

August 17, 2009
Regular Council Meeting
6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman Neil Smith presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media, August 11, 2009.

Council Members in attendance:

G. Neil Smith, Chairman
Jennifer H. Willis, Vice Chairman
James B. London, Vice Chairman Pro-Tempore
Randy Crenshaw
Tom Ponder
Sam Wyche

Clerk to Council: Donna Owen

Staff: J. Chappell Hurst, County Administrator
Ken Roper, County Attorney

WELCOME AND CALL TO ORDER:

Chairman Smith called the meeting of August 17, 2009 to order and welcomed those in attendance. Chairman Smith further gave the Invocation and Pledge of Allegiance.

PUBLIC FORUM:

Chairman Smith called upon the Clerk to Council for a list of citizens signed up for the public forum.

Neal Collins: Mr. Collins came before council to introduce himself as a candidate for U.S. Congress. Mr. Collins stated he was a native of Pickens County and further stated some about his platform. He stated this was a grass roots effort and that he would be introducing himself through the forums of city and County meetings.

Junius Smith. As speaker for the Conservatives of the Upstate, Mr. Smith strongly urged Council to look at compromising with the tax payers of Pickens County in order to compensate the tax payers for the millage rate overcharges. Referring to the State Law 12-43-285, Mr. Smith wanted council to know that it was illegal to overcharge and not give a credit or a refund. Mr. Smith asked that Council sit down and come up with a solution.

Weldon Clark – Mr. Clark stated that in his opinion, the comprehensive plan that is being studied is the first step in zoning the unincorporated areas of Pickens County. Mr. Clark stated he was opposed to zoning in those areas.

APPROVAL OF MINUTES:

- Motion was made by Jennifer Willis and seconded by Tom Ponder to approve the July 20, 2009 minutes as amended to correct grammatical errors. Mrs. Willis pointed out an error on page (2). The error was found and corrected. Mrs. Willis stated she thought there was another error in grammar, but she would notify the Clerk. Motion was passed as amended with a unanimous vote.

Committee Reports:

Justice and Public Safety:

James London, Chairman
Randy Crenshaw
Tom Ponder

The Committee of Justice and Public Safety met in the Main Conference Room on Thursday, August 6, 2009 at 6:30 PM. James London presided, and committee members Randy Crenshaw and Tom Ponder were in attendance. Other Council Members in attendance were Chairman Smith and Sam Wyche.

Staff:

Chappell Hurst, County Administrator
Lynn Fisher, Director of Emergency Operation/Assistant County Administrator
Rodney Allen, Elections Director
Donna Owen, Clerk to Council

Item	Description	Referred	Committee Action
1	Council Rules	01/20/09	Committee Clarified the section as it relates to the office of Vice Chairman- to state that in the event the Chairman leaves his/her post as Chair, the Vice Chairman will automatically assume the Chairmanship. Committee amended the section relating to public forum to state that at the discretion of the Chairman, public forum could last over the 30 minute time limit. >>Council approved
2	Study of the Uniform Fire District Ordinance- elections and other issues	01/20/09	Committee recommends a first reading of an ordinance to amend ordinance No. 404 as it relates to the rules for fire district boards. The amendment would state that fire district elections would be held and members of a fire board would be voted on in the odd numbered year calendar election. The amendment would also change the terms of said boards. The County Attorney will look at the amendments. >>Jennifer Willis amended the motion to have first reading and send back to committee because the Committee had received some new language for the amendments. James London seconded the motion. All members voted in favor of the amendment.
3	Humane Society and Animal Adoption issues	06/01/09	No action, Committee received a report. Staff is continuing goals of a no kill shelter, and working with rescue groups.
4	Railroad crossing issues as it relates to speed.	07/20/09	No action, Committee will gather further information.

Administrator's Report:

Mr. Hurst updated Council on the following issues and events:

Master Plan review of the Recreation Plan- September 10, 2009 4-6 PM at the Airport. This will be the drop in to view and look at the results of the master plan for recreation in Pickens County. This is also open to the public and will be a good time for making changes and having input.

E-Waste- E-Waste has turned into a positive service for the public. this program now receives over one hundred tons of E-Waste and is now a revenue program instead of an expenditure.

Honorable Mention – J Mitch Graham Award- Mr. Hurst informed the public that Pickens had won the Honorable Mention Award, which is the winning award among other participants in the same population category, and is considered an overall second place award. Mr. Hurst stated that Pickens has never won the J. Mitch Graham award nor placed in the Honorable Mention. Mr. Hurst stated he was pleased to present the bio-diesel program this year, and stated the presentation has generated much publicity and praise. He thanked the staff who worked hard on the program.

Council members also noted how proud they were of the program, and thanked Mr. Hurst and staff for the innovation and dedication. Tom Ponder stated he thought it was the best program to ever be presented and he was extremely proud of the staff.

Chairman Smith stated that ATT also has given the County \$3,000 in funding to help with the bio-diesel program. Mr. Hurst stated they were very impressed with what the county is trying to accomplish by being fuel independent, but by being cleaner and healthier to the environment.

Request for (3) items to go to committee – Mr. Hurst informed Council that he would like the following issues to go to committee: 1) Knoll Street for Minimum maintenance, 2) Obtaining right of way easements on all county roads. 3) Have a clause in the county procurement ordinance to allow local business a preferred purchasing policy.

Pickens County Morgue - Kandy Kelly, the Pickens County Coroner, thanked council for the new morgue. Mrs. Kelly stated that because of the morgue, the county can now do testing and tissue samples as well as have a place for organ donations. Mrs. Kelly stated the firm Life Point has donated many items for the morgue, and made much of the organ transfer and research possible. She expressed much gratitude to Council for seeing the need for this facility.

Chairman Smith also stated that while discussing the deceased may not be pleasant, it was a fact of life, and organ donation was certainly something that families had to deal with, and it was so much easier if there are people who understand and a facility that can make a negative situation much better.

Council Correspondence:

Chairman Smith informed Council of the following:

Reports for State inspections of the County Jail and Law enforcement center are in the file.

MOTION PERIOD AND NEW BUSINESS:

Chairman Smith opened the floor for motions as it relates to any new business or committee items.

- Jennifer Willis moved to add the administrator request to consent agenda, seconded by Randy Crenshaw and unanimously passed. The following was approved for addition. 1) Knoll Street for Minimum maintenance, 2) Obtaining right of way easements on all county roads. 3) Have a clause in the county procurement ordinance to allow local businesses a preferred purchasing policy.
- Sam Wyche moved to add to committee to do a study and evaluate the EMS stations, especially in the north and Northwest areas of the County. Motion was seconded by Randy Crenshaw and unanimously passed.
- Sam Wyche moved to add to committee a review of the old Pickens High School gym which was bought last year. Mr. Wyche asked that the review look at funding for repair, maintenance, and future uses. Motion was seconded by Jennifer Willis and unanimously passed.
- Sam Wyche moved to add to committee a review of the 4% residence vs. 6% non-residence and commercial property tax practices in Pickens County. Motion was seconded by Jennifer Willis and unanimously passed.

Hearing no further additions, Chairman Smith closed the motion period.

APPROVAL OF ADDITIONAL CARRY OVER FUNDS OF \$500,000 FOR PAVING ADDITIONAL ROADS:

- Motion was made by Tom Ponder, seconded by Randy Crenshaw and unanimously passed to approve the carry-over request.

CONSENT AGENDA:

- Motion was made by Jennifer Willis, seconded by Tom Ponder and unanimously passed to approve as amended.
 - a. Refer to Administration/Finance Committee, request funds for environmental study of Simms School Road.
 - b. Refer to Administration/Finance Committee, investigation of potential uses of landfill generated methane.
 - c. Refer to Public Service- 1) Knoll Street for Minimum maintenance, 2) obtaining right of way easements on all county roads. ‘
 - d. Refer to Administration and Finance -Have a clause in the county procurement ordinance to allow local businesses a preferred purchasing policy.
 - e. Refer to the Administration/Finance Committee to do a study and evaluate the EMS stations, especially in the north and Northwest areas of the County.
 - f. Refer to the Administration/Finance Committee a review of the old Pickens High School gym which was bought last year. Mr. Wyche asked that the review look at funding for repair, maintenance, and future uses.

- g. Refer to the Administration/Finance Committee a review of the 4% residence vs. 6% non-residence and commercial property tax practices in Pickens County.

EXECUTIVE SESSION:

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

Personnel Issue

Legal Issues

Contract issues

Boards and Commissions as needed or requested

PUBLIC SESSION RECONVENED:

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

- 1) Liberty Fire Contract- Neil Smith moved to approve the contract as presented by Liberty Rural and City of Liberty for fire protection. Motion was seconded by Tom Ponder and unanimously passed.
- 2) Public Defender Funding- Jennifer Willis moved to restore the funding (approximately \$45,000) from contingency back to the Public Defender's budget as previously budgeted. Motion was seconded by Randy Crenshaw and unanimously passed.
- 3) Economic Development Board- Jennifer Willis moved to re-appoint Bud Nalley as the district 5 representative; motion was seconded by Randy Crenshaw and unanimously passed.
- 4) Economic Development Board – Sam Wyche moved to appoint Michael Keith as the district 3 representative; motion was seconded by Tom Ponder and unanimously passed.
- 5) Economic Development Board – Jennifer Willis moved to appoint the following from the executive committee nominations: Bill Harley, Joel Ledbetter, Ed Parris, John Sparks, and Nancy Bennett. *Mrs. Willis' motion clarified that these appointments would follow original term dates, as it was noted that some of these have been expired since 2007. Also noted was that all members must live in Pickens County.* Motion was seconded by Randy Crenshaw and unanimously passed.
- 6) Council Board Members to Economic Development Alliance- Neil Smith moved that Jennifer Willis will represent the Council designee, and Sam Wyche to represent the Chairman designee on the board of directors. Tom Ponder gave a second to the motion which passed with unanimous support.
- 7) Economic Development- Jennifer Willis moved to authorize the release of funding for the Economic Development Alliance. Motion was seconded by Randy Crenshaw and unanimously passed.
Jennifer Willis also clarified that a joint meeting with Economic Development Alliance needed to take place within 30 days.

***funding clarification: the funds are distributed on a month by month basis, as instructed during the budget process.*

- 8) Upstate Alliance- Jennifer Willis moved to restore \$50,000 from contingency to the Upstate Alliance. Motion was seconded by Tom Ponder and unanimously passed.

Chairman Smith also stated for the record that other things were discussed in executive session, but did not have action forthcoming at this time.

- a legal briefing was given as it relates to six pending lawsuits.
- formal uses of letterhead was discussed
- insurance information
- personnel policy issues
- contracts with other rural fire districts would be discussed at a later date

Adjourn:

Hearing no further business, Chairman Smith allowed the motion to adjourn. Motion was made by Jennifer Willis, seconded by Tom Ponder and unanimously passed. Pickens County Council stood adjourned at 10:00 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

G. Neil Smith, Chairman
Pickens County