

October 6, 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, October 2, 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  
Ken Roper, County Attorney  
Donna Owen, Clerk to Council

**WELCOME AND CALL TO ORDER-**

Chairman Smith called the meeting of October 6, 2008 to order and welcomed those in attendance. Invocation and Pledge of Allegiance was led by Councilman Crenshaw.

**PUBLIC FORUM:**

Chairman Smith called upon the Clerk to call citizens to the front who wish to address Council.

1. Tim Cooper, Matt Chappell, and Ann Soenen, citizens from the Pumpkintown Fire District spoke to Council regarding Resolution No. 08-08 which states that Council will make the appointments to all boards and commissions including fire districts. The citizens were concerned that Council should reconsider and allow a process for the district citizens to decide. Suggestions were made about interested persons being placed on the ballot during a general election.
2. Pam Nalley and Pam Leveret came before Council to thank them for their support in the Pickens County Spay and Neuter Program. They expressed that Pickens County has now become a model for the spay/neuter program, and that many counties have been shadowing and are now ready to implement this very successful program. Also at the end of August they began working with Donnie Green to adopt out animals that would otherwise be destroyed. Ms. Nalley and Ms. Leveret stated they have adopted out over 60 animals.  
>> Council thanked them for a tremendous job.
3. Tom Smith. Mr. Smith stated while he only came to address the Development Standards Issue (DSO). However, he would comment on the Fire District issue as well. Mr. Smith stated the appointments to the fire districts may be better served if the fire district elect from their own district. Mr. Smith stated that by passing the resolution, it may be giving a council member too much authority. Mr. Smith stated that in comparison, council has dealt with issues from certain fire districts that have warranted this type of council action. 2) The DSO- Mr. Smith

stated that the original issues with the DSO were the set-backs. Mr. Smith informed Council that the revised DSO is much friendlier to development than the old or current DSO. Mr. Smith also mentioned the height requirement worked with fire districts expense so that ladder trucks did not have to be purchased. Mr. Smith stated he thought officials need to study the material and not just listen to others; also Mr. Smith said the local media had missed several opportunities to educate the public on this issue.

4. Weldon Clark. Mr. Clark spoke in opposition of the Development Standard Ordinance (DSO) and asked Council to return to the original Ordinance.

**APPROVAL OF MINUTES**

- Motion was made by Jennifer Willis, seconded by James London and unanimously passed to approve the minutes of September 15, 2008 as presented.

**COMMITTEE REPORTS:**

Committee Chairmen gave the following reports.

1. **Public Service** Committee Chairman Ponder gave the following report.

The Public Service committee met in the Main Conference room with Committee Chairman Tom Ponder presiding. All members were in attendance.

**Staff:**

Chap Hurst, County Administrator  
 Olivia Vassey, Special Projects Coordinator  
 Donna Owen, Clerk to Council  
 Tommy Grant, Roads and Bridges

Item	Description	Report :
18	Request for right of way	Committee recommends giving the original right of way back to all the property owners. >>Approved
19	Burdine Springs issue	No action, staff was instructed to work with the City of Easley relating this issue.
20	Paving expenditures/ contract	No action.

2. **Public Safety -** Committee Chairman Ben Trotter gave the following report.

The Committee of Justice and Public Safety met on Monday, September 29, 2008 in the Main Conference Room. Committee Chairman Ben Trotter presided, and all members were in attendance.

Other Council Members in attendance:  
 Chairman Smith

**Staff:**

Chap Hurst, County Administrator  
 Olivia Vassey, Special Projects Coordinator  
 Donna Owen, Clerk to Council  
 Donnie Greene, Animal Control

**Log Item No. 10** Request for the third reading of Ordinance No. 408 as it relates to legal employment and procurement.

>>Committee recommends third reading as amended.

During discussion Jennifer Willis and James London stated they were troubled by the perception that Pickens County Council was stating “English Only” as a means of not being hospitable to a person who may not speak English. – Chairman Smith pointed out that the Ordinance had been amended to modify many issues that appeared unsociable. Also Chairman Smith stated that the floor was open for further amendments. Mr. Smith also stated the reason the committee left “English is the official language” was because it was part of South Carolina State Law.

James London stated he would like to see that text removed regarding English being the official language- so that other counties who were vying for economic development from foreign business could not use this against the County.

Chairman Smith stated the floor was open for any and all amendments.

- James London moved to strike the language “English shall be the official language of Pickens County. Motion was seconded by Jennifer Willis.

Tom Ponder stated he just did not see the relevance of removing the language, and that it was well known that English was the official language. Tom Ponder stated he would never initially offend anyone, but he thought sensitivities had gone too far.

Chairman Smith called for the vote on the amendment to strike the language. James London, Jennifer Willis, and Randy Crenshaw voted in favor. Chairman Smith, Ben Trotter, and Tom Ponder opposed. Amendment failed.

Chairman Smith called for the original motion which was third reading as presented. Motion carried with all members voting in favor with the exception of James London who opposed. Ordinance 408 passed with a 5 to 1 vote.

3. **Education, Recreation, Health, Welfare, and County Planning** – Committee Chairman Crenshaw gave the following report:

The Committee of Education, Recreation, Health, Welfare, and County Planning met on Monday, September 29, 2008 in the Main Conference Room. Committee Chairman Randy Crenshaw presided with all members in attendance.

Other Council Members:  
Chairman Smith

Staff:  
Chap Hurst, County Administrator  
Donna Owen, Clerk to Council  
Olivia Vassey, Special Projects Coordinator  
Tim Morgan, Sheriffs office

Item	Description	Referred	REPORT
18	Review of the County Junkyard Ordinance.  Retained 12/31/07	04/02/07	Planning staff will look at issues and report back  No action  No action
20	Building Code Ordinance Amendments  Retained 12/31/07 First reading 10/06/2008	11/05/07	>>Committee recommends sending back to council for approval and first reading of amendments to adhere with international building codes.  >>>committee read out for a first reading
21	Request to look at recreation departments regarding the funding issues as brought before council by the Central recreation department.	01/07/08	No action  No action
22	Ordinance to allow winery/vineyards to open on Sunday for wine tasting.  First reading 08/18/08 09/15/08	06/16/08	>>Committee recommends to move forward with a Public hearing and third reading scheduled for October 20, 2008  Council approved.
23	Request from Sheriff's Office to have an ordinance for property of a known methamphetamine laboratory could be posted with the Registrar of deeds office  First reading 07/21/08	07/21/08	Staff to provide further study and report back to committee

**ADMINISTRATOR'S REPORT:**

Chap Hurst updated Council on the following issues.

1. Asphalt prices. Mr. Hurst stated that he had compared our way of bidding on asphalt with other counties, and it appears everyone is doing it the same way, however, with fluctuating costs the County may elect to do it differently in the future.
2. Road paving. Mr. Hurst stated the County has paved 121 roads and the County has done an excellent job with their funding as some of these roads were over 4 miles in length.
3. Roads for minimum maintenance. Mr. Hurst stated plans were now being made to begin the tar and gravel for the minimum maintenance roads.
4. Washer and Dryer at Mile Creek. Mr. Hurst stated an area has been designated at Mile Creek for a coin operated washer/dryer. This has been an ongoing request of campers.
5. Floating Restrooms. Mr. Hurst stated grant funds may become available due to a recent concern from the Department of Natural Resources. Mr. Hurst stated a need for floating restrooms on the lake, especially during time of peak season. Complaints are forthcoming about beaches being littered with diapers and evidence that people are using the restroom on the beaches.

6. Beautification Projects. Mr. Hurst stated that Dacusville recreation was the recipient of one of the beautification grants, and funds were being used for entrance signs.
7. Windsock. Council was informed about the \$4,700.00 grant for a windsock at the airport.
8. Development Standards Forum. Mr. Hurst stated that the planning department recently held a two and one half hour forum for all citizens and developers to go over any changes to the DSO. Mr. Hurst stated the developers were pleased and many questions were answered.

**COUNCIL CORRESPONDENCE**

1. Chairman Smith stated he had two pieces of correspondence to give to the administrator, one dealing with the FFA/Capital Improvement Plan. The Census and Department of Commerce information.
2. Tom Ponder stated he wanted to say publicly how impressed he was with the Bio-Diesel program and the fact that the employees have taken so much initiative with this project.

**MOTION PERIOD AND NEW BUSINESS:**

Chairman Smith asked Council if they had any issues for new business, hearing none the item was closed.

**FIRST READING OF AN ORDINANCE TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL PARK IN CONJUNCTION WITH GREENVILLE COUNTY.**

- Motion was made by Jennifer Willis, seconded by Ben Trotter and unanimously passed to approve the ordinance for a first reading relating to the Greenville/Pickens business park.

**FIRST READING OF AN ORDINANCE TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL PARK IN CONJUNCTION WITH OCONEE COUNTY.**

- Motion was made by Jennifer Willis, seconded by Randy Crenshaw and unanimously passed to approve the ordinance for a first reading relating to the Oconee/Pickens business park.

**FIRST READING OF AN ORDINANCE TO INVOKE THE PROVISIONS OF SECTION 12-43-217 (B) OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED TO PROVIDE THAT REASSESSMENT OF ALL PROPERTY IN PICKENS COUNTY, SOUTH CAROLINA SUBJECT TO AN AD VALOREM PROPERTY TAX BE POSTPONED FOR ONE PROPERTY TAX YEAR.**

- Motion was made by Jennifer Willis, seconded by Randy Crenshaw and unanimously passed to pass a first reading to delay reassessment for one year.

**APPROVAL OF A RESOLUTION TO AMEND THE PICKENS COUNTY FIRE DISTRICT BY-LAWS TO CLARIFY THAT COUNTY COUNCIL WILL BE RESPONSIBLE FOR APPOINTING ALL MEMBERSHIP TO FIRE DISTRICT BOARDS:**

- Motion was made by Ben Trotter, seconded by Chairman Smith to approve Resolution No. 08-08 as it relates to amending the fire district rules.

During discussions council stated that they realized the concerns which were voiced by the Pumpkintown Fire District. However, that this action was really to reiterate to the fire districts that council had to make appointments as part of their job. Mr. Smith stated that this was really just getting back to the way it was always done before "elections" were mandated. Tom Ponder also stated that the ruse of elections has caused some groups to band together and place people on a fire board, and they do not have the best interest of the district. All Council stated this was a beginning to coordinate a better system for these boards.

>>All members voted in favor, motion carried.

**REQUEST FOR APPROVAL FOR SUBMISSION OF A GRANT APPLICATION FOR THE DACUSVILLE FIRE DISTRICT:**

- Motion was made by Tom Ponder, seconded by Ben Trotter and unanimously passed to approve the grant application for Dacusville Fire District.

**ADJOURN:**

Hearing no further business, Chairman Smith called for a motion to adjourn. Motion was made by Jennifer Willis, seconded by Randy Crenshaw and unanimously passed. Pickens County Council stood adjourned at 7:50 PM.

Chairman Smith announced that the Council would convene in the Main Conference room for a work session relating to health insurance issues.

Respectively Submitted:

Approved:

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Donna F. Owen, Clerk to Council

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G. Neil Smith, Chairman