

June 16, 2008
Regular Council Meeting
6:00 PM

County Council met in regular session, in the auditorium, County Administration Facility, with Chairman G. Neil Smith presiding. Agendas, bearing date, time, and location of meeting, were mailed to Council members and local news media, June 12, 2008.

Council Members in attendance:

G. Neil Smith, Chairman
Ben L. Trotter, Vice Chairman
Tom E. Ponder, Vice Chairman Pro-Tempore
Randy Crenshaw
James B. London
Jennifer H. Willis

Staff: J. Chappell Hurst, County Administrator
Lynn Fisher, Assistant County Administrator
Ken Roper, County Attorney
Donna Owen, Clerk to Council
Olivia Vassey, Special Projects Coordinator

Welcome and Call to Order:

Chairman Smith called the meeting of June 16, 2008 to order and welcomed those in attendance. The Invocation and Pledge of Allegiance was lead by Councilman Trotter.

Approval of Minutes -

Tom Ponder moved to approve the minutes; motion was seconded by Randy Crenshaw. Jennifer Willis asked that the word "contingents" be revised to state "contingencies" on page 5.

The minutes of June 2, 2008 were unanimously approved as amended.

Administrator's Report:

Mr. Hurst reported on the following issues:

1. Facility operations of Roper and Cateechee are open and fully operational. Staff is recalculating the capacity for these facilities to be more accurate when developers ask for capacity. For example, when a developer needs capacity, the county needs to be able to adjust it back in the event the developers over calculate.
2. Newsletter going out on July 8th, 2008. Mr. Hurst stated this newsletter has a vast amount of information as it relates to all projects that are complete and ongoing in Pickens County. Mr. Hurst stated the citizens will really enjoy this information.

Council Questions:

James London asked about sewer permit fees, Mr. Hurst stated the tap fees are being collected.

Ben Trotter asked Mr. Hurst about the status of (2) issues.

1. The Highway 123 Study. Mr. Hurst reported that DOT has just responded to a Freedom of Information request, and the study should move forward now that this information has been released.
2. Grant Coordinator and Planning position. Mr. Hurst stated the position of Grants coordinator was advertised, but he thought current staff was doing an excellent job with coordinating grant work, and he has not filled that as an added position. Also Mr. Hurst stated the salary of \$25,000 is not attractive to many applicants. Mr. Hurst did state that the planner has just been hired and should be here within a few weeks.

Mr. Trotter stated he thought the salary for the grant coordinator could be negotiated by the County Administrator. Mr. Hurst stated he did not realize that, but still thought the position was not needed under the current circumstances, but he would check into the salary negotiation issue.

Council Correspondence:

Summer Schedule: Chairman Smith stated he has placed a summer schedule on the agenda and reported if a special meeting was needed, then council could call a meeting. However, Mr. Smith thought with holidays and summer events, it would be best to have one meeting per month through the summer. Mr. Smith also informed the public that the meeting would all be considered a public forum meeting.

>July – 21

>August- 18

>September-15

Council concurred with the schedule.

Big League World Series: Jennifer Willis informed Council that the Cliffs community had recently said they were making a significant contribution to go along with the contribution that Council made during the last meeting for the Big League World Series. Mrs. Willis informed the public that an announcement would be forthcoming. Mrs. Willis took the opportunity to thank fellow Council members for their support.

Motion Period and New Business:

1. Ken Roper asked that Council consider a resolution being added to the agenda for the purpose of calling a public hearing to amend the ordinance for moving the Central and Six Mile Fire District lines. Mr. Roper stated the ordinance would have a public hearing on July 21, 2008.
 - Motion was made by Jennifer Willis and seconded by Randy Crenshaw to add a resolution for a public hearing to amend the fire district lines, to the agenda. Council unanimously approved.
2. Chairman Smith stated that Representative Rex Rice had informed him of a new law that allows the County to pass an ordinance to allow a business such as the Vineyard on Highway 11 to open on Sunday for wine tasting. Mr. Smith said the County only has one vineyard at this time, but such an ordinance would allow a business of this type to open on Sunday.
 - Motion was made by Jennifer Willis and seconded by James London that this constitutes a first reading of an ordinance to allow a vineyard to open to the public on Sunday for wine tasting. All council voted in favor with the exception of Ben Trotter who opposed.

...Ordinance will go to a committee due to Mr. Trotter standing in opposition.
(sent to the Education, Recreation, Health Welfare and County Planning)

3. Randy Crenshaw moved to add to the executive session an appointment to the Library Board of Directors. Tom Ponder seconded the motion and all council voted in the affirmative.
4. Ben Trotter requested to add a personnel issue to executive session. Tom Ponder seconded the motion and all Council voted in the affirmative.
5. Chairman Smith moved to add to executive session a personnel issue. Tom Ponder seconded the motion. Chairman Smith gave a brief statement for the public as it related to his motion. Mr. Smith stated he had recently been accused of issues involving elections. Mr. Smith stated he had always been a supporter of the election process and further gave council a copy of 1985 minutes where he aided in the set up of the elections department along with a motion to fund and hire a full time Elections Director. Chairman Smith stated he was appalled when he was told he may be investigated by the Department of Justice for trying to interfere with an election. Mr. Smith stated he had actually informed the Director of Elections, as well as the former Chairman of Elections regarding actions such as appointed officials who were openly campaigning. Also, the fact that he personally was harassed at a voting precinct. Yet, these issues never were considered serious. Mr. Smith stated this indicates to him that issues are arising from a purely political nature. Mr. Smith stated he was asking for this executive session to further brief Council and to perhaps request an investigation, but most of all to ensure the protection of the election process.

>>>All members voted in favor, and motion passed unanimously.

Hearing no further new business, Chairman Smith closed the Motion Period.

Approval of bids for the Terminal Building, Pickens County Airport.

Motion was made by Tom Ponder, seconded by Randy Crenshaw and unanimously passed to approve the low bid to J. Davis Construction. Mr. Smith stated this packet would go to the FAA for final approval for all stated requirements.

City of Easley-Little League World Series Report.

Mr. Fox Simons with the City of Easley came before Council and requested support for the City of Easley to submit a Request for Proposal (RFP) to Little League International to relocate their main headquarters to Easley South Carolina. Mr. Simons stated the City already has the land required. However, Mr. Simons stated the City is going to need the assistance of the County and the State in order for this to be a successful project. Mr. Simons also said the City is not currently asking for financial assistance, but would like to request the support of the County for this project.

Chairman Smith and Council all concurred this would be a huge tourist attraction, and would very much like to promote the Little League headquarters location being in Pickens County.

- Motion was made by Jennifer Willis to support the City of Easley with a letter of intent from the Council. Also Mrs. Willis included that Council should be prepared

to assist now and in the future with the City of Easley in order for this project to be successful. Mrs. Willis stated it is this type of project that fits exactly what Pickens County is promoting as it relates to tourism. Tom Ponder seconded the motion. Motion carried with a unanimous vote.

Third Reading of Ordinance No. 400, FY Budget Ordinance FY/ 2008/09:

- Motion was made by Ben Trotter and seconded by Tom Ponder that this constitutes a third and final reading of Ordinance No. 400, FY Budget 2008/09.

Chairman Smith called for any amendments.

Amendments:

Amendment 1. --Motion was made by Ben Trotter to delete Magistrate Building \$1,500,000.00 and to add \$1,000,000.00 to Road Paving, \$250,000 to Economic Development, and \$100,000.00 for a position of a Fire Chief. Motion was seconded by Jennifer Willis.

During Discussion Mrs. Willis said she could not support a consolidation of the magistrates in one building until an effort was made for automated filing in the magistrate's offices. Mrs. Willis stated the software was going to be free to Pickens County but the Chief Justice did not want to do this project. Mrs. Willis hopes the magistrates will persuade the Chief Justice to reconsider this on-line filing process.

Tom Ponder stated he had some concerns over the position of fire chief, and who would be coordinating the fire issues. Mr. Ponder stated he thought it should be titled a coordinator and not chief.

Chairman Smith stated it was appropriate to vote on the motion as it relates to the actual funding of this position; however responsibilities and job descriptions could be looked at later.

>>All Council members voted in favor of amendment no. 1.

Amendment 2 – Motion was made by Ben Trotter and seconded by Tom Ponder to allow the increase in starting salary for the deputies, dispatchers, and detention officers. This amount is approximately \$220,000.00, but will not be effective until January 1, 2009, bringing the total for the budget year to \$111,964.00

>>James London amended the amendment to not include the detention officers at this time, and to allow them to do the compensation study. Motion failed for lack of a second.

>>Amendment Number 2 passed with all members voting in favor with the exception of James London who opposed.

Amendment 3 – Motion was made by Ben Trotter and seconded by Jennifer Willis to purchase one pipe cleaner for the Department of Roads and Bridges. This would be approximately \$55,000.00 which comes from capital funds.

>>Amendment was unanimously passed.

Amendment 4 – Motion was made by Ben Trotter and seconded by Tom Ponder to remove \$17,000 from the Pickens Fire Department. Mr. Trotter stated that his motion is due to the fact that they are under contract and they already collect 95% of the funds.

During discussions, Chairman Smith stated the \$17,000 is only a contingency and if the district needed to spend it, they would have to come back before Council.

>>Ben Trotter withdrew the amendment.

Amendment 5- James London moved to add the request from the Public Defenders office for the additional \$45,000. Motion was seconded by Tom Ponder. Council discussed that this would expedite the process to provide better service for moving cases. Chairman Smith also stated he would like this tracked in order to show the effectiveness.

>>Amendment was approved by unanimous vote.

Amendment 6 – James London moved to add the \$150,000 for the Bio-Diesel project. Dr. London stated he wanted to provide the funds but he wanted to make sure of the long term contracts for oil, and for the county to do a good feasibility study. Jennifer Willis seconded the motion.

Tom Ponder stated he was also in favor of this project and agreed we need to be ready to move forward with this project. But agreed we understand the cost analysis and be sure about our oil resources.

>>Amendment carried with a unanimous vote.

Amendment 7 – Randy Crenshaw moved to move \$750.00 from the Hagood Mauldin house to the Norris festival. Motion was seconded by Jennifer Willis.

>>Amendment was unanimously passed

Amendment 8- Jennifer Willis moved for funding a detective in the Sheriffs office for the purpose of solving issues as it relates to gangs forming in the schools and gang violence. Mrs. Willis said she is making this motion with the expectation of this person being extremely visible in the schools, newspapers, and communities. Randy Crenshaw seconded the motion.

>>>Ben Trotter moved to amend the motion to mandate that the successful candidate be bilingual. Tom Ponder seconded the amended amendment.

During discussions council members London and Crenshaw said they did not want the first priority for this position to be the bilingual issue because the first priority should be an expert relating to gang activity. Mr. Trotter stated with the focus on certain communities, that the expert probably already knows the culture and should be bilingual. Mrs. Willis stated she realized the need for bilingual personnel and would encourage the sheriff to hire someone who is bilingual but not necessarily tie it to this particular position. Mrs. Willis said she would even go so far as to say that a person for this detective position can not be filled until a bilingual person is on staff.

Chairman Smith gave everyone an opportunity to speak, but stated the amendment on the floor was for the mandate that this position be bilingual. Chairman Smith further called for the question.

>>>James London, Jennifer Willis and Randy Crenshaw voted in opposition to mandate the position to be bilingual. Chairman Smith, Ben Trotter and Tom Ponder voted in favor, Motion failed.

Chairman Smith called for a vote on the original motion which is to fund the position of a detective for the specific purpose of gang intervention in schools and the communities. The cost is \$77,000 which staff has broken out as \$31,000 from a surveillance grant match; \$26,000 from capital, and \$20,000 from contingency operations.

>>>Jennifer Willis, Chairman Smith, James London, and Randy Crenshaw voted in favor. Tom Ponder and Ben Trotter opposed. Motion carried.

>>Amendment No. 8 carried.

Amendment 9 – Jennifer Willis stated she would like to see some funding be set up for the purpose of tourism. Mrs. Willis further moved to create a tourism position. Mrs. Willis stated this was important if only seed money was put forth at this time. Motion was seconded by James London. Ben Trotter, Chairman Smith, Tom Ponder and Randy Crenshaw opposed. Motion failed

>>Amendment No. 9 failed.

Amendment 10 – Tom Ponder moved to delete the Public Relations position and to fund the position of a Risk Manager. Motion was seconded by Jennifer Willis.

During discussion, Tom Ponder stated he thought the position of Risk Manager should report to the County Administrator. Mr. Ponder also stated he thought the position should be more active in accident investigations and insurance issues. James London stated he thought the position was needed, but should be under Human Resources.

Chairman Smith stated the motion is not to debate the specifics of the position. Also Chairman Smith said that many of the personnel positions are being questioned and perhaps council should look at all these concerns at one time. Tom Ponder concurred and stated he would amend his motion to state that this position should be hired after the first of the year. Jennifer Willis agreed.

James London also stated this is another issue for the Human Resources Director and a reason to look at the positions in house which will be cost effective.

>>Motion carried for the position of a Risk Manager to be funded after January 1, 2009. All voted in the affirmative, with the exception of Ben Trotter who opposed. Motion carried.

>>Amendment No. 10 carried.

Amendment 11 – Ben Trotter moved to remove the \$8,000 from the Vineyards Fire Department budget for the boat. Mr. Trotter stated that the Vineyards did not have the

fire boat; therefore he was moving to remove that funding. Mr. Trotter further stated he wanted those funds to go back into the reserve fund.

Chairman Smith stated that if the funds went back to reserve, then it would take an amendment of the budget in order for those funds to be moved if needed. Chairman Smith also stated if the funding was in the contingency, then the fire district simply comes before council to request permission for expenditures.

Mr. Trotter did not want the funds to stay in the department budget.

Chairman Smith called for the question. Mr. Trotter voted in favor. Tom Ponder abstained; and all other members opposed. Motion failed.

Chairman Smith further moved to place the \$8,000 in the department contingency with the understanding that any expenditures would come before council. Jennifer Willis seconded the motion. Chairman Smith, James London, Jennifer Willis, and Randy Crenshaw voted in favor. Ben Trotter opposed and Tom Ponder abstained. Motion carried.

>>Amendment No. 11 carried.

Amendment 12 -Chairman Smith stated he would move that there be an agreement in the budget as it relates to County Fees. Mr. Smith stated that when an entity charges the County an administrative fee, the County should in turn charge them the same fee. Motion was seconded by Ben Trotter. All members voted in favor with the exception of James London who opposed. Motion carried.

>>Amendment No. 12 carried.

....Prior to the vote it was clarified that \$1.5 million is coming from reserve – the only reoccurring cost will be the Fire Chief and the budget was set up for removal of project funding from the Registrar of Deeds office to fund the Fire Chief. Council asked if the budget could still be balanced if the funding were not removed from the Registrar's office. It was stated that amendments could be made later in the year. Thus the budget did not remove the project funds from Registrar of Deeds and no motion/vote was made to remove those funds.

- Hearing no further amendments. Chairman Smith called for a vote on the Third Reading of Ordinance No. 400 as amended. Jennifer Willis, Tom Ponder, Randy Crenshaw, and Chairman Smith voted in favor. Ben Trotter opposed. Motion carried.

Third Reading of Ordinance No. 403 to provide for the issuance and sale of not exceeding two hundred ten thousand dollars (\$210,000) Pickens County, SC, General Obligation bond series 2008; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto. (Vineyards Fire District)

- Motion was made by Jennifer Willis, seconded by Tom Ponder and unanimously passed to approve the Third Reading of Ordinance No. 403.

Third Reading of Ordinance No. 404 To be Known as the Uniform Ordinance for Fire Protection Districts, Amending and Restating the Previously Enacted Ordinances Creating the Districts (And Thereby Repealing Ordinance Number 386 and Ordinance Number 393), To Provide for Continued Fire Protection Services in the County; To Establish Standard Operating Rules And Guidelines for Fire Districts; and to Authorize the Creation of Bylaws for said Districts

- Motion was made by Jennifer Willis, seconded by Randy Crenshaw and unanimously passed that this constitutes the Third Reading of Ordinance No. 404.

Agenda addition:

Resolution to call for a Public Hearing as it relates to the amendment of Ordinance 404, for the moving of district lines of Six Mile and Central Fire Districts.

- Motion was made by Jennifer Willis, seconded by Tom Ponder to approve the Resolution to call for a public hearing on July 21, 2008 for the stated purpose. Motion carried with a unanimous vote.

Executive Session:

Chairman Smith requested a motion for executive session as amended. Motion was made by Randy Crenshaw, seconded by Jennifer Willis and unanimously passed to convene in executive session for the stated purposes.

Economic Development
Personnel Issues
Boards and Commission Appointment

Public Session Reconvened:

Chairman Smith called the Public Session back to order and allowed the following motion.

Library Board of Directors –

- Randy Crenshaw moved to appoint Tom Rust to the Library Board of Directors. Motion was seconded by Tom Ponder and unanimously passed.

Adjourn:

Hearing no further business, Chairman Smith called for a motion to adjourn. Motion was made by Jennifer Willis, seconded by James London and unanimously passed. Pickens County Council stood adjourned at 9:32 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

G. Neil Smith, Chairman

