

**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.

July 17, 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, July 10, 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
Sheila Tinsley, Administrative Assistant
Lynn D. Fisher, Assistant County Administrator
Ken Roper, County Attorney

Welcome and Call to Order

Chairman Willis called the meeting of July 17, 2006 to order and welcomed those in attendance and further gave the invocation.

PUBLIC FORUM:

Chairman Willis opened the floor for any citizens wishing to address Council. Mrs. Willis asked that citizens keep their comments to 3 to 5 minutes.

Ray Steck-Jocassee Gorge Fire Mr. Steck wanted to share good news the fire department has been doing lately. Jocassee Gorge is a fine recreational area and has had no serious blazes in that area for a number of years. On June 15th there was a fire that could have turned serious very easily if the fire had not been put under control in a short period of time. The team from the Vineyards was the first to arrive on the scene. Other fire departments arrived later including Pickens, Liberty and Central due to the fact that there volunteers were working. Mr. Steck felt that the combined efforts of all fire departments paid off in this instance. They want to serve all the citizens of the community and Pickens County at every opportunity. They respond to 20-30 vehicular accidents on Highway 11 and 178. He also read a letter from Tom Swaynham with the SCDNR thanking the Vineyards Fire District for their assistance with this fire.

Robert Weaver-Noise Control Mr. Weaver noted that he lived at 107 Tadpole Lane in Easley behind the hospital and is having trouble with loud music being played by other citizens in his neighborhood. He is having to call the Sheriff's department and is being told that there is nothing that can be done because there is not a law against playing loud music. He feels like there should be a law against this. He is interested in seeing improvement to noise control and wants to see a law implemented to do something about it. **See council's motion to study the DSO as it relates to noise control issues**

Evelyn Kloes-Maple Creek Estates Ms. Kloes lives on Marc Lane and stated that she had a letter from last year that if they would each pay \$450.00 they would have culverts across their driveways and county maintenance on their roads. This has not been able to be done at this time. The culvert across the road from her is completely blocked up and when it rains all of the water comes across her driveway and onto her property causing ruts on her property. This has caused her phone line to come above ground on 4 different occasions. It is presently up again. She has been in contact with the Fire Chief at Liberty and this is a hazard because they cannot bring fire trucks down in that area. There are trees and this is a wooded area and is a serious danger to the people that live in Maple Creek.

Neil Smith noted that years ago the county did not have minimum maintenance on the roads. He wanted to know if the minimum maintenance information had been provided to them. He also noted that years ago when this issue was before Council, there was one gentleman who would not sign to have this done. Until there is 100% participation, the issue with minimum maintenance cannot be done. Mr. Hubert Pack stated that with 30 or more residents you would probably not be able to get 100% participation. He does not have problem with participating on behalf of his two lots.

Junius Smith-Refund of Taxpayers Money Mr. Smith presented a letter to Council on Roads, he also thanked Mr. Guarino for the letter that he had received regarding Charter Communications. He was in attendance representing CARAST (Citizens Against Reassessment and Sales Tax), senior citizens, small farmers, people on fixed incomes, people who own property but don't have very much money and people who had money in Carolina Investors. He handed out information that he had compiled over the past 25 years that showing that the taxes in Pickens County have gone berserk. He also had another chart showing how this meteoric rise in taxes has gone on. Every time we have had a reassessment in Pickens County we have had a tax increase. Mr. Smith made reference to articles written by the County Auditor, George Bryant, that he has miscalculated the millage and the money needs to be refunded back to the taxpayers. He feels that this overage should be refunded to taxpayers. He feels it is time to take care of the taxpayers.

Dr. London noted that millage has not been set based upon the reassessment. The budget was set holding the line on taxes before millage was set. Millage has not been set this year and will not be set until approximately September and was not based on reassessment. Taxes were frozen this year based upon the expected revenues coming in. If millage does not drop comparable to the increase in property values, he wants to be made aware of it.

Hubert E. Pack-Maple Creek Road Mr. Pack is a resident of Maple Creek Estates who feels that you will never get 100% participation in the minimum maintenance

requirements. For himself, he would rather have his taxes raised a little bit and also raise it a little bit on those in Maple Creek and take care of the roads. He is paying maintenance on his cars by having to come in and out of there. He also noted that they have culverts and they are presently stopped up.

Sarah Rampey-Central Fire Protection Mrs. Rampey stated she was currently located in the Six Mile Fire District at Daniel High School but would like to be put in the Central Fire District. She presented Council a petition with 312 signatures of citizens in that area who would also like to be in the Central Fire District because most of them are closer. Representative from Central Fire Department would be willing to take them in if Council would agree to this. They would like to see their end of Six Mile go to Central Fire Station 2.

Mr. Trotter noted that the budget for this year had already been done and the Six Mile Fire District was depending on the money coming in from these homes. Chairman Willis noted that probably all fire district lines needs to be looked at and will take this under advisement.

Thelma Clardy-Refund Money to Taxpayers Mrs. Clardy noted that she had gotten a letter from the Six Mile District and is concerned with millage. She would like to see the money that had been overpaid.

Debra Slaughter-Maple Creek Estates Mrs. Slaughter noted that she had lived in Maple Creek Estates for 7 years; however her husband had owned the property since 1987. The problems have been going on with the roads since this time. She presented photos to Council showing the status of these roads. She also played a recording of a message that was left to her by Troy Porter stating that if residents would pay \$450 that the County would be able to put this in. She also had a letter dated June 25, 2005 where Mr. Porter sent her through the mail on the \$450 per couple. She also has a statement that was sent March 19, 2004 where 25 feet of right of way to access road for whatever repairs needed to be done. She has done everything she knew possible to get this done. She is also speaking on those people who are on disability. She is stating that a lot of the emergency personnel who have had a hard time getting into the homes because of the roads.

Bo Beauchemin also noted that the road was going to be maintained by the Homeowner's Association. The opinion of the county attorney was that they form a new homeowner's association. Until that time the county does not have a legal right to do anything.

The citizens of Maple Creek Estates were advised that this issue is before a committee of Council and also Mr. Neil Smith volunteered his services to establish a Homeowner's Association for their neighborhood. It was also noted that you do not have to have 100% participation in the homeowner's association. The deed that has been found is between the developer and the homeowner's association.

(see clarification on the minutes of 8/21/06 minutes)

Aeris Allsep-Prater's Creek Road Ms. Allsep Ms. Allsep who lives at 401 Prater's Creek Road. The road has been repaired and they have left a mess. When it rains the water stays in the middle of the road and mud will run onto resident's property.

Neil Smith noted that he had been on this road because he had received several complaints himself and noted that this is a state road. Although Council was

sympathetic with Ms. Allsep's issue, they advised her this is in fact a state road and gave her the telephone number to the local DOT office who could give her assistance.

Council thanked the citizens for their comments.

COMMITTEE REPORTS:

Public Service Committee Report, Committee Chairman Roy Collins reported the following.

The committee of Public Service met on June 21st, 2006 with Committee Chair Roy Collins presiding; Tom Ponder was in attendance and Ben Trotter was noted absent.

Staff:

Ralph Guarino, Interim County Administrator
 Lynn Fisher, Assistant County Administrator
 Olivia Vassey, Research Analyst
 Steve Grant, Purchasing Director
 Donna Owen, Clerk

Item	Description	Referred	Report
1	Consideration of a request to review the type of vehicles used by County departments. <u>Referred back to committee 01/17/06</u>	06/06/05	Committee accepted the report from staff as presented as it relates to county vehicles per department. Administrative staff recommends the following standards: 1- Small Pickup: Dodge Dakota, Ford Ranger or Chevrolet Colorado 2- Operations vehicles: Chevrolet Malibu, Ford Fusion, or Dodge Stratus 3- Full sized pickup: Ford F-150, Chevrolet Silverado, Dodge Ram 4- Sheriff's Office: Impala for Detectives, and Crown Vic for pursuit The purchasing director will work with the department head and the best price on state contract will be a factor. (each council member received the full report >>Council unanimously passed.
	Study issues with the roads and bridges department (report back within 45 days) 05/15/06- Staff reported back requested information and Council referred back to this committee for discussion.	03/06/06 05/15/06	No action, committee heard the staff report and accepted staff's recommendation for improved record keeping on roads being paved in the county.
8	Assistance with Dacusville Recreation	03/06/06	Staff will continue to work with the Dacusville Recreation in order to provide a master plan.

9	Request from citizens on Mountaindale Road regarding the entrance of Mountaindale Road.	03/20/06	Committee recommends for staff to move forward with improvements. >>Council unanimously passed.
10	Ballard Hill Road -	04/03/06	No action, staff will come back to the committee after the request is heard by the C-Fund Committee.
13	Receive information regarding the old Central Road Bridge.	04/17/06	No action, staff is trying to obtain the last right of way.
14	Road Paving List FY 2007	06/05/06	Committee recommends the road paving list with the following acceptations: Add: Little Pond Road Omit: Wimberley Lane Committee also advised any deviation from the approved list would come back to the committee for approval. >>grades 72 and below approved
15	Issues regarding Jacks Field Road	06/05/06	Approve under the minimum maintenance plan. >>unanimously passed
16	Consideration from the City of Pickens to use Road User Fee Funds to provide for guardrails.	05/01/06	No action.
17	Consideration of Request from Pickens County School District to assist with paving at RC Edwards Middle School Athletic Track.	05/01/06	No action, committee requested staff to provide estimates.

Administration and Finance Committee Report, Chairman Jennifer H. Willis reported the following:

The Administration and Finance Committee met on Tuesday, July 11, 2006 at 9:30 AM, with Committee Chairman Jennifer H. Willis presiding. All members of the committee were present. Also in attendance was Council member Ben Trotter.

Staff:
Ralph Guarino, Interim Administrator
Lynn Fisher, Assistant Administrator
Olivia Vasse, Research Analyst
Steve Grant, Purchasing Director
Donna Owen, Clerk to Council

Item	Description	Referred	
6	Information regarding road projects/issues in Pickens County. <u>Referred back to committee 1/17/06</u>	11/21/05	Committee informed staff to request C-Fund History, and to also request minutes from all transportation committees.

14	Policy to determine needs for computer monitors per County Departments. Also issue with the Clerk of Court and a request for monitors.	04/03/06	No action, committee did not have time for this item.
15	Study the issues of the Medical Indigent Assistance Program (MIAP)	04/03/06	Committee requested for the county to contract the MIAP program with Ms. Sherry Collins. The County will provide a computer, and will provide space when necessary for conference type meetings. The County will assess the program after (1) year. >>unanimously passed.
17	Proposal from Eastern Aviation Fuels, Inc. re. Pickens County Airport.	05/01/06	Committee recommends the proposal from the Aeronautics Commission to purchase the fuel farm and truck. >>unanimously passed.
18	Request regarding a special tax district for the homeowners of Mountain View Estates	05/15/06	No action.
19	Request - City of Liberty's TIF District.	06/05/06	No action, committee requested further information.
22	Consider hours of operation regarding the Recycling Centers	06/05/06	No action, committee did not have time for this item.
23	Proposed bids for awnings at main entrances at the Administration Building	06/05/06	Committee authorized the Administrator to procure the awnings for the entry ways at the Administration Building. The Administrator is authorized to look at different shapes for the best look for the building, and to utilize darker colors. Council approved.
24	County Health Insurance rates for 2007.	06/19/06	No action, committee gave the insurance brokers a list of issues they wanted discussed and the Administration and Finance Committee will meet again on 8/8/2006 at 9:30 AM

APPROVAL OF MINUTES:

Councilman Roy Collins moved to approve the following minutes as presented.
Motion was seconded by Neil Smith and passed unanimously.

June 19, 2006 Regular Council Meeting
June 27, 2006 Special Council Meeting

ADMINISTRATORS REPORT

- Mr. Guarino informed Council that there would be a Oconee Nuclear Exercise at the EOC Building at 8:00 AM on Tuesday, July 18, 2006 and encouraged Council members to attend
- Cateechee Project - Mr. Guarino gave an update on this project. We are looking at August to award the engineering contract and hope to have the project completed by December, 2007.

MOTION PERIOD AND NEW BUSINESS

>>Motion was made by Neil Smith and seconded by Roy Collins and unanimously passed to pull the Comprehensive Economic Development Strategy update which comes from ACOG from the Education, Recreation, Welfare and County Planning Committee and act on it tonight.

>> Motion was made by Neil Smith to approve the resolution which is approving the update as provided to Council by the Appalachian Council of Governments. Seconded by James London and unanimously passed.

>>Ben Trotter moved to add to the agenda an executive session item to add another appointment to the Planning Commission. Motion was seconded by Roy Collins and unanimously passed.

>>Motion was made by Ben Trotter and seconded by Neil Smith and unanimously passed to send Stormwater Ordinance back to Committee to resolve issues and questions.

>>Neil Smith moved to add to the agenda an executive session item to make an appointment to the Aeronautics Commission. Motion was seconded by Ben Trotter and unanimously passed.

>>Motion was made by Tom Ponder and seconded by Ben Trotter to refer to committee the content and letter to look at budget issue for Six Mile Fire District. Motion unanimously passed.

>>Motion was made by Tom Ponder and seconded by Roy Collins and unanimously passed to study all District lines of all Fire Districts.

>>Motion was made by Jim London and seconded by Roy Collins to send to committee the DSO to revisit the noise issue. Motion unanimously passed.

>>Jim London moved to add to the agenda an executive session item to make an appointment to the Mental Health Board. Motion was seconded by Tom Ponder and unanimously passed.

RECOGNITION OF RETIREES

Council recognized JoAnn Roper who retired from the Tax Assessor's office, Marsha Reeves who retired as the Registrar of Deeds and Janie Swords who retired from the Tax Assessor's office.

FIRST READING OF AN ORDINANCE TO RECOGNIZE OLD BRUNSWICK MILL AS A TEXTILE REHABILITATION PROJECT IN ORDER TO PROVIDE TAX CREDITS AS STATED BY STATE LAW

>>Motion was made by Roy Collins and seconded by Ben Trotter and unanimously passed that this constitutes first reading of an ordinance to recognize Old Brunswick Mill as a Textile Rehabilitation Project.

County Attorney, Ken Roper provided background that state law provides a property tax credit for someone who will rehab an abandoned textile mill. We are not required to say whether they should get the property tax credit or not. Council is only asked to vote on whether or not it was actually a textile mill at one time in the past and isn't any longer. That is what the local governing authority is required to do under the statute. Neil Smith asked about having an ordinance. Ken Roper noted that we would have to have an ordinance with a public hearing and everything. Jim London asked if the tax abatement would be picked up by the state. Ken Roper was not sure how that works but that the owner is eligible under state law for a tax credit for up to 8 years. It is not for all of the property taxes but for a portion of it. Neil Smith asked if there would be more information on this at the second reading. Ken Roper stated perhaps but this is all that he knew at this time.

CONSIDERATION OF A RESOLUTION TO APPROVE DECLARATION ON PROPERTY KNOWN AS EASLEY MUNICIPAL SOLID WASTE LANDFILL

>>Motion was made by Neil Smith and seconded by Tom Ponder and unanimously passed to approve the Resolution to approve declaration on property known as Easley Municipal Solid Waste Landfill.

County Attorney, Ken Roper noted for information that he had been contacted by Gerald Wilson with Solid Waste who stated that DHEC required us to place a restriction that would be filed with the public record on the purchase of that particular piece of property and that if 100 or 200 years from now someone would want to drill a well or build a house, this would be part of public record that it at one time had been a landfill.

CONSIDERATION TO APPROVE THE RENEWAL OF A DESIGNATED FACILITIES AGREEMENT WITH THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS (SCDOC) TO HOUSE STATE INMATES AT THE PRISON

>> Motion was made by Jim London and seconded by Roy Collins and unanimously passed to approve the facilities agreement with the South Carolina Department of Corrections.

Neil Smith asked if this was in line with the previous agreement that we had in the past and Lynn Fisher told him it was.

CONSIDERATION OF PROPOSAL FOR LANDSCAPING AT THE COMMERCE PARK

>>Motion was made by Neil Smith and seconded by Jim London to accept the proposal for landscaping at the Commerce Park. Motion carried with Neil Smith, Roy Collins, James London, Chairman Willis and Tom Ponder voting in favor, Ben Trotter voting in opposition.

Ralph Guarino noted that this item was one that Council had him to look at. This had come during the budget process last year. This is the Commerce Park on 123 trying to renew the contract out there. We have gone back and met with the person that the

committee recommended. We tried to work through some things to see if cost could be cut and after looking at it, a lot of the things cannot be cut out. A third of the cost is for mulch, for electrical, for water for the irrigation system. The total cost to the County is \$45,060.32 per year.

EXECUTIVE SESSION:

>>Motion was made by Neil Smith, seconded by Tom Ponder and unanimously passed to convene in executive session for the stated purposes.

- Appointments to Boards and Commissions
Planning Commission
Aeronautics Commission
Mental Health Board
- Personnel-Discuss Register of Deeds Director
- Economic Development; proposed projects
- Possible Property Purchase

PUBLIC SESSION RECONVENED:

Chairman Willis called the public session back to order and allowed the following motions.

- Appointments to the Planning Commission
Sherry Chapman- Chairman Willis made a motion that Ms. Chapman be reappointed for District 5. Motion passed with a unanimous vote.
Dewitt Stone - Dr. London made a motion that Mr. Stone be reappointed for District 1. Motion passed with a unanimous vote.
Hub Smith- Ben Trotter moved to reappoint Hub-Smith for @large. Motion passed with a unanimous vote.
- Appointment to Aeronautics Commission
Ray Tinkler- Neil Smith made a motion that Mr. Tinkler be appointed for District 4, motion passed with a unanimous vote.
Verone Peace- Tom Ponder made a motion that Mr. Peace be appointed for District 6. Motion passed with a unanimous vote.
- Appointment to Mental Health Board – No action.
- Personnel-Discuss Register of Deeds Director - No action.
- Economic Development; proposed projects Neil Smith made a motion and Chairman Willis seconded and unanimously passed that they approve \$25,000 for an option.
- Possible Property Purchase No. Action by Council

ADJOURN:

With there being no further business before the Pickens County Council, motion to adjourn was made by Neil Smith, seconded by Ben Trotter and unanimously passed. Council stood adjourned at 10:19 PM.

Respectively Submitted:

Approved:

Sheila Tinsley
Administrative Assistant

Jennifer H. Willis, Chairman