

**\*\*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.**

September 18, 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, September 13, 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: J. Chappell Hurst, County Administrator  
Lynn D. Fisher, Assistant County Administrator  
Ken Roper, County Attorney  
Donna Owen, Clerk to Council

**WELCOME AND CALL TO ORDER:**

Chairman Willis called the meeting of September 18, 2006 to order and welcomed those in attendance. Invocation was given by James London.

**APPROVAL OF MINUTES:**

September 5, 2006- Motion was made by Roy Collins, seconded by Tom Ponder and unanimously passed to approve the minutes of September 5, 2006 as presented.

**COMMITTEE REPORT:**

Administration and Finance Committee – Chairman Willis gave the following Report

Chairman Willis held a meeting of the Administration and Finance Committee to discuss the insurance rates for county employees. All committee and all council members were in attendance.

The committee met for one log item only.

Staff:  
J. Chappell Hurst, Administrator  
Donna Owen, Clerk  
Olivia Vassey, Research Analyst  
Jennifer Graham, Human Resource Director

Ralph Guarino, Administrative Services /Finance Director

Agenda log Item # 24. County Health Insurance.

The committee recommends looking at options of \$750, \$1500, and \$2500 deductibles and discussing said options with full Council.

>>Ben Trotter moved to postpone; seconded by Neil Smith.

>>During discussion Council members mentioned the fact that they had received a tremendous amount of information since last week and it was difficult to determine all of it. Councilman Trotter said he had mentioned before that he thought we should not make a final decision on the Insurance and further asked the opinion of the Administrator.

Mr. Hurst stated he thought there was a lot of new information as well and advised Council not to act at this particular meeting.

Councilman Smith stated he needed to fully comprehend the information especially as it pertains to the employee absorbing as much as 121% of the increase and paying much more out of pocket expenses. Mr. Smith concurred that the impact of the new rates should be looked at carefully and understood.

Dr. London mentioned that he did appreciate the brokers obtaining more information, and he thought they had done a good job.

Both Councilman London and Councilman Smith stated the claims are far exceeding the premiums and that employees are going to have to take responsibility for a comprehensive wellness program.

>>Motion was amended by the maker and the second to postpone for the 1<sup>st</sup> meeting in October, Motion passed with a unanimous vote. *Council agreed to hold a committee meeting on Tuesday, September 26<sup>th</sup> at 9:30 AM.*

**ADMINISTRATORS REPORT:**

Mr. Hurst included the following memorandums to Council for information and to inform them of areas of progress.

**1) Animal Control.**

I have met with Mr. Vance, and all of the county veterinarians in two separate meetings. I am proposing to you the following solutions to the Animal Control issues.

That the County address the problems based upon three criteria, adoption, collection and spay and neuter. First, the veterinarians support the Humane Society in their adoption efforts. However, certain changes need to be made. These would include a contractual arrangement with the Humane Society that would provide for some funding but in exchange for that funding extended hours of operation would be necessary, documentation of the number of animals accepted and adopted, a more customer friendly atmosphere and cooperation with other interested animal activists within the county.

I met with the Beautification Committee and they have expressed an interest in assisting the County to upgrade the landscaping for the facility which many residents have mentioned is needed. I further feel that the Building and Maintenance staff of the county need to paint the facility to enhance the cleanliness and appearance of the facility. I

specifically questioned the veterinarians if the location of this facility was a detriment to the adoption process and their reply was that they did not feel the location of our facility was a problem for county residents to locate. The veterinarians and Mr. Vance both have indicated that they feel that the spay/neuter program that is conducted in Spartanburg County could be utilized for a targeted spay/neuter program. Currently, two volunteers are transporting animals to this facility every two weeks. They appear to have the maximum number of animals that their vehicle will carry on each trip. I am inquiring to determine if these individuals will continue to transport animals for a low cost spay and neuter program if they were compensated in some way. I believe that a County voucher system of approximately \$55.00 per animal would be the best approach to enhance the spay and neuter program. The individuals that would qualify for this program would be screened as to income and assets to determine if they qualified. Once approved they would receive a voucher which would be turned in at the facility in Spartanburg and a bill would be forthcoming for payment. The voucher would match up to the application of the individual and payment would be made. The individual would have to pay approximately \$15.00 in addition to the voucher to receive this service.

## **2) Airport T- Hangars and Terminal.**

After meeting with the Airport Commission and Mr. Triplett, the County Consultant, I believe that the County should pursue the following in order to expedite the construction of both hangars and a terminal. First, I believe that the County should decide where the building would be located which in most cases has been in front of the current repair hangar where the gazebo is currently located. Mr. Triplett had offered to contract with the County for \$25,000.00 to determine the location and submit an artists' rendering. In my opinion the County should determine where the location of the building should be, the type of structure we desire such as a metal building with a brick front and how many square feet are needed to meet the requirements of the airport currently and with growth. In my discussions there is a floor plan that could be drawn that would result in approximately 2500 square feet of heated space. This would include offices, a pilot's lounge, restroom facilities, a conference room and a snack room. The county could entertain a proposal for design build, which would lessen the cost dramatically. The county currently has a grant for \$450,000.00, which must be spent by 2008. We have funding available in the budget of \$750,000.00, which I believe would be sufficient to build hangars. The hangars would be built parallel to the existing hangars and would consist of ten units. This project could be bid out simultaneously with the terminal to enhance the opportunity to save on construction cost. I am looking for direction as to whether or not you wish to proceed in this manner or go through the process of having the consultant handle this and expend \$25,000.00.

**>>Mr. Hurst requests that Council meet as a Committee of the whole at the Airport on Monday September 25<sup>th</sup> at 5:00 PM.**

## **3) EMS Collections.**

I met with Colleton Collection Agency which collects the fees for the ambulance service. The percentage of collections to billed is much lower than it should be. I have requested a full break out according to type of collection such as Medicare, Medicaid and private patient pay to determine which areas are deficient. In the meeting the agency stated that they were a billing agency and not a collection agency and that they were in the process of establishing a department to collect difficult accounts. The charge for the service currently provided is 9% of collections. I feel that with an aggressive effort the county could collect at least 150,000 to 200,000 additional funds each year. I am pursuing this as well as reviewing the charges by the ambulance service and will keep you updated on this issue.

## **4) Vehicle Maintenance and Inventory.**

In order to determine if a mechanic is meeting acceptable productivity levels it is necessary that work orders are completed using a Chilton manual to assign time for the procedures performed by the mechanic. This simply means that a specified time is given for replacement of parts. This is the procedure that most of us are familiar with when you go to an automobile dealership. A good mechanic can usually perform the procedures in a time slightly less than that assigned by the Chilton manual; therefore, at the end of the month his time billed will usually exceed the actual number of hours worked. This is a good indicator of how busy a mechanic is and how proficient he is. We will begin this process in the near future to improve the efficiency and generate reports that will show what each mechanic is doing.

I have also questioned the number of dollars of parts inventory that the county currently has on hand. We are also looking into the age of this inventory and a procedure to keep this inventory current. It is my belief that the County should standardize its vehicle purposes for two reasons. 1. The mechanic can become more familiar with that type of Vehicle and 2. the parts inventory could be lessened due to the fact that we would only need parts for one make versus several makes. I will be working with the staff to develop procedures to initiate this plan.

#### **5) Vehicle & Equipment Tracking.**

It is my understanding that Council appropriated funds to purchase tracking equipment in this budget year. We are currently investigating two types of tracking systems that I believe are appropriate for the intended uses. The first would involve the Sheriff's vehicles, EMS vehicles and Fire vehicles. This system would be a live system which would display the location and status of these vehicles at the 911 center. This is the system you currently see on most television programs and allows the dispatcher to route vehicles in the most efficient manner. The second system would provide for a tracker device to be placed on machinery and trucks and downloaded as often as the supervisor felt was necessary. The information on the vehicle would include speed, routes traveled, time at rest and miles traveled. This information is valuable in determining routes for Solid Waste, efficiency of drivers and driving habits. The devices can be easily switched between vehicles as they attach by a magnet and cost approximately \$300 each. This system is a very low cost way to track workers who have a great deal of freedom in their daily activities. I have used this system over the last 7 years with excellent results and highly recommend it. As I gather more information, I will update you on the progress of this project.

#### **6) Library Computer issues.**

The County Librarian has contacted me concerning a correspondence which she received from the State Library that indicates that the current arrangement that exists between the County and the Library for housing and operation of computers that were purchased with restricted funds violates the intended use of these funds. From my own experience I believe that the library should be responsible for the operation of its computer system and should house these computers. Currently there is a duplication of efforts of county staff and library staff as it relates to the maintenance of these machines. The county has installed two lines to these machines which would have to be moved to a new location at the different libraries. This will involve an expenditure of several thousand dollars. The machines will also have to be reprogrammed to accommodate the needs of the library. I plan to move forward to work with the library and their staff to relocate these machines as soon as possible. County staff will work with library staff and the State Library to make this transition go smoothly and to save as much money as possible.

I further have found other areas of duplication as it relates to the bookkeeping of the library and county operations. It appears that the library has staff that is dedicated to both Human Resources and Accounting and that the County staff is doing the same

functions in a redundant manner. I believe this resulted from a reorganization that occurred around 1992 and was probably not anticipated. I do not believe that we should address this issue at this time but I do want to make you aware of it as this issue should be addressed when we begin discussions of the budget.

#### **MOTION PERIOD AND NEW BUSINESS:**

- 1. Development Standard Ordinance.** Ben Trotter stated council was recently the recipient of an email stating the Planning Commission was requesting amendments to the DSO. Mr. Trotter stated he believed Council has asked for a complete look at the entire document and think many amendments would be confusing.

Councilmen Smith and Ponder both stated this has been going on a long time, and further stated Council has sent issues that have not yet come forth; Mr. Smith gave an example of the sign ordinance.

James London stated the DSO is a living document and will be amended frequently. Dr. London also made mention that many delays were due to the vacancy of the director.

- 2. Maple Creek Estates.** Councilman Smith stated he has spoken with the Liberty Postmaster and they will delay moving the mailboxes at Maple Creek. Mr. Smith asked if this was in current committee; Mr. Hurst stated it was and was already receiving staff attention.

Chairman Willis also noted she has spoken with authorities regarding the mailboxes.

- 3. Shooting Range Road.** Neil Smith moved to place in the Public Service Committee the issue of maintenance at Shooting Range Road. Motion was seconded by Ben Trotter and unanimously passed.

- 4. Credit Union Options.** Neil Smith moved to place in the Administration and Finance Committee making available to county employees all credit union options. Mr. Smith noted employees are only aware of the State Employees Credit Union and there are also two other credit unions. Also noted was making this information available at no cost to the County or employees. Motion received a second from Ben Trotter and unanimously passed.

- 5. Uniformity in regarding Fire District Fees.** Roy Collins moved to place in the Administration and Finance Committee the study of fire fees, especially the uniformity of fees and cost pertaining to all fire districts.

James London stated a need to be careful about the appearance of taking too much control with the districts. James London also noted it was already in committee concerning the district lines.

Neil Smith stated the districts are extremely diverse and each one has to be viewed as such. Also Mr. Smith questioned if Administration and Finance was the appropriate committee. Tom Ponder stated he has the district lines and by-laws in Justice and Public Safety.

Councilman Collins stated he wants the emphasis of this study to be more about finance / fees. Neil Smith gave a second to the motion.

Affirmative votes were cast from Roy Collins, Neil Smith, Tom Ponder, Chairman Willis and Ben Trotter. James London opposed. Motion carried.

6. **Beautification Committee.** James London moved to add to the executive session an appointment to the Beautification Committee. Motion was seconded by Tom Ponder and unanimously passed.

**APPROVAL OF RESOLUTION NO. 06-08, APPRECIATION FOR FIRST RESPONDERS:**

>>Motion was made by Neil Smith, seconded by Ben Trotter and unanimously passed to approve Resolution No. 06-08.

**FIRST READING OF AN ORDINANCE TO AMEND ORDINANCE NO. 129, KNOWN AS THE FLOOD DAMAGE PREVENTION AND PROTECTION ORDINANCE. TO AMEND AS IT RELATES TO DEFINITIONS IN ARTICLE 5. ( CHAPTER 24-35 IN THE CODE OF ORDINANCES)**

>>Motion was made by Neil Smith, seconded by Roy Collins and unanimously passed this constitutes a first reading of stated ordinance regarding amendment to the flood damage prevention ordinance.

**THIRD READING AND PUBLIC HEARING OF ORDINANCE NO. 381, TO AMEND SECTIONS IN THE PICKENS COUNTY CODE CHAPTER 22, TITLED FIRE PREVENTION AND PROTECTION; TO PROVIDE THAT SECTION 22-56; 22-86; 22-116; 22-146; 22-176; 22-206; 22-236; 22-266; 22-316; 22-346 AMENDED TO MANDATE AN ADVISORY ELECTION FOR CHANGING A FEE BASED STRUCTURE TO A MILLAGE RATE:**

Public Hearing:

Chairman Willis opened the floor for any one wishing to speak regarding Ordinance No. 381.

1. **Joann Gessell, Chairman of the Six Mile Fire District.**

Ms. Gessell stated she was opposed to the ordinance and further stated she was disappointed in the lack of communication regarding Council and all the fire districts. She stated she thought all fire districts should have input.

2. **Sarah Rampey, citizen in the Six Mile Fire District.**

Ms. Rampey has discussed in the past that she is opposed to a millage based fire district and supports the ordinance to vote but is very opposed to the language used in the advertisement. She stated she even went to the library to look up the work "valorem" and could not find it in the dictionary. Ms. Rampey said she feared citizens would vote on something they were confused about.

3. **Junius Smith, citizen in the Six Mile Fire District.**

Mr. Smith stated the numbers of delinquent tax notices were doubled from last year. (Chairman Willis cautioned Mr. Smith to stay within the subject of Ordinance 381) Mr. Smith stated his point was fire millage on the citizens in Six Mile would be a mistake and citizens were obviously taxed enough.

4. **EP Stillwell, Member of the Six Mile Fire.**

Mr. Stillwell stated he hoped Council would allow the fire district to move forward with plans. Mr. Stillwell said it was only fair for the citizens in the north and western parts of the district.

With no other citizens speaking on the subject, Chairman Willis closed the Public Hearing and heard the following motion.

>>Motion was made by Ben Trotter, seconded by Tom Ponder that this constitutes a third and final reading of Ordinance No. 381.

Discussion:

Tom Ponder informed Ms. Gessell that he had tried several times to obtain input from fire districts on the by-laws issue and stated he had even sent out letters to each Chairman, to date he has received 4 responses.

Neil Smith stated he had received numerous complaints about the "language" of what was going to show on the ballot.

Ken Roper, county attorney stated he had to choose the language because of the time frame for placing a legal notice in the newspaper prior to the general election, and he went with the safest language in order to cover all bases, he stated he did realize legal/government terms could be confusing.

Neil Smith asked Mr. Roper who instructed him on moving toward the November election.

Mr. Roper stated he received his instruction from the County Administrator and received instruction regarding legal notice time frame from the Elections Director. Mr. Roper also stated it was his understanding that Council wanted the election to happen during the general election for a better voter turnout. Mr. Roper also clarified that ideally Council would choose the language to go on the ballot, but again timing was the issue.

Chairman Willis stated she also had a huge problem with the language and she would anticipate that citizens could vote the opposite of what they think they're voting for.

Ben Trotter stated the only issue he had was to make the ordinance binding so when the people of a certain district vote, then the vote stands.

Neil Smith stated he is in favor of the ordinance but with dissatisfaction over the language, he does not want citizens confused. Mr. Smith also stated the whole point of this amendment was so Council was not put in the position of making the decisions of running individual districts. Mr. Smith stated he has gathered from the public hearing that both sides feel confused and rushed.

Ken Roper stated if you did not have third reading this evening you would not be able to have the election in November.

>>Motion was made by Neil Smith to amend the motion and to postpone Third Reading of Ordinance No. 381 for more information. Tom Ponder stated he would second for discussion.

Ken Roper stated that council could postpone to a time certain, or perhaps commit; however if the issue is to not have this ordinance ready for a November election the process of postponing will do that. Mr. Smith stated the ordinance needs attention

and he would state an appropriate committee would be proper and postponing for further information would favor a committee.

Neil Smith stated again, he just feels like neither side is happy, and he does not want citizens to vote on an issue they don't understand. Mr. Smith stated he was in favor of districts having a referendum, but does not want this to be rushed. Also he would provide further amendments to the ordinance, and further gave the example of timing and making it binding.

James London asked if Council could at this point clarify the language issue. Also asked if this is postponed when will the districts vote.

Ken Roper stated at this point no, due to the law requiring two notices so many days before the election which must state the exact wording which will be used. And at this time we don't have time to meet that deadline. Mr. Roper provided that it was not specific in the ordinance for a time for said elections.

Roy Collins asked if Council could amend the ordinance tonight and make it binding, if so could they still have the election in November.

Ken Roper stated no to the November part, because the advertising and wording had already used the phrase "advisory election".

Chairman Willis asked the Chairman of the Fire District if they had further input.

Mr. Stillwell spoke on behalf of the Six Mile Fire District. Mr. Stillwell stated the language had already been changed from the first news notice to the second. However personally he thought the election should be during a general election.

Ken Roper stated the only change was the word "ALL" and that was due to many citizens calling. Thus it was decided by deleting the word would make the statement more clear.

Chairman Willis asked for any further discussion.

James London stated he would advise that all fire district chairs be notified when we discuss this ordinance prior to third reading. Neil Smith concurred and stated obviously this needed further study.

>>Chairman Willis called for the vote to postpone for further information the third reading of Ordinance No. 381. Neil Smith, Roy Collins, James London and Chairman Willis voted in the affirmative. Ben Trotter and Tom Ponder opposed. Motion carried and will be placed in the appropriate committee.

#### **REQUEST FOR A LONG TERM LEASE AT MILE CREEK PARK:**

Motion was made by Neil Smith to request a 25 year lease from Duke Power for Mile Creek. Mr. Smith stated he read an article regarding Duke Energy is looking at all their investments and he wants to protect the lake access thus this is a good time to talk with Duke regarding this issue. Motion was seconded by Ben Trotter and unanimously passed.



**EXECUTIVE SESSION:**

>>Motion was made by Tom Ponder, seconded by James London and unanimously passed to convene in executive session for the stated purpose.

- Appointments to Boards and Commissions  
*Vineyards Fire District.*  
*Beautification Committee.*

**PUBLIC SESSION RECONVENED:**

Chairman Willis called the meeting back to order and heard the following motions.

Vineyards Fire District – Motion was made by Ben Trotter and unanimously passed to appoint Mr. Chuck Schultz to the Vineyards Fire District.

Beautification Committee – Motion was made by James London and unanimously passed to re-appoint Gina McClellan to the Beautification Committee.

**ADJOURN:**

With no further business before Council, motion to adjourn was made by Roy Collins, seconded by Tom Ponder and unanimously passed. Pickens County Council stood adjourned at 8:00 PM