

****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.**

October 2, 2006
Regular Meeting
7:00 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 27, 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 10/02/06 to order and welcomed those in attendance. Roy Collins gave the invocation.

APPROVAL OF MINUTES

Motion was made by Roy Collins, seconded by Neil Smith and unanimously passed to approve the minutes of 9/18/06.

PUBLIC FORUM:

Chairman Willis opened the floor for public forum. With no one desiring to speak, public forum was closed.

COMMITTEE REPORTS:

- **COMMITTEE OF THE WHOLE**

Chairman Willis presided over a meeting of the Committee of the Whole and all Council members were in attendance.

Staff:
Chappell Hurst, County Administrator
Lynn Fisher, Assistant Administrator
Donna Owen, Clerk to Council
Steve Grant, Purchasing Director
Skeets Cooper, Airport Manager

Also in attendance were several members of the Aeronautics Commission.
Pickens County Airport Plans:

Council was given a presentation by Mr. Cooper, and provided with a booklet entitled *The Economic Impact of Pickens County Airport.*
Council was updated regarding the AWOS system and the future for a terminal as well as request and plans for T-Hangars.

The County Administrator provided the available funding sources. Mr. Hurst stated a total of \$750,000 with \$450,000 federal funds which have to be spent this year. Other funding is available for airport projects.

>>Committee recommends that staff go out for Request for Proposals (RFP) for a design build terminal building at the airport.

During the Council discussion Neil Smith asked for clarification of the recommendation; Mr. Hurst stated the Request for Proposal would be to give details as to what type and size building you are looking for, type of Heating/Air, type of flooring and other specifications, then the builders will come back with a design and price for the stated project. Mr. Hurst stated at that time you can rearrange things if need be. Mr. Hurst stated he liked to do an RFP like that in order to obtain the best price.

Roy Collins stated he had received a document from WK Dickson and he wanted to make sure they were a part of this project, as he thought they had much knowledge concerning airports.

Mr. Hurst informed Council he would take WK Dickson's proposal into consideration; as well as providing Council with specifications and a master/long range plan.

>>Neil Smith stated he would amend to state that specifications, master and long range plans for the airport will come back to council for input and approval. Recommendation as amended passed with a unanimous vote.

• **ADMINISTRATION AND FINANCE**

Chairman Willis presided over a called committee meeting in the Main Conference Room, Tuesday, September 26th, 2006 at 9:30 AM. All Committee members were in attendance as well as council members Ben Trotter and Tom Ponder.

Staff:
Chappell Hurst, County Administrator
Donna Owen, Clerk to Council
Olivia Vassey, Research Analyst
Jennifer Graham, Human Resources
Ralph Guarino, Finance and Administrative Services Director

Insurance representatives- Benefit Management Group

Item	Description	Referred	Report	Action
24	County Health Insurance rates for 2007.	06/19/06	09/18/06	<p>Employee deductible options:</p> <p>Committee recommends the \$750.00 buy up plan; \$1500.00 (to equal 2006 \$750.00 plan) and a \$2500.00 (Neil Smith abstained from the vote)</p> <p>>>Motion passed as amended. See below</p> <p>Committee also recommends contracting for a nurse practitioner and accepting the offer from Benefit Management Group of \$20,000 to use toward a county wellness program.</p> <p>>> Council unanimously passed.</p> <p>During the Council discussion Ben Trotter stated he would like to see this process begin sooner next year and he would like to go out for bid. Also Mr. Trotter stated he thought the nurse was a good idea but had some concerns regarding location for all employees and confidentiality.</p> <p>Tom Ponder also stated he would like to see more detail such as spreadsheets and other factors when information on health insurance is gathered.</p> <p>Neil Smith stated this is the beginning of a process, because the claims for county employees far exceed what the premiums are. Mr. Smith further stated he was an advocate of the wellness plan and that employees were going to have to take responsibility for claims. Mr. Smith also addressed the confidentiality of the nurses would be the responsibility of the hospital and stated that employee would fall under all the HIPPA laws.</p> <p>James London stated the claims are large, and the current plan is still a better plan than employees had before.</p> <p>>>Neil Smith moved to amend the motion that all new employees would have to have a primary physician and all other employees would be allowed 6 months to get primary physician information to Human Resources. Amendment carried with a unanimous vote.</p>

- **EDUCATION, RECREATION, HEALTH, WELFARE AND COUNTY PLANNING**

James London presided over a meeting of the Education, Recreation, Health Welfare and County Planning Committee on Wednesday September 27th, at 9:30 AM. All Committee members were present as well as Councilman Ben Trotter.

Staff:

Chappell Hurst, County Administrator
 Lynn Fisher, Assistant County Administrator
 Olivia Vassey, Research Analyst
 Chris Brink, Community Development Director

Item	Description	Referred	REPORT
1	<p>Extending the Cable Franchise Agreement between Pickens County and Intermedia</p> <p>Retain on log 1/8/01 1/3/05</p> <p><u>referred back to committee</u> <u>01/17/06</u></p>	7/24/00	<p>Discussion only: Staff provided committee with new information as it relates to the State and its handling of all franchise permits</p> <p>>>Council requested via motion from Neil Smith and seconded by Ben Trotter; if current franchise agreements are going with the State, then the County will no longer extend agreements. Motion included a 60 day notice.</p>
2	<p>Development of Warpath Landing</p> <p><u>referred back to committee</u> <u>01/17/06</u></p>	01/18/05	<p>Discussion only: Committee request staff to have Duke Energy to come back with plans so Council can provide input.</p> <p>During discussion James London stated the Council has yet to approve a final plan. Neil Smith stated the leverage with this development is with FERK and Mr. Smith stated Duke Energy needs to provide input as he has not heard anything that prevents the county from negotiation regarding access and plan input.</p> <p>No action.</p>
3	<p>Study policy for dealing with abandoned/unsightly mobile homes</p> <p><u>referred back to committee</u> <u>01/17/06</u></p>	01/18/05	<p>Discussion only: Staff will continue looking at options and ideas for disposing of abandoned mobile homes.</p>
4	<p>Amend Ordinance no. 304, the Development Standards Ordinance dated March 4, 2002, as it relates to section 8.4.1 – permanent freestanding business identification (on-premise) signs.</p> <p>First reading 03/07/05</p> <p><u>referred back to committee</u> <u>01/17/06</u></p>	03/07/05	<p>Committee recommends amendment based on staff and planning commission recommendation; #1. <u>See attached.</u></p> <p>During discussion regarding planning issues and issues with the Development Standards Ordinance Council moved to pull this item from this log and move to the Committee of the Whole.</p>
7	<p>Waterlines within developments regarding fire hydrates</p> <p><u>Referred back to committee</u> <u>01/17/06</u></p>	11/07/05	<p>Discussion only: Staff updated the committee regarding that GIS has mapped the hydrants and determined flows; DHEC requires 6in water-main for a hydrant but not lines that branch out.</p> <p>Staff will continue to monitor and improve this situation.</p>

8	<p>Planning Commission proposal regarding Road Projects in Pickens County</p> <p><u>Referred back to committee 01/17/06</u></p>	11/21/05	<p>Discussion only;</p> <p>Committee discussed all the transportation boards and the different roles and representation. Staff is going to work with the committees and also determine specific projects that council wants to pursue.</p>
9	Issues regarding Highway 123	02/21/06	No action.
10	Crowe Creek landing as it relates to recent issue of vandalism	03/20/06	<p>Committee request removal from the agenda log, staff has taken care of this issue.</p> <p>>>Council approved</p>
12	Request from the Department of Health and Environmental Control to seek alternatives for prenatal care in Pickens County.	03/20/06	<p>Committee heard the issues which basically stated that Palmetto Health has taken over the prenatal health; but does the county want to continue to pay the electricity payment which is about \$5,600 – \$5,700 per year.</p> <p>Committee recommends that Mr. Guarino request that Palmetto Health pay the bill if resources are available.</p> <p>>>Administration advised that this item could be removed as it has already been solved. Council Approved.</p>
13	Issue of Lake Front building height restrictions.	05/15/06	No action or discussion
14	Proposed Changes to the DSO as it relates to Building Set back requirements	06/05/06	<p>Committee heard from the new Community Development Director who requested that he be allowed to take this issue to the planning commission in order for him to make some recommendations to them.</p> <p>Committee concurred and requested this issue be sent to the Planning Commission. Committee requested this be sent back to Council for the second meeting in October.</p> <p>>Council requested this be moved to a Committee of the Whole, James London opposed. Item was removed for further study of the DSO.</p>
15	Proposed study of the DSO as it relates to noise.	07/17/06	No action or discussion.

16	Study issues with the Stormwater ordinance	07/17/06	No action, staff will continue to review methods and follow DHEC guidelines.
17	Proposed issues with the DSO as it relates to industrial building in residential areas. Example: the mulch yard in crosswell and the concrete plant in Six-Mile	08/21/06	No action or discussion

RECOGNITION OF RETIREES – JOAN BOWEN AND ARCHIE WILLOUGHBY:

Chairman Willis recognized the retirees and presented Mr. Willoughby with a certificate. Ms. Bowen was not in attendance.

ADMINISTRATORS REPORT:

Mr. Hurst provided the following memorandums to Council:

- **Update on changes to issuance of Driveway Encroachment Permits:**

I have included for your review the application process for a driveway permit. We have changed this procedure recently because several developers or individuals have installed driveways without seeking a permit from the Roads and Bridges Department. Several issues arise when this happens. The first involves the size of the pipe that was installed. If the driveway culvert is too small and the concrete has already been poured on it, there is a considerable expense involved in removing the pipe and in most cases the owner of the property denies any knowledge of having to get a permit from Roads and Bridges. We are now requiring that these encroachment permits be addressed at the time of application for a building permit. By allowing the Building Codes staff to accept payment this will allow a one-stop shop for this process versus referring these individuals to the Roads and Bridges Department, as has been the custom in the past. We will also require those individuals who state that they will install their driveway themselves to sign a driveway encroachment permit application at the time of issuance of the Building Permit. A copy of this application will be referred to Roads and Bridges as well as the Building Inspectors so that this process can be followed by all departments that are involved. This will allow collection of monies by one department and follow up on installation by both Building Inspectors and Roads and Bridges and we believe will expedite the entire process by allowing all of this to take place with one trip to the Building Codes Department.

>>Council stated they would move for addition to the agenda.

- **Trash Collection on State Highways:**

We have been in contact with representatives of the South Carolina Department of Transportation to discuss funding for trash collection on SCDOT Highways. We received a very favorable response and the request is being channeled to the appropriate authorities for approval. We anticipate a reply to our request at any time.

- **Central Railroad Bridge:**

The low bid submitted on September 28, 2006 at 2:00 p.m. was from Myles Construction for \$1.769 million dollars. The county currently has \$2,230,527 dollars available to fund this project. This includes \$1 million dollars from the CTC, \$1,030,527 from the SCDOT and \$200,000 from the Omnibus 2005 appropriation. These numbers have been confirmed by an email from Chris Jordan, Project Manager at SCDOT as well as the other funding sources.

>>Council stated they would move for addition to the agenda.

MOTION PERIOD AND NEW BUSINESS:

- **Driveway permits.** Neil Smith moved to add to the agenda the issue of driveway permits. Motion was seconded by Tom Ponder and unanimously passed. Item will be discussed at the end of agenda.
- **Bids regarding the Central Bridge.** Motion was made by Neil Smith, seconded by Roy Collins and unanimously passed to add bids for the Central Bridge to the agenda. Item will be discussed at the end of the agenda.
- **Folding of the Flag.** Ben Trotter stated he had mentioned this issue before, but the County was in desperate need to train the maintenance personnel and the inmate labor for proper etiquette of flag folding. Mr. Hurst stated he would take care of that.

PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA (THE COUNTY) AND SAINT JUDE (THE COMPANY); AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE COUNTY TO THE COMPANY; AND OTHER MATTERS RELATING THERETO:

Chairman Willis opened the Public Hearing; with no one requesting to speak, Public Hearing was closed and the motion followed.

>>Motion was made by Neil Smith, seconded by Roy Collins and unanimously passed that this constitutes second reading of the stated ordinance.

SECOND READING OF AN ORDINANCE TO AMEND ORDINANCE NO. 129, KNOWN AS THE FLOOD DAMAGE PREVENTION AND PROTECTION ORDINANCE. TO AMEND ONLY 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 that this constitutes second reading of the stated ordinance.

CONSIDERATION OF RESOLUTION NO. 06-09 TO STATE THAT PICKENS COUNTY WILL REFRAIN FROM DOING BUSINESS WITH ORGANIZATIONS THAT KNOWINGLY EMPLOY ILLEGAL IMMIGRANTS:

>>Motion was made by Neil Smith, seconded by Ben Trotter and unanimously passed to approve Resolution No. 06-09.

DRIVE-WAY TIE INS:

During discussion, Councilman Trotter stated he had never been comfortable with the charge of \$450.00 for this service; he stated he thought the County should provide this service and further thought the county would then know the work was done properly. Mr. Trotter stated he thought the county could also afford to provide this service for the citizens.

>>Neil Smith moved to charge a fee of \$250.00 for the service and waive fee if the owner is the primary owner. Motion was seconded by Roy Collins.

During discussion of this motion Roy Collins stated he would favor the owner paying a fee for additional work, but stated the county used to provide this for all driveways and it

was done to the correct specifications. Also Council discussed the issue of developers versus private home owners.

Also Council asked the Attorney if this was an ordinance. Staff originally thought the fees were attached to a budget ordinance, but clarified that the fees were simply listed within the budget and fees can be adopted per resolution. To the knowledge of staff the fees for driveway tie-ins have never been established with an ordinance.

>>Neil Smith and Roy Collins amended the motion to state the County will install free of charge (1) time and additional pipe will cost \$250.00. Motion was clarified that specialty projects will be done at cost and this is of course only on county roads. Motion was passed with a unanimous vote.

CENTRAL BRIDGE BIDS:

>>Motion was made by Neil Smith, seconded by Roy Collins to accept the low bid from Myles Construction for the Central Bridge; motion is contingent upon C Fund commitments. All Council voted in favor, with the exception of Ben Trotter who opposed. Motion carried.

EXECUTIVE SESSION:

- **Personnel issue**

>>Motion was made by Neil Smith, seconded by Ben Trotter and unanimously passed to convene in executive session for the stated purpose.

PUBLIC SESSION RECONVENED:

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

ADJOURN:

With there being no further business of the Pickens County Council, motion to adjourn was made James London, seconded by Roy Collins and unanimously passed. Council stood adjourned at 9:20 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

Jennifer H. Willis, Chairman