen. He stated he understands it is complicated to go by each building to rate the building on how likely it is to burn but looking at the sample fees, it ranges from \$90-\$150. He stated by the numbers in front of him, we have just over 5800 people who will be paying \$90 and everyone else will pay more than that. He stated the 5800 would pay \$15 more with a flat fee, and 24,000 will pay between \$7-\$51 less, and you get the same dollar figure either way. Mr. Spencer stated he thinks the approximate \$105 flat fee is a better approach to go and he is not the only person who thinks that. He stated there is an online survey posted on social media. After more discussion, Mr. Spencer stated he hopes Council puts this vote off to do a little more research.

- Seeing no other public comment, Chairman Costner closed the public hearing for Ordinance 590.

- Chairman Costner stated no second is required for third reading, since this comes as a recommendation from the committee. He asked if there were any discussion.
 - Chairman Costner stated that we are not in any way looking at the actual fees right now. He stated all we are looking at is the structure, taking the 10 different fire districts and combining it to one pot of money. He stated the fee will be considered by the new Council in the next budget process.
 - Councilman Hudson stated he saw problems with the fire fee structure when he came on Council. He stated all the fire chiefs and administration from fire departments have signed on to this, so he can assure the public that citizens have gave their input to fire chiefs.
 - Councilman Hendricks stated these fire stations do not need to lose their identity, even though we will be under one umbrella. He stated that is his going out request, that all fire stations keep their identity on their trucks.
 - Councilman Feemster stated he is interested in the volunteerism by keeping these fire departments. He stated these fire departments will do better keeping their identity and people will volunteer.
 - Vice Chairman Bowers stated former Chairman Willis stated this is one issue that the previous Council had. He stated Councilman Whitehurst has gone on record to say it has been an issue since he has been on Council. He stated he believes it will bring efficiency and streamline process.
 - Seeing no other discussion, he asked for all those in favor for accepting this recommendation to please signify by raising their hands. Motion carried (5-0).

2ND AMENDMENT SANCTUARY PROPOSAL – Log No. 159

- Mr. Hendricks presented an attorney client interoffice memorandum to Council. He stated one of the things that was clear to himself was that this Council fully supports the Second Amendment. Mr. Hendricks stated we have all sworn an oath to the Constitution of the United States and that is the law of the land. He stated the U.S. Constitution does not mention local governments, instead, the 10th amendment reserves authority-giving powers to the states. He stated the states then provide authority to locals. Mr. Hendricks stated that South Carolina is a “home-rule state.” He explained that home-rule limits the degree of state interference in local affairs and delegates power from the state to local government. He stated that power is limited to specific fields, and subject to constant judicial interpretation. He advised regardless of whether a state is a home-rule state or another form, state law supersedes local governing authority. Mr. Hendricks advised that the Home-Rule act quotes, “all counties of the state have authority to enact regulations, resolutions and ordinances, not inconsistent with the Constitution and general law of the State...” He stated that South Carolina expressed exclusive jurisdiction over gun rights, which is Section 23-31-510, “Regulation of ownership, transfer, or possession of firearm or ammunition. No governing body of any county, municipality, or other political subdivision in the State may enact or promulgate any regulation or ordinance that regulates or attempts to regulate: (1) the transfer, ownership, possession, carrying, or transportation of firearms, ammunition, components of firearms, or any combination of these things;” Mr. Hendricks stated the state has taken the regulations of firearms in South Carolina as its own jurisdiction. He stated there are counties that have passed resolutions and ordinances. He stated the ordinances do different things, for example, Anderson County delegates some responsibility to individuals in Anderson County to determine whether or not the Second Amendment is applicable in certain laws. He stated one of the problems is that creates a potential liability for the County. He stated a county ordinance providing the Sheriff discretion to interpret state and federal laws and regulations potentially places liability on the Sheriff and the county, both those aggrieved by enforcing the laws and by those wherein laws were not enforced. After more discussion, Mr. Hendricks stated one means Pickens County Council can do to support the Second Amendment for localities is to pass resolutions. He stated resolutions are non-binding, but offer a means to provide a viewpoint of the current county council. With new county council members beginning in January 2021, the council may want to update their resolution that the new council either supports or does not support the second amendment.
 - Councilman Carl Hudson stated Pickens County Council has no control over the Sheriff of Pickens County. He stated the Sheriff of Pickens County can enforce laws at his discretion. He stated we cannot tell the Sheriff to enforce this law, or not enforce this law. He stated by passing an ordinance of the Second Amendment, at least it lets the Sheriff know where we stand as a county government. He stated local people can have an impact because when the Brady Bill was passed many years ago, Federal Government came out with very strict rules about telling local law enforcement what they had to do. After more discussion, Councilman Hudson stated Pickens County Council cannot tell the Sheriff of Pickens County how to do his job. He stated he does not know how much liability we would have if we aren’t able to tell the Sheriff what to do. He stated we are letting our Sheriff know if something comes along and it is not right, and you stand up against it, that this is how we feel and where we stand on the Second Amendment.
 - Chairman Costner stated there is a lot of fear in the country right now and he understands the passion. He stated his concern is that he is not voting on anything that is illegal. He stated the attorney stated it is not illegal. Chairman Costner stated the law already exists, we are just voting on a law that already exists. He stated if it is going to make people feel better, he is all for it.
 - Councilman Whitehurst stated he does not believe in doing stuff just for political show. He stated if we pass this ordinance, it does not do anything for the Sheriff. He stated this ordinance does not carry any authority. He stated the role of government is to do what government needs to do, not just to make someone feel good. He stated the state has the authority over gun control in South Carolina, not the counties. He stated we passed a resolution on support of the Second Amendment, which he strongly agreed with, but he does not agree on passing something that we have no authority on.
 - After much more discussion, Councilman Carl Hudson made a motion to move out of Committee for second reading, then recommit back to the Committee for further discussion. Motion was seconded by Vice Chairman Chris Bowers and carried 5-1, with Councilman Trey Whitehurst opposed.
- ❖ **Councilman Carl Hudson made a motion to move out of Committee for second reading, then recommit back to the Committee for further discussion. Motion was seconded by Vice Chairman Chris Bowers and carried 5-1, with Councilman Trey Whitehurst opposed.**
- ❖ **Action on Log No. 159: Councilman Carl Hudson made a motion to move out of Committee for second reading, then recommit back to the Committee for further discussion. Motion was seconded by Vice Chairman Chris Bowers and carried 5-1, with Councilman Trey Whitehurst opposed.**
- Chairman Costner stated no second is required since this comes as a recommendation from the committee. He asked for all those in favor for accepting this recommendation to please signify by raising their hands. Motion carried (5-0).

SOLAR FARM ORDINANCE – Log No. 132

- ❖ **No Action Taken by the Committee.**

ADJOURN:

Hearing no further Committee business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Wes Hendricks and carried unanimously (6-0).

Minutes for November 2, 2020 Pickens County Council Meeting

COUNCIL CORRESPONDENCE:

Chairman Roy Costner announced the following:

- The Committee of the Whole meeting will meet on Monday, November 16, 2020 at 6:00 PM in the Main Conference Room of the Administration Facility.
- The next Council Meeting will be on Monday, December 7, 2020 at 6:30 PM in the Auditorium of the Administration Facility.

Chairman Roy Costner called for other council correspondence.

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

MOTION PERIOD AND NEW BUSINESS:

Chairman Roy Costner opened the floor for motion period.

- Councilman Ensley Feemster moved to add “Wastewater Disposal Management” to the Consent Agenda this evening. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously (5-0).
- Councilman Carl Hudson moved to add Council Rules to the Consent Agenda this evening, for clarification purposes. Motion was seconded by Chairman Roy Costner and carried unanimously (5-0).

Seeing no other discussion, Chairman Costner closed the floor.

CLEMSON PAW PARTNERS UPDATE

Margaret Thompson stated she would like to give an update on where they stand with Clemson Paw Partners. She stated we got the key to the building in July, and they have been visiting a lot of vet clinics to get ideas on what the laws are, etc. She stated she thought the best thing to do was hire an architect. She presented a copy of the floor plan to Council. She stated as of today, we have \$77,000 in the building fund. Ms. Thompson stated we received an email that we have received a stock auction of \$10,000. She stated today, she received a letter from another non-profit organization, offering to pay up to \$30,000 for surgical equipment. Ms. Thompson gave Council a detailed update on where they are and what they plan to do with the building.

Ms. Thompson stated this spay and neuter clinic is for Pickens County, not just Clemson. She stated they spent \$1500 on a video, trying to get the word out to Pickens County, but have received very little revenue from the rest of the county. She stated she believes this is because they don't know about us. She stated when it does open, we will outgrow it in no time.

Brian Yoder, with Trehel Corporation, gave an update on the floor plan.

Ms. Thompson asked Council's permission to put a sign out in front of the building of the spay and neuter clinic. The sign is below. Council approved for Ms. Thompson to put the sign in front of the building.



UPDATE ON ONGOING BROADBAND INITIATIVE

Mr. Roper stated this is something we have been talking about on the staff level for quite a time. He stated they learned that Blue Ridge Electric Co-op was looking into the business of providing broadband, something they haven't done before. He stated they were very up front with us, providing that we kept it very confidential, that they were looking into entering a contractual relationship with a company called WCTEL (West Carolina Tel). He stated WCTEL is a co-op like Blue Ridge Electric. He stated we anticipate bringing a package to Council on December 7th that you all can actually vote on to help move this process forward. He stated for now, staff wanted to bring to Council that WCTEL and Blue Ridge Electric Co-op have made it official. After more discussion, Mr. Roper stated staff is looking at ways to incentivize ways to get this to our citizens soon. He stated staff is asking citizens to help us bring broad brand to Pickens County by going to GigUpBlueRidge.com, enter your address and verify it on the map, and you will be prompted to register your interest by completing the speed test and questionnaire to submit form. He stated staff will have a proposal for Council to consider at the December 7th Council meeting.

CONSIDERATION OF A RESOLUTION 2020-18 IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY A COMPANY KNOWN TO THE COUNTY AS PROJECT JERICHO, ACTING FOR ITSELF, ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF AD VALOREM TAXES ARRANGEMENT WITH PICKENS COUNTY, SOUTH CAROLINA; PROVIDING FOR OTHER ECONOMIC DEVELOPMENT INCENTIVES IN CONNECTION WITH THE COMPANY'S PROJECT; PROVIDING FOR ANY OTHER NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECT THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.

Chairman Costner asked for a motion to consider Resolution 2020-18.

- o Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and carried unanimously (5-0).

FIRST READING IN TITLE ONLY OF AN ORDINANCE No. 594 AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT JERICHO, ACTING FOR ITSELF, ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED PAYMENTS IN LIEU OF AD VALOREM TAXES WITH RESPECT TO CERTAIN FACILITIES IN THE COUNTY; (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) THE CONVEYANCE OF CERTAIN PROPERTY TO THE COMPANY AND THE REIMBURSEMENT TO THE COMPANY OF CERTAIN INCURRED COSTS; AND (4) OTHER MATTERS RELATING THERETO.

Chairman Costner asked for a motion to constitute first reading in title only of Ordinance 594.

- o Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster and carried unanimously (5-0).

FIRST READING IN TITLE ONLY OF AN ORDINANCE NO. 592 TO CONVEY CERTAIN REAL PROPERTY, FORMERLY AN SCDOT RIGHT OF WAY, LOCATED WITHIN THE COUNTY OF PICKENS TO CLEMSON UNIVERSITY, AND MATTERS RELATED THERETO.

Chairman Costner asked for a motion to constitute first reading in title only of Ordinance 592.

- Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and carried unanimously (5-0).

CONSENT AGENDA

- ❖ Wastewater Disposal Management
- ❖ Council Rules
 - Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and approved unanimously (5-0), to approve the Consent Agenda.

ADJOURN:

Hearing no further Council business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster and carried unanimously (5-0). Pickens County Council stood adjourned at 8:06 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Roy Costner, Chairman of County Council