

****Please note - These are not official minutes of the Pickens County Council meeting. This reflects the issues that were before Council and shows the actions, however the minutes are not "official" until the County Council meets and approves them as presented. Please contact, Donna Owen, Council Clerk for any questions.**

May 15, 2006
Regular Meeting
6:00 PM

County Council met in regular session, in the auditorium, County Administration Facility, with Chairman Jennifer H. Willis presiding. Agendas, bearing date, time, and location of meeting, were mailed to Council members and local news media, May 09, 2006.

Council Members in attendance:
Jennifer H. Willis, Chairman
G. Neil Smith, Vice Chairman
James B. London, Vice Chairman Pro Tempore
C. Roy Collins
Tom Ponder
Ben L. Trotter

Staff: Ralph Guarino, Interim County Administrator
Lynn Fisher, Assistant County Administrator
Donna F. Owen, Clerk to Council
Ken Roper, County Attorney

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of May 15, 2006 to order and welcomed those in attendance. Invocation was given by Councilman Tom Ponder

APPROVAL OF MINUTES:

Motion was made by Roy Collins, seconded by Ben Trotter and unanimously passed to approve the minutes of May 1, 2006 as presented.

ADMINISTRATORS REPORT:

1. Roads and Bridges Report. Mr. Guarino gave council a report regarding the Roads and Bridges, and discussed briefly some of the findings. After some discussion Council stated they would place the report in committee for further discussion.

2. Addition to agenda. Mr. Guarino requested that Council consider adding to the agenda, an Ordinance to provide for the County to do municipal elections for City of Clemson. Noted was the fact that the County does all the other municipalities already.

MOTION PERIOD AND NEW BUSINESS:

1. Executive Session Procedures. Motion was made by Ben Trotter, seconded by Neil Smith and unanimously passed to add to executive session the discussion of proper procedures for convening in executive session.

2. Fire District By-Laws. Motion was made by Tom Ponder, seconded by Roy Collins to place in the Justice and Public Safety Committee the issue of by-laws for fire districts.

>>During discussion Mr. Trotter stated this issue was in the Committee of the whole, as it was placed there as a work session.

The Clerk stated the issue had been in Mr. Ponders Committee but was removed in December, and did not believe it to be on any agenda log.

>>Council voted and unanimously passed on the Motion that was on the floor.

After the vote was recorded; Mr. Trotter produced the Committee of the whole agenda log, and he was correct in that on March 6 of 2006 the By-Laws for Fire Districts was placed in the Committee of the whole.

During discussion Tom Ponder stated he would rather the issue be in the committee of Justice and Public Safety and not in the Committee of the whole.

>>Tom Ponder moved to reconsider the previous motion and to pull the issue from the Committee of the whole and place in the Justice and Public Safety Committee. Roy Collins seconded the motion and motion was unanimously passed. By-laws for Fire Districts were removed from the committee as a whole and placed in the Justice and Public Safety Committee.

3. Report for Roads and Bridges. Councilman Smith moved to place the report regarding Roads and Bridges in the Public Service Commission. Motion was seconded by Ben Trotter and unanimously passed.
4. Executive Session addition as requested. Neil Smith moved to add to the executive session an issue of pending litigation. Motion was seconded by Roy Collins and unanimously passed.
5. Lake Front Properties. James London moved to place in committee the issue of Lake Front building height restrictions. Motion was seconded by Ben Trotter and unanimously passed.
6. Comprehensive Economic Study. Motion was made by Neil Smith, seconded by Roy Collins and unanimously passed to place in committee this study as proposed by Appalachian Council of Governments.
7. Airport Report/Proposal. Tom Ponder moved to place the airport proposal to the Committee of the whole. Motion was seconded by Ben Trotter and unanimously passed.
8. Letter to the Natural Resources Board of Trustees regarding the settlement of the Schlumberger contamination issues. James London moved to add this issue to the agenda for discussion. Motion was seconded by Roy Collins and unanimously passed.
9. First Reading of an Ordinance to provide for Pickens County to perform the elections for the City of Clemson. Motion was made by Neil Smith to add this

issue to the agenda; motion was seconded by Roy Collins and unanimously passed.

Ben Trotter added that he would like to thank Ben Robinson of the *Easley Progress* for the positive article he wrote about County Council.

CONSIDERATION FOR APPROVAL OF THE 2006 LOCAL AREA PLAN MODIFICATION, REGARDING THE PENDLETON DISTRICT WORKFORCE INVESTMENT BOARD:

Julia Sermons, Director of the Workforce Investment Board came before Council to answer any questions.

Councilman Smith requested information regarding major changes to the plan as it relates to funding or formulas for obtaining funds.

Ms. Sermons stated no changes, only the fact that there will be an increase in dislocated workers. Changes are basic for administrative changes only.

Neil Smith moved to approve, seconded by Roy Collins and unanimously passed.

THIRD READING OF ORDINANCE NO. 374 AUTHORIZING THE SALE OF THE FORMER EASLEY LIBRARY BUILDING AND PROPERTY LOCATED IN EASLEY, SOUTH CAROLINA AT 110 WEST FIRST AVENUE:

>>Motion was made by Neil Smith, seconded by Roy Collins and unanimously passed that this constitutes third and final reading of Ordinance No. 374.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 375, TO AMEND THE DEVELOPMENT STANDARD ORDINANCE AS IT RELATES TO SECTION 8.4.1-PERMANENT FREESTANDING BUSINESS IDENTIFICATION SIGNS

Chairman Willis opened the floor for a public hearing regarding Ordinance No. 375. With no citizens speaking, public hearing was closed.

>>Motion was made by Tom Ponder, seconded by Ben Trotter.

During discussion Mr. Smith requested information about how this ordinance will tie back to areas in the municipalities. Also Mr. Smith stated issues like this seem to fit what "others" want versus what has actually been requested. And Mr. Smith stated he wanted to make sure that procedures are equitable for all involved. Mr. Smith also stated he was not going to support restrictive activity, and/or anti-growth which are designed to suit a certain majority.

Mr. Trotter stated he would like to have all changes regarding the Development Standards ordinance.

>>James London moved, seconded by Tom Ponder to amend the language to 25 feet only and to strike the 35 feet.

Ben Trotter stated he thought the suggestion for 35 feet would benefit the properties which fell within the more mountainous area with poor visibility.

>>James London voted in favor, all other council opposed. Amendment failed.

Ben Trotter moved to amend the motion to send this issue back to the planning commission along with other concerns regarding the DSO. Motion was seconded by Tom Ponder and unanimously passed.

>>Neil Smith clarified the above as a Motion to Commit. Motion was called into order and recorded that at third reading this issue was sent back to the Planning Commission.
THIRD READING OF ORDINANCE NO. 378 TO AUTHORIZE THE COUNTY TREASURER TO ACCEPT PREPAYMENTS OF PROPERTY TAXES ON A QUARTERLY BASIS:

>>Motion was made by Neil Smith, seconded by Ben Trotter and unanimously passed that this constitutes third and final reading of Ordinance No. 378.

Additions via Motion Period:

1. LETTER TO THE NATURAL RESOURCES BOARD OF TRUSTEES.

>>Motion was made by James London, seconded by Neil Smith and unanimously passed to approve the Chairman sending a letter to the Board of Trustees regarding the displeasure of County Council in the recent settlement and to include that Council believes Pickens County was not treated in a fair and equitable manner.

2. FIRST READING OF AN ORDINANCE TO PROVIDE FOR PICKENS COUNTY TO PERFORM THE MUNICIPAL ELECTIONS FOR THE CITY OF CLEMSON.

>>Motion was made by Ben Trotter, seconded by Roy Collins and unanimously passed that this constitutes a first reading of an ordinance to amend Ordinance No. 284 in order to include the City of Clemson for Pickens County to provide for its elections.

CONSENT AGENDA:

>>Motion was made by Tom Ponder, seconded by Neil Smith and unanimously passed to approve the consent agenda as presented.

- a. Request from homeowners to create a special assessment district in the area known as Mountain View Estates. Refer to the Administration and Finance Committee.

EXECUTIVE SESSION:

- (2) personnel Issues
- pending litigations
- procedures for executive sessions

>>Motion was made by Roy Collins, seconded by Ben Trotter and unanimously passed to convene in executive session for the stated purposes.

PUBLIC SESSION RECONVENED:

Chairman Willis called the Public Session back to order and advised no action.

ADJOURN:

With there being no further business before the Pickens County Council, motion to adjourn was made by Neil Smith, seconded by Roy Collins and unanimously passed. Pickens County Council stood adjourned at 9:50 PM. Council convened in the Main Conference room for a published meeting to discuss budget.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman