

## COMMITTEE OF COUNCIL AS A WHOLE REPORT

### Council Members:

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

### Staff in Attendance:

Gerald Wilson, County Administrator  
Ken Roper, County Attorney  
Crystal A. Alexander, Clerk to Council  
Ralph Guarino  
Brian OKelley  
Chris Brink  
Creed Hashe  
Gary Parsons  
Michael Hayes

### Guests:

Clyde J. "Mac" Martin, Jr., *Mayor of the Town of Central*

The Committee of the Whole met in the Main Conference Room on Monday, June 19, 2017 at 6:00 p.m. All members of the committee were in attendance with Chairman Roy Costner presiding.

### **WELCOME AND CALL TO ORDER:**

Chairman Roy Costner called the Committee of the Whole meeting to order and welcomed those in attendance. Councilman Wes Hendricks led the invocation.

### **COMMITTEE OF THE WHOLE:**

#### **Outdoor Special Events Ordinance No. 524 – Log No. 57**

- Chris Brink, the Director of the Community Development Department, briefed the Committee on the proposed outdoor events ordinance. He stated that recent changes were made on pages 3 and 4 of the ordinance, under the direction of Chief Deputy Creed Hashe.  
(*A copy of the proposed [Ordinance No. 524](#), that included the referenced changes, was provided to the members of the committee.*)
- Mr. Brink clarified that "tours" would be defined as a non-competitive group of fifty or more participants.
- Vice Chairman Chris Bowers questioned the use of private security for such events.
  - Chief Deputy Hashe responded that the Sheriff's Office is the only entity that can handle the referenced events, as this is related to county roadways.
- Councilman Carl Hudson questioned the use of paint on roadways and stated his concern of the roads appearing trashy.
  - Mr. Brink responded that the Department of Transportation is not concerned with the use of paint on the roads as long as the paint is not a competing color.
- Motion was made by Councilman Trey Whitehurst, seconded by Chairman Roy Costner and unanimously passed to recommend amending the ordinance to include language in section 3.0 that the responsible department is Community Development.
- Vice Chairman Chris Bowers directed the staff to rearrange language in section 2.1 to better define roadways.
- Chairman Roy Costner asked for clarification of how the county would educate the public and staff of this change in procedure.
  - Chief Deputy Hashe responded that the Sheriff's Office should be contacted regarding referenced events and they will educate the requestor of the new ordinance and procedure.
- Councilman Wes Hendricks asked if this ordinance needs to be limited to bicycle races and marathons. He further asked what happens if a future event occurs that is not clearly defined.
  - Councilman Trey Whitehurst responded that he would recommend keeping the events as listed in the ordinance and an amendment can be made for other types of events in the future, if needed.

- Councilman Wes Hendricks asked the staff if this ordinance would discourage people from coming to Pickens County.
  - Gerald Wilson responded that he did not think so, that other counties and cities have a similar ordinance.
  - Chairman Roy Costner asked the staff how much “red-tape” this would add to a person that wanted to hold a referenced event.
  - Mr. Brink responded that it would be an extra step for them.
  - Chief Deputy Hashe responded that the issue will be people applying deep into the 45 day window.
  - After much more discussion, Chairman Roy Costner called for a vote.
  - Chairman Roy Costner moved to recommend third reading of the ordinance, as amended. Motion was seconded by Councilman Carl Hudson and unanimously passed.
- ❖ Committee recommended third reading of Ordinance 524 as amended, to include language in section 3.0 that Community Development would be the responsible department and to rearrange language in section 2.1 to better define roadways.

**Proposed Sewer Plan and Availability Fee – Log No. 43**

- Chairman Roy Costner announced that the Committee would discuss item no. 43 to better accommodate the guest that is present.
  - Brian OKelley presented a high-level overview of the proposed 10-Year Sewer Plan and provided the members of the committee with the following documents: [Public Service Commission 10-Year Plan Summary](#) and [Latest Developments PSC 10-YR Plan \(June 19, 2017\)](#).
  - Mr. OKelley discussed the latest developments outlined in the document provided to the Committee. He stated that the new development would delay the 10-Year Plan by 15 years.
  - During much discussion, the Committee directed the Administrator to have Wes Hulsey and Brian OKelley present at the next Committee of the Whole meeting in August.
- ❖ No Action Taken by Committee

**Personnel-Compensation Study (Library) – Log No. 61**

- Motion was made by Chairman Roy Costner, seconded by Vice Chairman Chris Bowers and unanimously passed to remove item no. 61 from the log.
- ❖ Committee recommended removing No.61 from the log.

**Building Codes – Log No. 44**

- Chris Brink briefed the Committee on the proposed building code ordinance to include the eight mandatory codes and the three discretionary codes. He stated that the fee schedule has also been included in the proposed ordinance. Mr. Brink clarified that the state requires the county to enforce the mandatory codes.
- Vice Chairman Chris Bowers asked Mr. Brink why the county has to adopt the codes if the state requires the county to enforce the codes anyway. He also asked how the county has not adopted the building codes for twelve years.
- Mr. Brink responded that the state requires the county to adopt the mandatory building codes in the county code. Mr. Brink responded that the state has encouraged the county to adopt the codes, but there is no penalty for not doing so.
- Councilman Wes Hendricks asked Mr. Brink if every pool in the county would be inspected under the proposed ordinance.
- Mr. Brink responded that if the ordinance passes, only new requests would be inspected. He also stated that this does not pertain to above ground pool and above ground spas.
- Councilman Wes Hendricks stated that the property maintenance would seem to be a “touchy subject” with property owners, if the county tells them what they can or cannot do on their property.
- Mr. Brink responded that 95% of the complaints his department receives is related to trash, furniture or junk on a property. During discussion, he clarified that Building Codes receives approximately 300-400 complaints a year, with several of the complaints relating to the same property.
- Councilman Trey Whitehurst asked if we have an ordinance in place for the items that he referenced.
- Mr. Brink responded that the ordinance in place is for household garbage.
- Chairman Roy Costner stated that without a code in place, there is no way to enforce it.
- Councilman Wes Hendricks stated his concern of neighbors complaining on neighbors because they are not cordial with one another.

- Chairman Roy Costner responded that a complaint is different than enforcement.
  - Mr. Brink stated that the Building Codes department is very professional when enforcing codes currently and would follow the same procedure with any new codes that are adopted in the future.
  - Councilman Carl Hudson stated that some of the codes are misdemeanors that are punishable by fines. He asked Mr. Brink how the fines and punishment would change in the new ordinance.
  - Mr. Brink responded that the punishment and fines would not change from what is currently in the county code.
  - Councilman Carl Hudson stated that he is concerned that the code enforcers may begin to nitpick.
  - Councilman Trey Whitehurst stated that he understands that the county has to accept “mandatory codes”; however, he will not approve a discretionary code until he has read it.
  - Chairman Roy Costner directed members of staff to provide the discretionary code detail to all members of council.
  - Vice Chairman Chris Bowers asked if Pickens is the only county that has not adopted the new building codes.
  - Mr. Brink stated that Anderson County was in a similar situation.
  - After much discussion, a motion was made by Vice Chairman Chris Bowers, seconded by Chairman Roy Costner and unanimously passed to recommend 1<sup>st</sup> reading of the Building Codes Ordinance and send back to the Committee of the Whole.
- ❖ Committee recommended first reading of Ordinance No. 534, amending building codes, to be referred back to the Committee of the Whole.

**Teen Canteen Conveyance to the City of Pickens – Ordinance No. 518 – Log No. 64**

- Mr. Wilson advised that the City of Pickens does not want to lease any part of the property, including the parking lot. He clarified that the City does not want to invest that much into property that they do not own. Mr. Wilson stated that if the Council decided to keep the property, he recommends that the building be torn down. Mr. Wilson stated that the county could tear the building down, but could not abate the asbestos which is estimated to cost \$40,000.
  - Councilman Trey Whitehurst stated that the reason that the Council was giving the City the building and leasing them the parking lot was to be consistent with what has been done in other districts in the past.
  - Councilman Carl Hudson stated that he does not agree with that blanket plan and that the decision should be based on the merit of the plan for the respective property.
  - After much discussion, the Committee requested that the City of Pickens present their plan for the referenced property at the Committee of the Whole meeting in August.
  - Chairman Roy Costner stated that there is a sense of urgency to tear down the building and spend \$40,000 to abate the asbestos, if the Council decides to keep the property.
- ❖ No Action Taken by Committee

**ADJOURN:**

Hearing no further Committee business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson and unanimously passed. The Committee of the Whole stood adjourned at 8:05 p.m.