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<u>COUNCIL MEMBERS</u> CHRIS BOWERS, CHAIRMAN ROY COSTNER, VICE CHAIRMAN TREY WHITEHURST, VICE CHAIRMAN PRO-TEM ALEX SAITTA R. ENSLEY FEEMSTER HENRY WILSON

COUNTY ADMINISTRATOR Ken Roper CLERK TO COUNCIL Meagan Nations

PICKENS COUNTY COUNCIL MEETING

Monday, December 5, 2022 6:30 PM

Auditorium, County Administration Facility

222 McDaniel Avenue, Pickens SC 29671

This agenda is not inclusive to everything the council may discuss

Please note that in response to the increased cases of COVID-19 in Pickens County, Council Chambers will have limited seating.

Council and staff encourages citizens to please call 864-898-5242 and leave a voicemail for public forum comments. All voicemails will be shared with each member of Council.

Council and staff also encourage the public to view the live meeting on the Pickens County YouTube page by clicking on the link below: https://www.youtube.com/channel/UCM7wCefzV8owGaQ2ughinBg

- 1. WELCOME AND CALL TO ORDER: Chairman Chris Bowers INVOCATION AND PLEDGE OF ALLEGIANCE: Councilman Trey Whitehurst
- 2. REVIEW OF COUNCIL ACHIEVEMENTS
- 3. PUBLIC FORUM:
- 4. APPROVAL OF MINUTES:
 - November 7, 2022
- 5. ADMINISTRATOR'S REPORT:
- 6. COMMITTEE REPORT: November 21, 2022
 - a) Log No. 205- THIRD READING OF AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO
- 7. COUNCIL CORRESPONDENCE:
- 8. MOTION PERIOD AND NEW BUSINESS:

- 9. PUBLIC HEARING FOR RENAMING THE PICKENS COUNTY LAW ENFORCEMENT CENTER LOCATED AT 216 C DAVID STONE RD. TO THE C. DAVID STONE PICKENS COUNTY LAW ENFORCEMENT CENTER
- 10. PRESENTATION OF FY2022 AUDIT: Cherry Bekaert, LLP
- 11. REMOVAL OF ITEMS FROM COMMITTEE LOG
- 12. AN INDUCEMENT RESOLUTION No. 2022-28 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 ONE OR MORE COMPANIES KNOWN TO THE COUNTY AT THIS TIME, COLLECTIVELY, AS PROJECT EFFICIENCY, ITS OR THEIR AFFILIATES AND RELATED ENTITIES AND CERTAIN SPONSOR AFFILIATES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF AD VALOREM TAXES ARRANGEMENT WITH PICKENS COUNTY, SOUTH CAROLINA; PROVIDING FOR ANY OTHER NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECT THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.
- 13. CONSENT AGENDA:
- 14. EXECUTIVE SESSION: S.C. Code of Laws, Section 30-4-70 (A): Board and Commissions – Section 30-4-70 (a) (1)
 - Review of Applications

Contractual – Section 30-4-70(a)(1)

• Proposed Contractual Agreement – RECAS USA LP and ERA-CONTACT USA, LLC.

15. ACTIONS AS NEEDED FROM EXECUTIVE SESSION

16. ADJOURN:

APPROVAL OF MINUTES

November 7, 2022

Regular Pickens County Council Meeting

November 7, 2022 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 November 3, 2022.

<u>Council Members in Attendance:</u> Chris Bowers, Chairman Roy Costner, Vice Chairman Trey Whitehurst, Vice Chairman Pro-Tem Alex Saitta Ensley Feemster Henry Wilson

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 November 7, 2022 to order and welcomed those in attendance. Chairman Chris Bowers led the Invocation and Veteran Walt Carter led the Pledge of Allegiance.

Chairman Bowers presented Veteran Carter with a Certification of Honor and thanked him for his service.

PUBLIC FORUM:

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

- 1. Ellen Akers: Ms. Akers addressed Council regarding the Highway 11 Ordinance.
- 2. <u>Rick Huffman</u>: Mr. Huffman addressed Council regarding the Highway 11 Ordinance.
- 3. <u>Linda Esposito</u>: Ms. Esposito addressed Council regarding the Highway 11 Ordinance.
- 4. <u>Matt Chappell</u>: Mr. Chappell addressed Council regarding the Highway 11 Ordinance.
- 5. Jan McCrary: Ms. McCrary addressed Council regarding the Highway 11 Ordinance.
- 6. Elizabeth Meyers: Ms. Meyers addressed Council regarding Highway 11 Ordinance.
- 7. Kevin Keller: Mr. Keller addressed Council regarding the Highway 11 Ordinance.
- 8. Bonnie Hiltner: Ms. Hiltner addressed Council regarding the Highway 11 Ordinance.

- 9. Melanie Synakowski: Ms. Synakowski addressed Council regarding the Highway 11 Ordinance.
- 10. Rev. Greg Ramsey: Mr. Ramsey addressed Council regarding the Highway 11 Ordinance.
- 11. <u>Mary Mortan</u>: Ms. Mortan addressed Council regarding the cat overpopulation and expanding the Animal Shelter cat voucher program.
- 12. <u>Margaret Thompson:</u> Ms. Thompson addressed Council to give an update on Clemson Paw Partners.
- 13. Nan Gaught: Ms. Gaught addressed Council regarding the Highway 11 Ordinance.

APPROVAL OF MINUTES:

Chairman Chris Bowers called for a motion to approve the following minutes as presented: • October 3, 2022 Regular-Called Council Meeting

• Motion was made by Councilman Ensley Feemster, and seconded by Councilman Alex Saitta. Seeing no other discussion, the motion carried unanimously (6-0).

ADMINISTRATOR'S REPORT:

Mr. Roper addressed Council on the following:

- Operation Green Light Shine a Light of Hope and Support for Veterans
 - Veteran Specific Job Fair on November 9, from 9-11am, at the Adult Learning Center in Easley.
- Surplus Property Abandonment Information on 141 Quiet Lane and 201/205 Waterstone Drive
- Glass Recycling Pilot Program
- Solid Waste Permit Request

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

- New Shredder at Landfill
- Update on the three capital projects at Hagood Mill
- Cat Voucher Program (*as mentioned in Public Forum*)

COMMITTEE REPORT:

The Committee of the Whole met in Council Chambers, at the Pickens County Administration Facility, on Monday, October 17, 2022. All members of the committee were in attendance, with Chairman Chris Bowers presiding.

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the Committee of the Whole meeting to order at 6:07 P.M., and Chairman Bowers led the Invocation and Pledge of Allegiance.

COMMITTEE OF THE WHOLE:

COUNTY RADIO SYSTEM - Log No. 80

Mr. Roper stated that Council determined in previous Committee meetings that the first priority

regarding ARPA funding was to try to come up with a solution to the County radio system. He stated we engaged a consultant to come in and study our current system to make recommendations on how to move forward with a new radio system. He stated that ARPA laws are very specific to where we have to have inquire the expense by December 31, 2024, and have to have completely expended our ARPA funds by December 31, 2025.

- * Council, County Staff and McGriff Staff had discussion that included, but was not limited to:
 - Discussion on the three conceptual solutions presented:
 - Project 25 UHF Standalone System
 - Project 25 800 MHz Standalone System
 - Project 25 Palmetto 800 Existing System (with additional sites)
 - o Partner with other Counties
 - How much money has been allocated towards this project -- \$14,000,000
 - o Advantages vs. Disadvantages of each solution
 - Council would like a "cheat sheet" of pros vs. cons of each solution to better understand each system
- After much more discussion, Chairman Chris Bowers made a motion to put out an RFP for either/or the Project 25 UHF Standalone System and the Project 25 800 MHz Standalone System. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).
- Chairman Chris Bowers made a motion to put out an RFP for either/or the Project 25 UHF Standalone System and the Project 25 800 MHz Standalone System. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).

<u>Council Action on Log No. 80</u>: Chairman Chris Bowers made a motion to put out an RFP for either/or the Project 25 UHF Standalone System and the Project 25 800 MHz Standalone System. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. He asked for all those in favor to please signify by raising your hands. Motion carried unanimously (6-0).

COUNTY CONSTABLES AND CERTIFICATION PROCESS - Log No. 209

- The Committee had very detailed discussion on Officer Certification for the Litter Control Officers. Discussion
 was included but was not limited to:
 - Review of Resolution 2021-24, TO APPOINT CERTAIN COUNTY EMPLOYEES AS COUNTY CONSTABLES PURSUANT TO SECTION 4-9-145 OF THE SOUTH CAROLINA CODE OF LAWS
 - Staff's recommendation is for our Litter Officers and Code Enforcement Officers remain peace officers, and updating the existing litter ordinance to more closely match the state ordinance
 - Class 3 Officers vs. Constables
 - Review of Minutes from October 4, 2021 Council Meeting
 - Employee's opinions on carrying
- After much discussion between Council & Staff, Councilman Henry Wilson made a motion to table for future consideration. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Alex Saitta opposed.
- Councilman Henry Wilson made a motion to table for future consideration. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Alex Saitta opposed.

<u>Council Action on Log No. 209</u>: Councilman Henry Wilson made a motion to table for future consideration. Motion was seconded by Councilman Ensley Feemster 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. He asked for all those in favor to please signify by raising your hands. Motion carried (5-1), with Councilman Alex Saitta opposed.

AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO – Log No. 205

- The Committee had very detailed discussion on this Ordinance. Discussion was included but was not limited to:
 - Discussion on considerations for Council to consider (handout from the Attorney):
 - Area and Scope of Limitations
 - Name of Area: The Pickens County Natural Heritage Area name was created by staff
 - Size of Area
 - Size of Buffers
 - Exclusions from Buffers
 - Other Exclusions not in draft ordinance
 - Building and Site Design Limitations
 - Specific uses allowed
 - Specific design limitations
 - Agritourism
 - Conservation Bank
 - Council approves all grants
 - Criteria
 - No eminent domain
 - Discussion between Council & Staff that included, but was not limited to:
 - Conservation Bank Discussion
 - Moratorium
 - 250 ft. buffer discussion
 - Commercial design discussion
 - Properties impacted by 100ft buffer, 200ft buffer, etc. on Hwy 11 and back roads off of Hwy 11
- After much discussion between Council & Staff, Councilman Trey Whitehurst made a motion for the following recommendations. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Henry Wilson opposed. The recommendations are:
 - A 250ft buffer on Highway 11 (no limitation behind buffer)
 - Council to task Staff to get the total number of houses a 100ft buffer would effect on the backroads off of Highway 11
 - No industrial north of Highway 11
 - Establish a Conservation Bank (no \$)
 - Commercial design standards for anything north of Highway 11
 - To include exemptions as listed at major intersections (1, 2, and 3) for access to property behind the buffer and any private roads
- Councilman Trey Whitehurst made a motion for the following recommendations. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Henry Wilson opposed. The recommendations are:
 - A 250ft buffer on Highway 11 (no limitation behind buffer)
 - Council to task Staff to get the total number of houses a 100ft buffer would effect on the backroads

off of Highway 11

- No industrial north of Higbway 11
- Establish a Conservation Bank (no \$)
- Commercial design standards for anything north of Highway 11
- To include exemptions as listed at major intersections (1, 2, and 3) for access to property behind the buffer and any private roads

<u>Council Action on Log No. 205</u>: Councilman Trey Whitehurst made a motion for the following recommendations. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Henry Wilson opposed. The recommendations are:

- A 250ft buffer on Highway 11 (no limitation behind buffer)
- Council to task Staff to get the total number of houses a 100ft buffer would effect on the backroads off of Highway 11
- No industrial north of Highway 11
- Establish a Conservation Bank (no \$)
- Commercial design standards for anything north of Highway 11
- To include exemptions as listed at major intersections (1, 2, and 3) for access to property behind the buffer and any private roads

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. He opened the floor for discussion.

Council and Staff had detailed discussion that included, but was not limited to:

- Discussion on the (1, 2 and 3) roads and major intersections
- Number of properties impacted by 100ft setback in the northern part of county are 343 houses
- Commercial development
- Letter from Dennis Chastain, who is a property owner on Hwy 11 and a Historian of the area
- Maps of the 14 potential property owners who the setback will totally consume their properties
- Dates of First Reading and Second Reading of this Ordinance

Councilman Saitta went into discussion on why he will not be voting for this Ordinance for second reading.

• After much more discussion, Councilman Alex Saitta made an amendment to the original motion, stating he would like to make the moratorium permanent, and in the moratorium 660 feet single lots are allowed with no restrictions, small subdivisions of 10 homes are allowed within the 660 feet, residential only plus and minus 660 feet off the highway protecting the shoulder of the road, and no new manufacturing or commercial. He also would like to scratch the moratorium section 2C, which allows the Planning Commission to exempt anything at once. Chairman Bowers asked if there is a second. Due to no second, the motion dies.

After much more discussion between Council and Staff, the Chairman asked for all those in favor of the motion out of Committee to please signify by raising your hands. The motion carried (5-1), with Councilman Alex Saitta opposed.

ADJOURN:

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson and carried unanimously (6-0). Meeting was adjourned at 8:34 p.m.

COUNCIL CORRESPONDENCE:

Chairman Chris Bowers announced the following:

- The Committee of the Whole meeting will take place on Monday, November 21, at 6:00 p.m. in the Main Conference Room of the Administration Facility.
- Non-Essential County Offices will be closed on Thursday, November 24 and Friday, November 25 for the Thanksgiving Holiday. Offices will reopen on Monday, November 28 at 8:00 AM.
- The next Council Meeting will be held on Monday, December 5, 2022 at 6:30 PM in Council Chambers of the Administration Building.
- There will be a Council Reception honoring outgoing Councilmembers Trey Whitehurst and Ensley Feemster on Monday, December 5, 2022 from 5-6pm in the Council Chamber Lobby.

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.

Chairman Chris Bowers made a motion to recommit the Highway 11 Ordinance to the Committee of the Whole for further discussion. Motion was seconded by Vice Chairman Costner and carried unanimously (6-0).

Seeing no discussion, Chairman Bowers closed the floor.

CONSIDERATION OF A RESOLUTION 2022-28 CELEBRATING MILITARY FAMILY APPRECIATION MONTH IN CONJUNCTION WITH OPERATION GREEN LIGHT

Chairman Chris Bowers asked for a motion to consider Resolution 2022-28.

• Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

CONSIDERATION OF A RESOLUTION 2022-29 ESTABLISHING A CITIZENSHIP AWARD FOR MERITORIOUS SERVICE FOR THE PEOPLE OF PICKENS COUNTY

Chairman Chris Bowers asked for a motion to consider Resolution 2022-29.

- Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any discussion.
 - Vice Chairman Costner amended the motion, stating he would like to change the name to Pinnacle Citizenship Award for the people of Pickens County. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).
- \circ Seeing no other discussion, the motion carried unanimously (6-0).

CONSENT AGENDA

1. Annual Capital Improvement Plan Update – Committee of the Whole

• Councilman Alex Saitta made a motion to approve the Consent Agenda. Councilman Ensley Feemster seconded the Motion and carried unanimously (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)(1)

Pinnacle Performer Program

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

- Project Efficiency
- Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Roy Costner 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)(1)

Pinnacle Performer Program – No Action taken

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

 Project Efficiency – Chairman Chris Bowers made a motion to constitute first reading in title only of Project Efficiency. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

ADJOURN:

Hearing no further Council business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Trey Whitehurst, seconded by Councilman Henry Wilson and carried unanimously (6-0). Pickens County Council stood adjourned at 8:46 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Chris Bowers, Chairman of County Council

COMMITTEE REPORT

<u>Council Members:</u> Chris Bowers, Chairman Roy Costner, Vice Chairman Trey Whitehurst Alex Saitta Henry Wilson Ensley Feemster (absent)

Staff in Attendance:

Ken Roper, County Administrator Meagan Nations, Clerk to Council Les Hendricks, Contract Attorney Toney Chastain, Vehicle Maintenance Director

The Committee of the Whole met in Council Chambers, at the Pickens County Administration Facility, on Monday, November 19, 2022. All members of the committee were in attendance, with Chairman Chris Bowers presiding, with the exception of Councilman Ensley Feemster.

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the Committee of the Whole meeting to order at 6:00 P.M., and Chairman Bowers led the Invocation and Pledge of Allegiance.

COMMITTEE OF THE WHOLE:

UDSO – *Log No.* 141

- Mr. Roper stated under Section 303 Motorized Vehicle Tracks (commercial) in the UDSO, the Chairman had requested a map demonstrating and there is language in the UDSO that states dirt tracks shall be located no closer than one mile from any residential use. Mr. Roper presented a map of residential property with 1-mile buffer in Pickens County.
- Council and County Staff had discussion that included, but was not limited to:
 - Discussion on the Pickens County UDSO
 - Citizens who are interested in a dirt track in the future should bring a proposal to Council
 - Discussion on the UDSO between the ½ mile and mile radius
- No Action taken by the Committee ...

ANNUAL CAPITAL IMPROVEMENT PLAN UPDATE - Log No. 210

- The Committee had very detailed discussion on the Annual Capital Improvement Plan. Vehicle Maintenance Director, Toney Chastain, presented the update to Council.
- o Detailed Discussion was included but was not limited to:
 - Mr. Chastain went through the spreadsheet with Council and reviewed what they have been able to replace, what has not been replaced, what has been ordered but cancelled and to be considered.
 - Mr. Chastain stated we have the advantage of already having an established fleet and can

choose to spend the funds on repairs rather than replacements in the short term.

- Mr. Roper asked Council to consider Staff a proposed solution which is to be able to take the funds of the items that cannot be delivered at this time to be used at items that can be delivered at this time. He stated it is a change on the way we established the Capital Improvement plan but it is only a temporary change due to the market. He stated he wanted Council to recognize that this would require a budget amendment in the budget process in the Spring. He stated the procurement policy will still be followed.
- Discussion on condition of EMS Fleet
- Discussion on Solid Waste roll-off trucks
- No action taken by the Committee.

AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO – Log No. 205

- The Committee and County Staff had very detailed discussion on this Ordinance. Discussion was included but was not limited to:
 - 100ft Buffer Discussion and 150ft Buffer Discussion
 - Setback
 - GIS provided a chart regarding Right Away Size, Acres and Percentage of Road
 - Discussion on Industrial Growth and Industrial Use
 - Commercial on Highway 11
 - Commercial Design Standards
- After much discussion between Council & Staff, Vice Chairman Roy Costner made a motion for the following recommendations. Motion was seconded by Councilman Trey Whitehurst. The recommendations are:
 - 150ft buffer
 - No heavy Industrial
 - Commercial Design Standards fall within view shed
- After more discussion, Vice Chairman Costner amended his motion to include the 1000ft north and south and view shed (as depicted in red on map). Councilman Henry Wilson seconded the motion.
- o Seeing no other discussion, the motion carried (4-1), with Councilman Alex Saitta opposed.
- After much discussion between Council & Staff, Vice Chairman Roy Costner made a motion for the following recommendations. Motion was seconded by Councilman Trey Whitehurst. The recommendations are:
 - 150ft buffer
 - No heavy Industrial
 - Commercial Design Standards fall within view shed
- After more discussion, Vice Chairman Costner amended his motion to include the 1000ft north and south and view shed (as depicted in red on map). Councilman Henry Wilson seconded the motion. Seeing no other discussion, the motion carried (4-1), with Councilman Alex Saitta opposed.

COMMITTEE OF COUNCIL AS A WHOLE REPORT

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 (5-0). Meeting was adjourned at 7:51 p.m.

THIRD READING OF AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO

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STATE OF SOUTH CAROLINA)

ORDINANCE #_____

COUNTY OF PICKENS

WHEREAS Pickens County, South Carolina (the "County") is a political subdivision of the State of South Carolina and is thereby authorized to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of this State, including the exercise of these powers in relation to health and order in counties or respecting any subject as appears to them necessary and proper for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government in them; and

WHEREAS, as such the County is further authorized by state law to establish and enforce reasonable land use regulations and/or restrictions, official maps, regulations on structures or changes in land use, building sites or open spaces, and other development and/or use standard in order to promote and preserve the public safety, economy, good order, appearance, convenience, prosperity, and general welfare, and

WHEREAS, South Carolina Highway 11 ("HWY 11") follows part of the historic Cherokee Path through the Blue Ridge Escarpment of South Carolina, spanning 118 miles through five counties, including Pickens County and was designated the "Cherokee Foothills Scenic Byway" on June 9, 1998, establishing it as a National Scenic Byway under the Federal Highway Administration (FHWA) to recognize, protect, and promote America's most outstanding roads; and

WHEREAS, in addition to the requirement that a National Scenic Byway must possess characteristics of regional significance within at least one of the intrinsic quality categories of scenic, natural, historic, recreational, archaeological, or cultural, the byway must demonstrate strong community support and a corridor management plan must be developed that describes in detail the preservation, marketing, and improvement strategies for the byway; and

WHEREAS, the Corridor Management Plan was developed in 1997 as a collaborative effort between the Appalachian Council of Governments, the appointed Advisory Committee and various residents and businesses from the Highway 11 corridor area and across the region; and

WHEREAS, the General Assembly of the state South Carolina enacted the Local Government Comprehensive Planning Enabling Act in 1994 that allows for local governments to engage in planning activities; and

WHEREAS, the Unified Development Standards Ordinance of Pickens County (hereinafter the "UDSO") sets forth in Article 1 that its purpose is to conserve and ensure access to the County's natural and scenic resources for future generations to enjoy; and

WHEREAS, Pickens County Council adopted the Pickens County Comprehensive Plan in March of 2022 that states an objective to preserve natural beauty; protect mountain vistas, lakes and river watersheds, and forest preserves; increase green space areas; protect pristine land all in a manner that respects the rights of property owners as well as an objective to continue to protect and market the SR 11 corridor and

the County's lakes and mountains to create economic and recreational opportunities related to recreation and tourism in a way that minimizes impact to these natural resources; and

WHEREAS, Pickens County Council established a vision for the County that emphasizes the importance of protecting and enhancing our unique nature; and

WHEREAS, in furtherance of this vision, County Council authorized a 2020 Branding and Marketing Study by the South Carolina National Heritage Corridor ("SCNHC") to conduct an analysis of our County-wide strengths, weaknesses, opportunities, and threats; and

WHEREAS, one of the key recommendations provided in the SCNHC study was to investigate and consider protections for HWY 11 through the adoption of a scenic overlay ordinance for The Cherokee Foothills Scenic Byway; and

WHEREAS, based on the recommendation of the SCHNC study, County Council requested a further study of HWY 11 Corridor by the Appalachian County of Governments ("ACOG"); and

WHEREAS, County Council voted for a Moratorium on development along the corridor until such time as the ACOG-led Corridor Study could be completed and considered; and

WHEREAS, during the study, ACOG and the County's Division of Community and Tourism Development scheduled numerous public meetings to receive public comment from citizens and stakeholders, both in person and online; and

WHEREAS, ACOG completed its study, and presented its findings and recommendations to County Council in April of 2022; and

WHEREAS, the results of the ACOG study and its extensive community engagement resulted in a series of recommendations, including 1) preserving the natural and remote characteristics of the corridor's unique driving experience, 2) buffering and/or sighting residential uses so as to limit impact on the visual characteristics of the corridor, 3) limiting commercial development to maintain the rural and natural features of the corridor, 4) excluding industrial impacts, 5) recognizing and protecting the historic, environmental, and cultural significance of the corridor and its features, and 6) preserving the corridor's unique driving experience; and

WHEREAS, the Pickens County Planning Commission also held a public hearing on the ACOG study and its recommendations, and subsequently voted unanimously to advance and endorse the study's recommendation to County Council; and

WHEREAS, as part of the study and public comments the HWY 11 view shed was identified as a desirable natural asset that should be preserved for future generations and that the preservation of the viewshed can be fostered by methods that require further consideration and/or regulation; and

WHEREAS, as a result of the above referenced recitals, public inputs, studies, and approvals, the County Council of Pickens County has found, and does hereby find, that the preservation of the unique nature of the Natural Heritage Area is in the best interest of the County, its citizens, and the region's natural environment,

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and is necessary and proper for the security, general welfare, and convenience of County and/or for preserving health, peace, order, and good government in the County;

NOW THEREFORE, BE IT RESOLVED that the Pickens County Code of Ordinances be amended as follows:

ORDINANCE FOR ESTABLISHMENT OF THE PICKENS COUNTY NATURAL HERITAGE AREA

Section 1. DEFINITIONS

- A. Pickens County Natural Heritage Area
 - <u>Natural Heritage Area</u> (hereinafter "THE HERITAGE AREA") is the area bound by a line One Thousand (1000) feet in a southern direction from the center line of Highway 11 northward to a line One Thousand (1000) feet in a northern direction from the center line of Highway 11. The area is bound by Greenville County on the east and Oconee County on the west. The area also includes the areas north and south of Highway 11 which are in the Highway 11 viewshed. A map of the above described area is incorporated herein and shall be dispositive to any ambiguity in the description as Exhibit A.
 - 2. Exclusions
 - a. Areas within Subdivisions which have filed covenants and restrictions created prior to the passage of this Ordinance are excluded from THE HERITAGE AREA.
 - b. Areas within Subdivisions which have filed covenants and restrictions approved by the Pickens County Planning Commission as conforming to the character of THE HERITAGE AREA subsequent to the passage of this Ordinance are excluded from THE HERITAGE AREA.
 - c. Areas within 1000 feet of the shoreline of Lake Keowee are excluded from THE HERITAGE AREA.
- B. Highway 11 Buffer
 - 1. <u>Highway 11 Buffer</u> The area one hundred fifty (150) feet north of and one hundred fifty (150) feet south of the center line of Highway 11 in Pickens County South Carolina. Highway 11 traverses Pickens County approximately 21 miles from Oconee County on the west to Greenville County on the east.
- C. Major Roads
 - 1. <u>Major Roads</u>. Public roads with the classification of 1, 2 or 3 as set forth by Pickens County and more particularly described in Exhibit B.

Section 2. BUFFER

- A. Setback Disturbance Prohibition
 - 1. No development other than the maintenance or approved renovation of existing construction is allowed within the Highway 11 Buffer.
 - No land disturbance, such as cutting of trees, grading, paving, or other disturbance to the character and heritage of the NATURAL HERITAGE AREA may occur within the Highway 11 Buffer.
- B. Exclusions from Buffer Setback Disturbance Prohibition
 - 1. Major Road Intersection Exclusion. The Setback Disturbance Prohibition shall not apply to areas 500 feet along the roadway from the centerline intersection of Major Roads. Should the intersection be of more than two Major Roads then the exclusion shall be 500 feet along each roadway from the centerline intersection of each road.
 - 2. Access Exclusion. The Planning Commission may grant an access exclusion through the buffer upon submission of a site plan and remediation plan submitted by or on behalf of the property owner. The access exclusion shall be for access to property through the buffer. The access exclusion shall be in compliance with the remainder of the restrictions set forth herein. The access exclusion for Driveways and entrance roads shall comply with the Pickens County UDSO (Unified Development Standards Ordinance)

Section 3. INDUSTRIAL USE PROHIBITED

Heavy Industrial Uses are prohibited in THE HERITAGE AREA. For the purposes of this ordinance, Heavy Industrial Uses are defined in the Pickens County Unified Development Standards Ordinance, Section 1603.

Light Industrial Uses as defined in the Pickens County Unified Development Standards Ordinance, Section 1603, may be approved subject to all Commercial Use and Site Design Limitations in Section 4 hereunder. However, if the primary use of the subject property is residential Section 5 hereunder may regulate the use of the property with approval of the Planning Commission.

Section 4. COMMERCIAL USE AND SITE DESIGN LIMITATIONS

- A. Commercial uses including new construction, rehabilitation of construction, maintenance, and remodeling or renovation projects within the area defined as THE HERITAGE AREA and maintenance and renovation of existing commercial within the Highway 11 Buffer are subject to the limitations and requirements set forth in this Section 4. For the purposes of this ordinance, Commercial Use Is defined in the Pickens County Unified Development Standards Ordinance.
- B. Compliance with the requirements set forth in this Ordinance shall be required prior to the issuance of any building, electrical, stormwater, development, and/or land use permit. A

temporary permit may be issued if it is demonstrated that work necessary to bring the parcel into compliance with this Ordinance will be undertaken simultaneously with a development, rehabilitation, remodeling, or redevelopment project.

- C. All Land Use Plans and Development Plans proposed for THE HERITAGE AREA or Highway 11 Buffer shall be reviewed and approved by the Planning Commission.
- D. Clearcutting of land is not allowed unless it is part of an integrated pest management program as recommended by a certified forester or the South Carolina Forestry Commission.

Section 4.1. LIMITATIONS ON BUILDING MATERIALS

All facades of buildings visible from a road in THE HERITAGE AREA, including accessory buildings, must have fenestration and articulation on all sides with the consistent and appropriate materials, detailing, and features:

- A. All buildings shall be constructed of brick, stone, exposed timber, fiber cement siding, wood siding, shingle siding, or other material that is consistent with the natural features of THE HERITAGE AREA. No building shall be covered with sheet or corrugated metal or with vinyl siding. Exterior building materials shall be continued to finished grade of any elevation in accordance with manufacturer specifications.
- B. Architectural accent materials located above the roof line shall be constructed of brick, stone, wood, pre-cast concrete, architectural quality steel, fiber cement siding or other high quality, long-lasting material that is consistent with the natural features of THE HERITAGE AREA. Accent materials shall be approved by the Planning Commission.
- C. The color of all structures must be those occurring in the natural environment of THE HERITAGE AREA, such as various natural shades and earth tone hues. Neon, unnatural, or fluorescent colors are prohibited. Colors must be approved by the Planning Commission.

Section 4.2. LIMITATIONS ON BUILDING CONFIGURATION

- A. Building facades shall have no more than one hundred (100) feet of frontage on any road in THE HERITAGE AREA and shall not exceed thirty-five (35) feet in height from existing grade at the proposed building site location. Buildings located on steep areas shall conform to hilliside topography by stepping or staggering the mass of the proposed structure up or down the slope.
- B. Building masses shall maintain a balance of scale and proportion using design components which are harmonious with natural landforms and landscaping.
- C. Proposed structures shall not be sited atop peaks or silhouetted against the sky when viewed from a road within THE HERITAGE AREA.

- D. Retaining walls visible from any public right of way shall not exceed ten (10) feet in height as measured from grade at face to top of wall. Multiple "stepped" retaining walls whose total height exceeds ten (10) feet must each be offset by at least eight (8) horizontal feet. Visible walls shall be colored and textured to complement the background land and vegetation. "Stepped" walls shall have three (3) understory trees and ten (10) 6'-8' shrubs per one hundred (100) feet of offset.
- E. Changes in existing elevation and/or slope beyond fifteen (15) degrees from existing and/or natural conditions are hereby prohibited.
- F. Sites with multiple buildings shall have a uniform design and material composition amongst the buildings.

Section 4.3. ARCHITECTURAL LIMITATIONS

Elements of articulation shall be employed on any building visible from any public right-of-way to reduce the apparent bulk and uniform appearance of large buildings, provide visual interest and variety, and reinforce local architecture. A minimum of three (3) articulations of at least twelve (12) inches, in addition to fenestration or change of material for each fifty (50) feet of façade is required.

Section 4.4. ROOF DESIGN LIMITATIONS

The roof of any building shall present a distinctive profile and add interest to larger buildings and complement the character of other buildings included on the same lot or parcel.

- A. All structures with a footprint of three thousand (3,000) square feet or less shall incorporate a pitched roof system; all others shall be constructed of either a pitched, parapet, or mansard roof system (enclosed on all sides).
- B. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish. Metal roofs with lapped seam construction, bituminous built-up roofs, and flat, membrane-type roofs which are visible from any public right-of-way shall be prohibited.
- C. All rooftop mechanical equipment and vents greater than eight (8) inches in diameter shall be screened from the line of sight of public rights-of-way, private roads, parking lots, public sidewalks, greenways, and internal pedestrian ways except for instances where site topography precludes reasonable compliance with the minimum screening requirement. Materials used to screen equipment must be compliant with those listed in Section 3.1. This screening, if necessary, shall not be counted towards the thirty-five (35) foot maximum building height.

Section 4.5 PROHIBITION OF FRANCHISE ARCHITECTURE

To maintain the unique character of THE HERITAGE AREA, buildings shall not be constructed or renovated using franchise and/or branded architecture. Any commercial use must follow the standards of this ordinance to remain strictly compatible with the existing topography, features, and character of THE HERITAGE AREA.

Section 4.6 LIMITATIONS ON PARKING LOTS

Vehicular use areas are defined as any area used for movement, circulation, parking and/or display of any type of vehicle, including but not limited to parking lots, loading and unloading areas and sales service areas. Vehicular use areas under the jurisdiction of this Ordinance must be located behind the front building line and screened with a ten (10) foot Class 2 buffer and shall comply with the following standards:

- A. When a parking lot contains twenty-five (25) or more spaces, an area equal to twenty (20) percent of the total interior square footage of the vehicular use area shall be dedicated to landscaping. The twenty (20) percent landscape requirement is in addition to any required buffers as outlined in this Ordinance and in Article 8 of the Pickens County Unified Development Standards Ordinance.
- B. Landscaped areas shall contain a mixture of native canopy trees, understory trees, evergreens/conifers, and shrubs. Article 8 of the Pickens County Unified Development Standards Ordinance details the minimum standards for plant sizes, substitutions, installation, and maintenance of landscaped areas.
- C. All paved area planting plans must demonstrate complete canopy coverage from hardwood trees after fifteen (15) years of growth.
- D. The minimum landscape area for each tree shall be no less than one hundred seventy (170) square feet with four (4) foot minimum distance between all trees and paving at time of planting, measured at the base of the tree.
- E. For any developments with twohundred fifty (250) feet or less of frontage on a road in THE HERITAGE AREA, only one (1) curb cut shall be allowed. Developments with more than two hundred fifty (250) feet of frontage shall be allowed two (2) curbs cuts.
- F. No drive-through windows allowed.

Section 4.7 LIMITATIONS ON EXTERIOR LIGHTING

- A. All outdoor light fixtures shall be fully shielded and Dark Sky Compliant (as defined by the International Dark-Sky Association). A fully shielded fixture must be a full cutoff luminaire or a decorative luminaire with full cutoff optics, and is defined as an outdoor lighting that is shielded or constructed so that all light emitted is projected below a horizontal plane running through the lowest part of the fixtures.
- B. No flickering or flashing lights shall be permitted.
- C. Fixtures shall be limited to twenty-five (25) feet in height.

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D. Planning staff may require submission of an exterior lighting plan if deemed necessary to ensure compliance with the intent of this Ordinance.

Section 4.8 LIMITATIONS ON SIGNAGE

Signs within THE HERITAGE AREA boundary shall conform to Article 7 of the Pickens County Unified Development Standards Ordinance and shall also be subject to the following standards and prohibitions:

- A. In addition to the signs prohibited in Section 704 of the Pickens County Unified Development Standards Ordinance, the following signs shall be prohibited in THE HERITAGE AREA:
 - 1. Free-standing pole signs;
 - 2. Water towers as advertising;
 - 3. Wall murals as advertising;
 - 4. Any and all off-premise signs, including billboards;
 - 5. Electronic signs;
 - 6. Streamers, pennants, ribbons, spinners and other similar devices;
 - 7. Signs containing reflective elements that sparkle or twinkle in the sunlight; and
 - 8. Signs containing moving parts.
- B. One (1) free-standing monument sign shall be permitted per parcel of land:
 - 1. Single tenant monument signs shall not exceed fifty (50) square feet in area and ten (10) feet in height above the finished grade elevation at the edge of the adjacent public roadway.
 - Multi-tenant monument signs shall not exceed one hundred (100) square feet in area and fifteen (15) feet in height above the finished grade elevation at the edge of the adjacent public roadway.
 - 3. Signs shall be setback ten (10) feet from public rights-of-way and property line(s) and may be located within a buffer yard, however, there shall be no reduction in the planting requirements of any buffer yard.
 - 4. Monument signs shall be constructed of brick, stone or similar materials that are used on the principal building. Landscaping around the base of the sign shall be required.
- C. Permanent signs attached to buildings shall be limited to fifty (50) square feet in size and limited to one (1) per building.
- D. Signs may be externally illuminated. External illumination must be directed downward; text and logo only may be illuminated. Internally lit signs are prohibited.

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Section 5. SINGLE FAMILY RESIDENTIAL USE

- A. Single Family Residential use in THE HERITAGE AREA is subject to all requirements now existing or created in the future. Any subdivisions shall be limited to ten or fewer homes. Single Family Residential use is not further limited by the design provisions of this Ordinance.
- B. Single Family Residential is defined as a single-family residential structure.
- C. Multi-Family use is deemed to be Commercial Use.

Section 6. ESTABLISHMENT OF THE PICKENS COUNTY CONSERVATION BANK

Section 6.1. The Pickens County Conservation Bank (hereinafter THE BANK) is hereby established

1) to foster the protection of lands with significant natural resources,

2) to aid in the preservation of historic structures and areas chosen by Pickens County Council, and

3) to foster the advancement of cultural structures and areas all of which must be at least partially located in Pickens County, South Carolina

Section 6.2. PROCESS TO PROVIDE FUNDS

- A. Pickens County Community and Tourism Development staff will:
 - 1. Establish guidelines and procedures necessary to establish the BANK;
 - 2. Develop a ranking system for applications pursuant to the criteria in Sections 6.3;
 - 3. Receive applications from Eligible Bank Recipients pursuant to Sections 6.3;
 - a. Eligible Bank Recipient means any of the following:
 - 1. Pickens County;

- 2. A municipality in Pickens County;
- 3. An agency or commission of Pickens County whose mission directly relates to the conservation of lands with significant natural resources;
- 4. A not-for-profit charitable corporation or trust authorized to do business in South Carolina and organized and operated for natural resource conservation or land conservation, and having tax-exempt status as a public charity under the Internal Revenue Code of 1986, as amended, and having the power to acquire, hold, and maintain interests in land for these purposes;
- 5. Federal, state, and local agencies organized and operated for natural resource protection, or land conservation purposes.

- 4. Evaluate applications from Eligible Bank Recipients for eligibility in the program pursuant to Section 6.3;
- 5. Review and rank applications from Eligible Bank Recipients pursuant to the ranking system;
- 6. Submit Eligible Bank Recipients to Pickens County Council for approval; and
- 7. Submit an annual report of the BANK to Pickens County Council
- B. Pickens County Council may approve and award grants to Eligible Bank Recipients with such conditions as determined County Council.
- C. The County Administrator will provide the administrative resources and support needed to operate and manage the BANK.

Section 6.3. CRITERIA

Pickens County Community and Tourism Development staff shall use the following conservation criteria in developing a ranking system for applications to the BANK:

Section 6.3.1 Natural Resources Criteria

- A. Environmental Sensitivity
 - 1. Presence of wetlands;
 - 2. Frontage on USGS blue line streams;
 - 3. Water quality classification of stream by the South Carolina Department of Health and Environmental Control;
 - 4. Presence of threatened and/or endangered species;
 - 5. Habitat suitable for threatened and/or endangered species;
 - 6. Habitat suitable for native wildlife species;
 - 7. Extent of biological diversity viii. Presence of unique geological and/or natural features; or
 - 8. Percentage of Property Sharing a Boundary with Protected Land
- B. Percentage of Property Containing Prime/ Statewide Important Soil Types
- C. Extent of Active Farming on Property
- D. Extent of Public Visibility of Property
 - 1. Visibility from public roads
 - 2. Visibility from public land
- E. Scenic view from property
- F. Extent of public access
- G. Location of property
- H. Threat of development
- I. Size of property

Section 6.3.2 Historic Criteria

The criteria for determining and ranking projects for funding under the historic criteria as determined by the Pickens County Community and Tourism Development shall be set forth in writing to the Pickens County Council for approval prior to March 15, 2023.

Section 6.3.3 Cultural Criteria

The criteria for determining and ranking projects for funding under the cultural criteria as determined by the Pickens County Community and Tourism Development shall be set forth in writing to the Pickens County Council for approval prior to March 15, 2023.

Section 6.4. EMINENT DOMAIN OR CONDEMNATION PROCEEDINGS

The BANK may not be used to acquire interests in lands or other interests in real property through the exercise of any power of eminent domain or condemnation proceedings.

Section 6.5. RECREATIONAL AND ECONOMIC USE

The provisions of this Ordinance shall not be construed to eliminate or unreasonably restrict hunting, fishing, farming, forestry, timber management, or wildlife habitat management, as regulated by the law of this State, upon lands for which interests in lands are obtained pursuant to this Ordinance. These and other traditional and compatible activities may be conducted, where appropriate, upon lands protected or acquired by the BANK.

Section 6.6. BANK ACCOUNT

The Pickens County Treasurer shall establish an account for the BANK that is separate and distinct from all other funds appropriated by County Council. The BANK shall receive revenues according to one or more funding measures approved by Pickens County Council. The Council acknowledges and agrees that funding measures shall be undertaken as soon as feasible in order to avoid escalating land costs and lost acquisition and protection opportunities. Any funds not fully expended during the fiscal year shall remain in the BANK and be available for grants in subsequent years unless the Council expressly provides otherwise.

Section 7. LEGAL STATUS PROVISIONS

Section 7.1. AUTHORITY

This ordinance is adopted pursuant to authority conferred by the South Carolina Code of Laws upon Pickens County in Title VI, Chapter 29, Section 710 of South Carolina Code of Laws. Likewise, 4-9-25 of the South

Carolina Code of Laws provides counties with the police power to regulate for health, safety and welfare of local citizens.

SECTION 7.2. SEVERABILITY

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part or application so declared to be invalid or unconstitutional.

SECTION 7.3. RELATIONSHIP TO OTHER LAWS

Nothing contained in this Ordinance is intended to relieve compliance with any other Ordinance or law adopted and in effect by Pickens County, South Carolina, or the United States. Where any provision or regulation contained in this Ordinance is in conflict with any other Ordinance of Pickens County, South Carolina the stricter regulation shall apply.

SECTION 7.4. CASE OF HARDSHIP

If any of the provisions or regulations contained in this ordinance impose an undue hardship on any property owner, that property owner has the right to seek relief through the Pickens County Board of Appeals. Variance procedures and criteria for determination of a hardship shall be as specified in the Pickens County Development Standards Ordinance.

SECTION 7.5. ENACTMENT

This Ordinance shall become fully enforced and binding upon its formal adoption by Pickens County, South Carolina.

Passed and approved, this _____ day of _____, 2022.

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COUNTY COUNCIL OF PICKENS COUNTY, SOUTH CAROLINA

Chris Bowers, Chairman of County Council Pickens County, South Carolina

(SEAL)

Attest:

Meagan Nations, Clerk of County Council Pickens County, South Carolina

PUBLIC HEARING FOR RENAMING THE PICKENS COUNTY LAW ENFORCEMENT CENTER LOCATED AT 216 C DAVID STONE RD. TO THE C. DAVID STONE PICKENS COUNTY LAW ENFORCEMENT CENTER

PICKENS COUNTY PLANNING COMMISSION

MINUTES

of

September 12, 2022

6:30pm

PICKENS COUNTY ADMINISTRATION BUILDING Main Conference Room

NOTICE OF MEETING AND PUBLIC HEARING: Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Commission's meetings was provided by January 1, 2022 via the Pickens County Website and posted next to the Offices of the County Planning Department. In addition, the agenda for this meeting was posted outside the meeting place (Pickens County Administration Building Bulletin Board) and was emailed to all persons, organizations, and news media requesting notice. Notice for the public hearings was published in the *Pickens County Courier*, posted on the properties subject of public hearing(s), and emailed to all persons, organizations, and news media requesting notice pursuant to Section 1205(d)(1) of the Pickens County Unified Development Standards Ordinance.

MEMBERS PRESENT:

- 2 Gary Stancell, Chair
- 3 David Cox, Vice Chairman
- 4 Phil Smith
- 5 Jon Humphrey

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STAFF PRESENT:

Ray Holliday, County Planner Todd Steadman, Planner

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Welcome and Call to Order

Mr. Stancell, the Presiding Official, called the meeting to order and asked those in attendance to join in a moment of silence and then asked everyone to recite the Pledge of Allegiance.

Mr. Stancell then asked for the members of the Commission to introduce themselves,

Approval of Minutes

- Mr. Stancell called for approval of the minutes of the June 13, 2022 meeting.
- Mr. Smith made a motion to approve the minutes. Mr. Humphrey seconded.
- 24 Mr. Stancell called for vote. The motion passed unanimously (5-0).
 - Mr. Stancell called for approval of the minutes of the August 8, 2022 meeting.
 - Mr. Humphrey made a motion to approve the minutes. Mr. Smith seconded.
 - Mr. Stancell called for vote. The motion passed unanimously (5-0).

Public Comments

35 Chairman Stancell asked if there was anyone present who wished to make a public comment. There were no public

36 comments provided.

Public Hearings

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Mr. Stancell opened the public hearing portion of the meeting and called for the first case being heard.

SD-22-0007: SD-22-0007: Subdivision Review for the creation of a new 99 home single-family subdivision. The subject property is located at 321 Fish Trap Road. The applicant is Freddy Taylor. The property owner of record is lozzino Eugen Kenneth Trust. *TMS#* 5059-09-06-8947.

10 Developer James Curtis and Joe Metters with Ridgewater Engineering spoke about the project.

There was discussion about adding a secondary/emergency entrance. The developer said that due to limited frontage on Fish Trap there was not going to be a second entrance there but the potential for one was being designed at the end of one of the cul-de-sacs.

16 The developer confirmed that all lighting would be dark sky compliant. 17

18 There was discussion about sidewalks and the developer was not sure if they had them in this plan or not but when 19 they do install them they are usually on one side of the street. 20

- There was discussion about whether the entire site would be clear cut and the developer said that due to the topography most of the site would be clear cut with a fair amount of grading. However, the areas near the creek and stream would leave a 90' buffer.
- There was discussion about the roadway ownership and the role of the HOA. The developer said they typically used
 a third party entity to run their HOA.
- There was discussion of home size and cost and the current target is 1800-2600 square foot homes in the high
 \$200's to low \$300's.

Mr. Stancell asked if anyone else would like to speak or if there were any other questions or concerns related to this
 project. Hearing none Mr. Stancell called for a motion.

- 34 Mr. Ballentine made a motion to approve the project with the following conditions: 35
- Approval as presented with the provision of a secondary emergency entrance (or the potential for one), to add sidewalks to one side of the street, for all street lighting to be Dark Sky Compliant, for there to be a buffer of some sort between North Fish Trap Road and the rear of the nine lots abutting North Fish Trap Road, to commit to planting a minimum of 200-2.5" caliper canopy trees, and to have participation in an HOA to be included as part of the deed.
- 42 Mr. Cox seconded the motion. Mr. Stancell called for discussion. There was none so he called for a vote. The motion
 43 passed unanimously (5-0).
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- 45 Mr. Stancell opened the public hearing portion of the meeting and called for the second case being heard 46

SD-22-0008: Subdivision Review for the subdivision of an 18.3 acre parcel of land to form a total of 9 lots.
 The subject property is located on Horsepasture Road. The applicant is Heritage Forest, LLC. The property
 owner of record is Heritage Forest, LLC. TMS# 4124-00-93-5181

51 Mr. James Anthon and Roy Costner were present to speak on behalf of the project. 52

53 The applicant addressed the concern about fire protection stating that the Vineyards has assured them they were in a 54 position to provide fire protection and that the sites were all within 1200' of a hydrant. 55

- There was discussion about the ownership of the road and Mr. Anthony clarified that this was not a DNR road but a private road.
 - There was clarification that lots 2A, 4A, and 5A were not buildable lots and were designated septic drain fields for lots 2, 4, and 5.

Mr. Stancell asked if anyone else would like to speak or if there were any other questions or concerns related to this project. Hearing none Mr. Stancell called for a motion.

- Mr. Ballentine made a motion to approve the project as presented. Mr. Cox made a second. Mr. Stancell called for discussion. Hearing none he called for a vote. The motion passed unanimously (5-0)
- Mr. Stancell then opened the public hearing session for an item of new business.

New Business: Consideration of renaming the Pickens County Law Enforcement Center located at 216 C David Stone Rd. to the C. David Stone Pickens County Law Enforcement Center.

There were no public comments."

Mr. Steadman read the notes from Council that stated that under the advice of County Attoreny Les Hendricks, and per Rule 5.9 in Council Rules, that the renaming of the Law Enforcement Center to the C. David Stone Pickens County Law Enforcement Center would need to go to the Planning Commission to be approved and then come back to Council for a public hearing and a vote. This decision to remand the matter to the Planning Commission received unanimous support by Council.

- Mr. Cox made a motion and Mr. Ballentine made a second. Mr. Stancell called for discussion.
- Mr. Smith questioned why this was before the Commission. Staff said all they knew was that Council and the County Attorney had said this was the correct procedure.
- Mr. Smith stated his position that this was not necessary and should not be voted on. There was further debate on this matter.

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- It was requested that staff try to provide an explanation for this procedure/process at the next Planning Commission meeting.
- Mr. Stancell called for a vote. The vote was 3 in favor with 2 opposed. The opposed were Mr. Smith and Mr. Humphrey,
- Commissioners and Staff Discussion
- There was none.
- Adjourn

There being no additional matters to be taken up by the Commission, Mr. Stancell called a motion to adjourn. Mr. Smith made a motion to adjourn. Mr. Ballentine seconded. Mr. Stancell called for discussion, Hearing none he called for a vote. The motion passed unanimously (5-0).

- The meeting was adjourned at 7:38 pm.

Secretary	Date	
Approved by:		
Chairman	Date	

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PRESENTATION OF FY2022 AUDIT: Cherry Bekaert, LLP







Agenda

- Results of the Audit
- Internal Controls
- **Corrected and Uncorrected Misstatements**
- Required Communications
 - Other Matters
- Reporting Changes

This information is intended solely for the use of County Council of Pickens County and is not intended to be, and should not be, used by anyone other than these specified parties.

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control") as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements and compliance with Uniform Grant In planning and performing our audit, we considered internal control over financial reporting ("internal Guidance, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, we do not express an opinion on the effectiveness of the County's internal control. Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. In addition, because of inherent limitations in internal control, including the possibility of management override of controls, misstatements due to error or fraud may occur and not be detected by such controls. A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis.



Qualitative Aspects of Accounting Practices

As part of our audit, we evaluated the County's identification of, accounting for, and disclosure of the County's relationships and transactions with related parties as required by professional standards.

We noted none of the following:

- Related parties or related party relationships or transactions that were previously undisclosed to us;
- Significant related party transactions that have not been approved in accordance with the County's policies or procedures or for which exceptions to the County's policies or procedures were granted;
- Significant related party transactions that appeared to lack a business purpose;
- Noncompliance with applicable laws or regulations prohibiting or restricting specific types of related party transactions; and
- Difficulties in identifying the party that ultimately controls the entity.



Qualitative Aspects of Accounting Practices

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

Management's estimate of the allowance for taxes receivables and assessed value of taxes are based on historical percentages and market value, respectively. We evaluated the key factors and assumptions used to develop the allowance for taxes receivables and assessed value of taxes in determining that it is reasonable in relation to the financial statements taken as a whole.



Qualitative Aspects of Accounting Practices

(continued)

- Management's estimate of depreciation lives and methods is based on standard business practices and guidelines. We evaluated the lives and methods used to maintain the fixed asset records in determining that they are reasonable in relation to the financial statements taken as a whole. While the lives and methods used by management seem reasonable at this time, there may be differences between the estimated lives and methods used and actual experience and these differences may be material.
- Management's estimate of the net pension liability is based on the Schedule of Employer Allocations prepared by the South Carolina Public Employee Benefit Authority. We evaluated the key factors and assumptions used to develop the net pension liability in determining that it is reasonable in relation to the financial statements taken as a whole.



Independence Considerations

Nonattest Services

- Our team assisted in drafting the County's financial statements.
- Our team will assist in preparing the appropriate sections of the data collection form.
- For all nonattest services we perform, you are responsible for designating a competent employee to oversee the services, make any management decisions, perform any management functions related to the services, evaluate the adequacy of the services, and accept overall responsibility for the results of the services.

Independence Conclusion

- We are not aware of any other circumstances or relationships that create threats to auditor independence.
- We are independent of Pickens County and have met our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audits.



Other Required Communications

Consultations

about auditing and accounting matters, similar to obtaining a decide to consult with "second opinion" on certain situations. other accountants management may

consultations with other To our knowledge, there were no such

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These standards will be effective for the County in the upcoming years and may have a significant impact on the County's financial reporting.

We would be happy to discuss with management the potential impacts on the County's financial statements and how we may be able to assist in the implementation efforts.

GASB Statement 96, Subscription-based Information Technology Arrangements (effective fiscal years beginning after June 15, 2022)

GASB Statement 101, *Compensated Absences* (effective fiscal years beginning after December 15, 2023)

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REMOVAL OF ITEMS FROM COMMITTEE LOG

Log Number	Log Number Description	Date Refferred	Meeting Date(s)	Action
			2/22/2022	No action taken by Committee.
80	County Radio System	11/6/2017	10/17/2022	■ Chairman Chris Bowers made a motion to put out an RFP for either/or the Project 25 UHF Standalone System and the Project 25 800 MHz Standalone System. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).
95	Request to Accept Roads in the Minimum Maintenance System	4/2/2018	1/28/2019	Committee recommends suspending any further approvals into the minimum maintenance program and staff work on language regarding the issue discussed. No action taken.
			10/15/2018	■ The Committee advised staff to research and gather more information and report back. No action taken by Committee.
			12/13/2018	Committee recommends staff gather more information and report back to Council in the April 2019 Committee of the Whole Meeting.
105	E911	8/20/2018	4/8/2019	a Committee would like for staff to report back in six months at the October 2019 Committee of the Whole meeting. No action taken by Committee.
			10/21/2019 12/16/2019	 No action taken by Committee. No action taken by Committee.
			6/15/2020	No action taken by Committee, follow-up in 6 months.
			1/25/2021	a No Action Taken by the Committee.

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Historical Society to explore the logistics of the location and report back to Committee. No action taken by Committee recommends staff working with the No Action Taken by the Committee. No Action Taken by the Committee. No action taken by Committee. a No action taken by Committee. Committee. 10/21/2019 10/15/2018 9/16/2019 8/19/2019 3/21/2022 10/1/2018 8/13/2019 5/13/2019 9/9/2019 ILLEGAL LITTER AND DUMPING IN THE AN ORDINANCE No. 572 AMENDING PICKENS COUNTY, AND MATTERS **ARTICLE I OF CHAPTER 34 OF THE ORDINANCES SO AS TO PROVIDE REMEDIES AND PENALTIES FOR** UNINCORPORATED AREAS OF PICKENS COUNTY CODE OF Solar Farm Ordinances **Opportunity Zones** Fort Prince George RELATED THERETO. 109 123 131 132

	 8/17/2020 a Vice Chairman Bowers made a motion to move out of committee for first reading, and recommit to the committee for further discussion. Motion was seconded by Councilman Ensley Feemster, and carried unanimously (6-0). 10/19/2020 a No Action Taken by the Committee.
Solid Waste Needs 10/7/2019 12/16/2019 3/15/2021 3/15/2021 7/19/2020 1/21/2020 Mental Health 10/7/2019 1/21/2020 Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 10/7/2019 4/19/2021 Discuss Policy behind reserving 10/7/2019 1/21/2020 Discuss In of County Property 12/16/2019 1/21/2020 Discussion 12/16/2019 1/21/2020 Piscussion 1/6/2020 1/21/2020	
3/15/2021 3/15/2021 3/15/2021 3/15/2021 Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 10/7/2019 4/19/2021 Discuss Policy behind reserving 10/7/2019 1/21/2020 County Property 12/16/2019 1/21/2020 Discussion of County Road User 12/16/2019 1/21/2020 Fee and Alternatives 1/6/2020 2/10/2020 Alternatives 2/10/2020 3/16/2020	12/16/2019 a No Action Taken by the Committee.
Mental Health 10/7/2019 7/19/2021 Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 10/7/2019 4/19/2021 Discuss Policy behind reserving 10/7/2019 4/19/2021 Discuss Policy behind reserving 12/16/2019 1/21/2020 Discuss Policy behind reserving 12/16/2019 1/21/2020 County Property 12/16/2019 1/21/2020 Eten and Alternatives 1/6/2020 2/10/2020 Fee and Alternatives 3/16/2020 3/16/2020	3/15/2021 a Councilman Trey Whitehurst made a motion to
Mental Health 7/19/2021 Mental Health 10/7/2019 Mental Health 1/21/2020 Discuss Policy behind reserving 10/7/2019 Discussion 1/5/2020 Pee and Alternatives 1/6/2020 Fee and Alternatives 3/16/2020	approve moving an allocation of \$358,400 from fund
Mental Health 10/7/2019 7/19/2021 Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 10/7/2019 4/19/2021 Discuss Policy behind reserving 10/7/2019 4/19/2021 County Property 12/16/2019 1/21/2020 Discussion of County Road User 12/16/2019 1/21/2020 Discussion of County Road User 1/6/2020 2/10/2020 Fee and Alternatives 3/16/2020 3/16/2020	balance, for this capital project, forward into this year's
Mental Health 10/7/2019 7/19/2021 Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 12/16/2019 1/21/2020 Discussion of County Road User 1/6/2020 1/21/2020 Pee and Alternatives 3/16/2020 3/16/2020	budget for Solid Waste. Motion was seconded by
Mental Health 7/19/2021 Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 10/7/2019 1/25/2021 Discuss Policy behind reserving 10/7/2019 4/19/2021 County Property 12/16/2019 1/21/2020 Discussion of County Road User 1/6/2020 1/21/2020 Pee and Alternatives 3/16/2020 3/16/2020	Councilman Ensley Feemster and carried unanimously
Mental Health 10/7/2019 7/19/2021 Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 10/7/2019 4/19/2021 Discuss Policy behind reserving 10/7/2019 4/19/2021 County Property 12/16/2019 1/21/2020 Discussion of County Road User 1/6/2020 1/21/2020 Piscussion of County Road User 1/6/2020 2/10/2020 Piscussion of County Road User 1/6/2020 1/21/2020 Piscussion of County Road User 1/6/2020 2/10/2020	(6-0).
Mental Health 10/7/2019 1/21/2020 Discuss Policy behind reserving 10/7/2019 1/25/2021 Discuss Policy behind reserving 10/7/2019 4/19/2021 County Property 12/16/2019 1/21/2020 Census Discussion 12/16/2019 1/21/2020 Discussion of County Road User 1/6/2020 2/10/2020 Fee and Alternatives 3/16/2020 3/16/2020	7/19/2021 Develop Taken by the Committee.
Discuss Policy behind reserving 10/7/2019 1/25/2021 Discuss Policy behind reserving 10/7/2019 4/19/2021 County Property 12/16/2019 1/21/2020 Discussion of County Road User 12/16/2020 1/21/2020 Fee and Alternatives 2/10/2020 3/16/2020 Fee and Alternatives 3/16/2020 3/16/2020	1/21/2020 a No Action Taken by the Committee.
Discuss Policy behind reserving 10/7/2019 4/19/2021 County Property 12/16/2019 1/21/2020 Census Discussion 12/16/2019 1/21/2020 Discussion of County Road User 1/6/2020 3/16/2020 Fee and Alternatives 3/16/2020 3/16/2020	1/25/2021 D No Action Taken by the Committee.
County Property 12/16/2019 1/21/2020 Census Discussion 12/16/2020 1/21/2020 Discussion of County Road User 1/6/2020 1/21/2020 Fee and Alternatives 3/16/2020 3/16/2020	4/19/2021 a No Action Taken by the Committee.
Census Discussion 12/16/2019 1/21/2020 Discussion of County Road User 1/6/2020 1/21/2020 Fee and Alternatives 2/10/2020 3/16/2020 7/19/2021 7/19/2021	
Discussion of County Road User 1/6/2020 Fee and Alternatives 2/10/2020 3/16/2020 3/16/2020	1/21/2020 a No Action Taken by the Committee.
2/10/2020 3/16/2020 7/19/2021	1/21/2020 De No Action Taken by the Committee.
	2/10/2020 a No Action Taken by the Committee.
	3/16/2020 a Meeting cancelled due to COVID-19 Special Called
	Meeting.
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	with 1st Reading in Title Only at the next Council Meeting, to
	meet trings ure same with the monitopanties and do the 52.2 million, and eliminate the road user fee. Chairman Chris
	Bowers seconded the motion. Motion carried unanimously (6-
	0).

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			1/26/2021	INO ACTION LAKEN BY THE COMMITTEE.
			8/30/2021	a No Action Taken by the Committee.
140	Discussion on Insurance Options	2/3/2020		
141	upso	2/3/2020	3/16/2020	a Meeting cancelled due to COVID-19 Special Called
				Meeting.
			2/16/2021	a No Action Taken by the Committee.
			11/19/2022	B No Action Taken by the Committee.
142	Discussion on Old Jail	2/3/2020	2/10/2020	B No Action Taken by the Committee.
			8/17/2020	a Vice Chairman Chris Bowers made a motion to implement a
				Memorandum of Understanding, laying out a plan on how
				Reverend Moss will implement the facility. Motion was
				seconded Councilman Whitehurst and carried unanimously (6-
			3/21/2022	Chairman Chris Bowers made a motion to allocate funding, totaling \$98,000 towards this project at the Old Stockade.
				Councilman Trey Whitehurst seconded the motion. The
				motion carried (5-1), with Councilman Alex Saitta opposed.
149	Discussion on Potential Citizen	5/4/2020		
	Award			
150	Sewer Use Ordinance	6/1/2020		
152	Procurement Process	6/1/2020	9/21/2020	No Action Taken by the Committee.
			2/16/2021	Do Action Taken by the Committee.
167	Scenic Highway Overlay	9/14/2020	9/21/2020	No Action Taken by the Committee.
/D1			2/16/2021	No Action Taken by the Committee.
160	Wastewater Disposal	11/2/2020	11/16/2020	a No Action taken by the Committee.
	Management			
161	Council Rules	11/2/2020	11/16/2020	No Action taken by the Committee.

 3/15/2021 © Councilman Trey Whitehurst made a motion to add in the Council Rules that the Chairman and Vice Chairman be on the agenda conference calls, to add in Rule 2.1 that you can only run for Chairman twice (4 years total), and if there is a vacancy during the Chairman's term, the Vice Chairman will automatically become Chairman to finish the term. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0). Vice Chairman Roy Costner made a motion stating he would like to table this discussion until our next meeting in April, and ask our Attorney to look into the changes made this evening on Council Rules to make sure it is accurate. Motion was seconded by Ensley Feemster and carried unanimously (6-0). 	4/19/2021a Councilman Trey Whitehurst made a motion to remove Section 3.5 (C) in the Council Organizational Rules, to replace with Section 2.2 (E). Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).	1/25/2021 a No Action taken by the Committee; the Committee asks that this Log item stays until further information is brought back.	
3/15	4/15	12/7/2020 1/2	
		Ordinance 592- AN ORDINANCE OF THE COUNTY COUNCIL OF PICKENS COUNTY, SOUTH CAROLINA, ABANDONING AND RELINQUISHING MAINTENANCE RESPONSIBILITIES TO CLEMSON UNIVERSITY FOR OLD ROUTE 28 ROAD RIGHT-OF-WAY LOCATED WITHIN THE COUNTY	Committee of 00
		162	100

7 1 2			105 2002	
† 9 1		T 202 /61 /1	1707/c7/t	Connclimint Wilson made a motion to accept the start recommendation to discontinue the shredding services, and to communicate it widely throughout the community. Motion was seconded by Vice Chairman Costner and carried unanimously (6-0).
166	2021 Recreation Funding Requests	3/1/2021	10/18/2021	Councilman Alex Saitta made a motion to approve the 2021 Recreation Funding Request District 3 for Long Shoals Recreation Area. Motion was seconded by Councilman Ensley Feemster and carried (6-0)
167	2021 Accommodations Tax Funding Requests	3/1/2021	7/19/2021	See Minutes for final motions on 2021 ATAX Funding Requests
			8/30/2021	Councilman Henry Wilson made a motion to allocate \$3,000 towards the Pickens County Performing Arts Center project with the SC Entertainment Hall of Fame, in contingent that the Performing Arts Center
				Foundation Board matches funding. Motion was seconded by Councilman Trey Whitehurst and carried (5 1), with Councilman Alex Saitta opposed.
		4	10/18/2021	No Action taken by the Committee.
			11/15/2021	■ Councilman Trey Whitehurst made a motion to move forward with the fire rings using Jamestown Advance and for county staff to refurbish picnic tables. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).
168	Pickens County Performing Arts Center Foundation Board	3/1/2021		

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169	Emergency Services Update	3/1/2021	3/15/2021	No Action taken by the Committee.
	- I		10/18/2021	Chairman Chris Bowers made a motion to add "72 hour caryover limit" for 24/48 hour employees. Motion was seconded by Councilman Henry Wilson and carried (6-0).
170	501-C3 Boards that Pickens County is currently supporting	3/1/2021	3/15/2021	■ Councilman Trey Whitehurst made a motion for staff to come up with a format with a formal application for people who are applying for county funds. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
171	AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 34 OF THE PICKENS COUNTY CODE OF ORDINANCES SO AS TO PROVIDE REMEDIES AND PENALTIES FOR ILLEGAL LITTER AND DUMPING IN THE	3/1/2021	3/15/2021	a No Action taken by the Committee.
172	Budget Work Session	4/5/2021	4/19/2021 5/17/2021 3/21/2022 5/16/2022	 No Action taken by the Committee.
173	Results of Employee Survey	5/3/2021	5/17/2021	No Action taken by the Committee.
174	Overriding Parks and Recreation Plan	5/3/2021	5/17/2021	a No Action taken by the Committee.

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175	Council Bulas (Council	E /3 /2021	E (17/2021	Mo Action taken by the Committee
ì	Communication	TTOT IC IC		
176	Ordinance 533 - 1st Reading In	5/3/2021	5/17/2021	No Action taken by the Committee.
	Title Only to amend Animal		8/30/2021	Councilman Trey Whitehurst made a motion to
	Control Ordinance			amend the ordinance, making the discussed proposed
				changes, and to send it out of committee for the next
				reading. Motion was seconded by Councilman Alex
				Saitta and carried unanimously (6-0).
177	American Rescue Act Funding	6/7/2021	8/30/2021	a No Action Taken by the Committee.
		<u>. </u>	9/20/2021	a Chairman Chris Bowers made a motion to use
			· · ·	American Rescue Act Funding towards the first bill from
				the Broadband Project and towards twenty (20) Solid
				Waste Containers for the Solid Waste Department.
				Motion was seconded by Councilman Alex Saitta and
				carried (5-0).
			10/18/2021	Chairman Chris Bowers made a motion to go into
				executive session to discuss one-time funding for
				county employees out of American Rescue Act Funding.
			-	Motion was seconded by Vice Chairman Roy Costner
			~	and carried (6-0).
			<u>.</u>	a (second motion) Chairman Chris Bowers made a motion
				to recommend to move forward to council meeting
				American Rescue Act Funding compensation 5/25/2/1
				plan and to exempt county council from the plan.
				Motion was seconded by Vice Chairman Roy Costner
				and carried (6-0).

				lost revenue to purchase a bailer for S750.000. Motion
			,	was seconded by Councilman Alex Saitta and carried
				unanimously (6-0).
				Councilman Alex Saitta made a motion to amend to
				add a refund of \$75,000 for the Clean Up Pickens
				Program. Motion was seconded by Roy Costner and
				carried unanimously (6-0).
				Councilman Henry Wilson made a motion for staff to
				create a process for Non-Profits to apply for ARPA
				funding based on the principles set forth. Motion was
				seconded by Chairman Chris Bowers. The motion
			• \	carried (4-2), with Councilman Alex Saitta and
	_			Councilman Trey Whitehurst opposed.
178 Hagood	Hagood Mill MOU	6/14/2021		
179 Conside	Consideration Of A Plan From	7/12/2021	7/19/2021	a No Action Taken by the Committee.
Staff Fo	Staff For Fy2022 Compensation		7/26/2021	a Councilman Alex Saitta made a motion to accept the
Adjustn	Adjustments Within Existing			proposal from staff as recommended. Motion was
Comper	Compensation Plan Utilizing			seconded by Councilman Henry Wilson and carried
Eunds (2	Funds (1%) Previously Allocated			unanimously (5-0).
By Council.	ncil.			
180 Propert	Property Rights Resolution	7/12/2021		
181 First Rea	First Reading in Title Only of an	8/16/2021	11/15/2021	No Action Taken by the Committee.
Ordinan	Ordinance for a Referendum		2/22/2022	Vice Chairman Roy Costner made a motion to move
regardir	regarding Sunday Alcohol Sales in			from Committee to Council meeting for First Reading in
Pickens	Pickens County			Title Only of this Ordinance. Motion was seconded by
				Councilman Ensley Feemster and carried (5-1), with
				Councilman Alex Saitta opposed.

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 22 a Councilman Ensley Feemster made a motion to move out of Committee for third reading. Motion was seconded by Councilman Trey Whitehurst and carried (5-1), with Councilman Alex Saitta opposed. 	C1 Chairman Chris Bowers made a motion to bring in Liberty City Dispatch for the reasons Chief Gibson explained, for Emergency Services to continue to give updates to Council, and to include the updates in Administrator Roper's report each month. The motion was seconded by Councilman Henry Wilson and carried unanimously (5-0).	 D20 B No Action taken by the Committee. D2 B No Action taken by the Committee 		21 a No Action Taken by the Committee.	21 a Councilman Henry Wilson made a motion for the Library to move forward with a design and bring Council a final, confirmed budget of the expansion project. Motion was seconded by Vice Chairman Roy Costner and the motion carried (3-2), with Councilman Trey Whitehurst and Councilman Alex Saitta opposed.
4/18/2022	9/20/2021	10/18/2020	11/15/2021	9/20/2021	9/15/2021
	9/13/2021		9/13/2021	9/13/2021	9/13/2021
· · ·	Unified Dispatch Plan from Staff		Annual Update to Capital Improvement Plan	Consideration of Recommendation from Public Service Commission for Provision of Sewer for the Grange Subdivision	Consideration of Request from Library Board for Expansion Plans for Hampton Library
	182		183	184	185

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105	First Boarding in Title Only of an	100/1/01		
00	Prist Reading in True Only of an Ordinance Amending the Pickens County Code of Ordinances Related to Litter and or Other Property Conditions	10/4/01		
187	Annual Update to Capital Improvement Plan	11/1/2021		
188	Clemson Paw Partners and County Vet	11/1/2021	11/15/2021	No Action Taken by the Committee.
189	Pickens County Medical Control Contract and Review of the Process	11/1/2021		
			1/18/2022 2/1/2022	Meeting rescheduled to 02/01/22. Device Chairman Roy Costner made a motion to recommend refunding the difference to tax payers who paid more than \$1800 on their commercial fire fee and for Council to continue discussion on fire fee revenue structure for the next budget year. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (5-0), with Chairman Bowers absent during this vote in the meeting.

unanimously (5-0), with Chairman Bowers absent during Councilman Alex Saitta made a motion to recommend the fully-insured process as initially stated and see what Councilman Alex Saitta made a motion to accept the Councilman Ensley Feemster. The motion carried (4-2), a Councilman Henry Wilson made a motion to pursue Councilman Ensley Feemster and carried unanimously seconded by Councilman Trey Whitehurst and carried amendments that Council made this evening and to final opportunities can be resolved in a negotiation Planning Commission Draft Proposal, including the forward with the Option 2 Draft Map. Motion was process with our broker. Motion was seconded by send out of Committee. Motion was seconded by with Councilman Alex Saitta and Councilman Trey first reading in title only of an ordinance to move Do Action Taken by the Committee. Meeting rescheduled to 02/01/22. this vote in the meeting. Whitehurst opposed. (6-0). 3/21/2022 1/18/2022 9/19/2022 4/18/2022 2/1/2022 1/3/2022 1/3/2022 1/3/2022 1/3/2022 2030 Comprehensive Plan Referral **Consideration of Funding Request By Council To The Pickens County** Planning Commission For Further from the Pickens Joint Regional **Provision of County Employee** Health Benefits for Upcoming **Council Redistricting** Recommendations **Public Input And** Water System **Fiscal Year** 194 191 192 193

		L	2/22/2022	Councilman Trey Whitehurst made a motion to move proposal #2 out of Committee for second reading. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).
195	AN ORDINANCE TO COMBINE CONSTRUCTION BOARD OF APPEALS AND ZONING BOARD OF APPEALS	2/7/2022	2/22/2022	Councilman Alex Saitta made a motion to move out of Committee for third reading. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).
1.96	Arial Mill Rehab Project	2/7/2022		
197	2022 Recreation Funding Recommendations	3/1/2022	8/15/2022	 See Minutes for final motions on 2022 Rec Funding Requests
198	2022 Accommodations Tax Funding Recommendations	3/1/2022	8/15/2022	See Minutes for final motions on 2022 ATAX Funding Requests
199	Renaming of Law Enforcement Center	4/4/2022	4/18/2022	Vice Chairman Roy Costner made a motion to move forward on renaming the Law Enforcement Center based on recommendations. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
200	Regulatory Discussion on General Property	4/4/2022		

201	AN ORDINANCE AUTHORIZING THE ADVANCE OF FUNDS FROM THE GENERAL FUND OF PICKENS COUNTY TO THE PICKENS COUNTY AIRPORT ENTERPRISE FUND, PROVIDING FOR THE REPAYMENT OF SAID GENERAL FUNDING FROM OTHER AND/OR GRANT FUNDING FROM OTHER SOURCES, AND MATTERS RELATED	4/4/2022	4/18/2022	Chairman Chris Bowers made a motion to remove the runway resurfacing and the existing taxiway, but move forward as staff recommended. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (6-0).
202	PROCESS FOR ABANDONED	5/3/2022	7/7/2022	 No Action Taken by the Committee.
203	ROADWAY UPDATING COUNTY TIRE POLICY PER DHEC REQUIREMENT	5/3/2022		
204	DISCOUNTED VETERAN ACCESS TO COUNTY PARKS DISCUSSION	5/3/2022	5/16/2022	Vice Chairman Roy Costner made a motion on creating a program with the Veteran Affairs Office for Veterans to be offered discounts to use Pickens County Parks. Motion was seconded by Councilman Henry Wilson. Motion carried unanimously (6-0).
205	AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO.	6/6/2022	8/15/2022 9/19/2022	 No Action Taken by the Committee. Councilman Trey Whitehurst made a motion for this item to stay in Committee and for Staff to bring back the proposed changes in the Ordinance to Council. Motion was seconded by Councilman Henry Wilson and carried (5-1), with Councilman Alex Saitta opposed.

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			10/17/2022	■ Councilman Trey Whitehurst made a motion for the following recommendations. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Henry Wilson opposed. Please see the complete draft for a list of the recommendations.
			11/19/2022	■ After much discussion between Council & Staff, Vice Chairman Roy Costner made a motion for the following recommendations. Motion was seconded by Councilman Trey Whitehurst. Please see the complete report for a list of the reccommendations.
206	SOLID WASTE DISCUSSION	6/6/2022	8/15/2022	No Action Taken by the Committee.
207	COUNCIL RULES DISCUSSION REGARDING PUBLIC FORUM COMMENT	6/6/2022		
208	COUNTY EMPLOYEE HANDBOOK	8/8/2022		
209	COUNTY CONSTABLES AND CERTIFICATION PROCESS	10/3/2022	10/17/2022	Councilman Henry Wilson made a motion to table for future consideration. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Alex Saitta opposed.
210	ANNUAL CAPITAL IMPROVEMENT PLAN UPDATE	11/7/2022	11/19/2022	a No Action Taken by the Committee.

RESOLUTION NO.

AN INDUCEMENT RESOLUTION 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 ONE OR MORE COMPANIES KNOWN TO THE COUNTY AT THIS TIME, COLLECTIVELY, AS PROJECT EFFICIENCY, ITS OR THEIR AFFILIATES AND RELATED ENTITIES AND CERTAIN SPONSOR AFFILIATES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF *AD VALOREM* TAXES ARRANGEMENT WITH PICKENS COUNTY, SOUTH CAROLINA; PROVIDING FOR ANY OTHER NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECT THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Pickens County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 Code of Laws of South Carolina 1976, as amended (the "Fee Act"), to enter into agreements with any industry whereby the industry would pay fees-in-lieu-of taxes with respect to qualified projects; through which powers the development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;

WHEREAS, the County is recruiting an investment in the County by one or more companies known to the County at this time, collectively, as Project Efficiency, on its or their own or together with one or more of its or their subsidiaries, affiliates, successors, assigns, sponsors, lessors, and others (collectively, the "*Company*"), through the establishment and/or expansion of a manufacturing facility within the County (the "*Project*");

WHEREAS, the Council, in order to induce the Company to locate the Project in the County, has committed to the Company that the Council will take certain actions and provide certain incentives, including entering into fee-in-lieu of taxes ("*FILOT*") agreement and, upon the agreement of an adjoining county, the location of the site of the Project within a multi-county industrial/business park pursuant to Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, and Article VIII, Section 13(D) of the South Carolina Constitution, which incentives provide certain benefits to the Company, if the Company locates the Project in the County;

WHEREAS, it is anticipated that the Project will represent an investment of not less than \$39,063,000, in the aggregate, in the County (without regard to whether some or all of the investment is included in a FILOT arrangement);

WHEREAS, the County has determined and found after considering all relevant factors and criteria as prescribed by law (with assistance, to the extent needed, from the South Carolina Department of Revenue and/or Board of Economic Advisors) that the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other

public benefits not otherwise provided locally; that the Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either; that the purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; that the inducement of the location or expansion of the Project within the County and State is of paramount importance; and that the benefits of the Project will be greater than the costs; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a "project" as that term is defined in the Fee Act and that the Project would serve the purposes of the Fee Act.

NOW, THEREFORE, BE IT RESOLVED by the Pickens County Council, in meeting duly assembled, that, if the Company locates the Project in the County and creates the investment indicated above:

- 1. The Council, upon request by the Company, hereby agrees to enter into one or more agreements under the Fee Act that will provide the Company with the benefits allowed pursuant to a FILOT agreement for twenty years for each component of the Project placed in service during the standard "Investment Period" (as that term is defined in the Fee Act), with the calculation of the FILOT thereunder on the basis of a fixed assessment ratio of 6%, and a millage rate fixed at the applicable millage rate at the Project site as of June 30, 2023, which the parties hereto believe to be 262.1 mills.
- 2. The County will use its best efforts to insure that the Project will be included, and will remain, within the boundaries of a multi-county industrial park created pursuant to the provisions of the Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, and Article VIII, Section 13(D) of the South Carolina Constitution.
- 3. The Council agrees to provide the Company with the most favorable provisions allowable under the Fee Act for a project of this size with respect to the disposal and replacement of property.
- 4. To the extent permitted by the Fee Act, the Council agrees to waive the recapitulation requirements set forth in the Fee Act, to the extent that and so long as the Company provides the County with copies of all filings and reports which the Company is required to make under the Fee Act during the term of any FILOT agreement entered into by and between the County and the Company with respect to the Project.
- 5. The Council agrees to enter into and execute the appropriate agreements and other documents to implement the provisions of this Resolution and such other provisions as the Company may request consistent with this Resolution and such applicable statutes.
- 6. All orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the Council.

APPROVED AND ADOPTED IN A MEETING this ____ day of _____ 20___.

PICKENS COUNTY, SOUTH CAROLINA

By: _____ Chris Bowers Chairman, County Council

[SEAL]

Attest:

By: ___

: ______ Meagan Nations, Clerk to County Council