

September 10, 2012
Regular Council Meeting
6:30 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 on August 29, 2012.

Council Members in attendance:

Jennifer H. Willis, Chairman
G. Neil Smith, Vice Chairman
Tom Ponder, Vice Chairman Pro-tem
Jeff Martin
Trey Whitehurst
Sam Wyche

Absent: Donna Owen, Clerk to Council

Staff:

Chappell Hurst, Administrator
Sheila Tinsley, Administrative Assistant
Ken Roper, County Attorney

WELCOME AND CALL TO ORDER:

Chairman Willis called the meeting of September 10, 2012 to order and welcomed those in attendance.

Councilman Jeff Martin gave the Invocation and Pledge of Allegiance.

PUBLIC FORUM:

Chairman Willis opened the Public Forum and requested the Clerk to introduce the speakers who have signed up.

Henry Wilson Mr. Wilson thanked Council on behalf of Pickens County Meals on Wheels for the use of the Liberty Middle School cafeteria which they are using to prepare meals for the citizens of Pickens County that they serve.

Bill Johnston Mr. Johnston stated that when he appeared at the last meeting, he felt that it was thought that he was against the Rails to Trails. He is not against this project; however, he is against taxes being used to complete this project.

Tom Protsko Mr. Protsko stated that he is in favor of the Rails to Trails project and feels that this will be a great addition to Pickens County for those who wish to use it.

Billy Baldwin Mr. Baldwin stated that he is not in favor of the Rails to Trails project and was concerned that an offer of \$1 million dollars had been made. Sam Wyche noted that the County had not made an offer of \$1 million dollars.

Judi Williams Ms. Williams stated that she is not in favor of the Rails to Trails project and presented a copy of a deed of her ancestors showing that when the railroad was no longer in use that the right of way would revert back to the property owners.

Wayne Pace Mr. Pace stated he is not in favor of the Rails to Trails project and asked Council to consider the cost of such a project.

Lib Tickle Ms. Tickle stated that she is not in favor of the Rails to Trails project and also mentioned the fact that she understood that the right of way would revert back to the property owners in the event the tracks were no longer used.

Junius Smith Mr. Smith stated that he is not in favor of the Rails to Trails project and as a property owner in that area, he felt that this would be a bad idea. Mr. Smith also stated that citizens are not educated on the fact that grants are not free money, but is more debt. Mr. Smith also stated that their organization's President Johnnelle Raines, has resigned her position due to all the negativity over this issue. He also presented a petition to Council with signatures of citizens who were also not in favor of this project going forward.

APPROVAL OF MINUTES - August 20, 2012

- Motion was made by Councilman Neil Smith and seconded by Trey Whitehurst to approve the minutes of August 20, 2012. All members voted in favor of the minutes as presented.

ADMINISTRATOR'S REPORT:

Mr. Hurst updated County Council on the following items.

- 1) Dacusville Fire Department – This fire department has an ISO rating of 5/9 with the lowest fire fees in the county.
- 2) CAD System –The upgrade will be able to save the county money with all 911 Centers (Easley, Clemson University and Pickens) being networked together. This would mean that one server with virtual servers will take care of all sites. If one center had to be evacuated, then dispatchers would be able to go to any other site.
- 3) Sassafras Mtn. – The announcement of the Sassafras Mountain Improvement Project will be held on Monday, September 17, 2012 at 11:00 a.m. at Sassafras Mountain. All Council members are invited.
- 4) Ray Farley- Mr. Farley, Pickens County Economic Development Director, talked to Council and the Public about the upcoming Industry Showcase, which will be at Littlejohn Coliseum. This will be for all freshman high school youth for the purpose of them meeting the industry leaders. This program is specifically geared so that youth can begin thinking about their high school career needs in order to obtain the education necessary for their career choices.
Mr. Hurst stated this program is important and results in creating jobs. Mr. Hurst further presented Mr. Farley with an award for Outstanding Business and Industry Friend of Career, Technology, and Education Systems for the State of South Carolina. Mr. Hurst and Council congratulated Mr. Farley for this award and the work he has done in Pickens County.

COMMITTEE REPORTS:

Chairman Willis called for the committee reports.

- 1) Administration and Finance Committee – Chairman Willis gave the following report

The Administration and Finance Committee met on August 28, 2012 at 9:30 AM. All Committee members were in attendance with Chairman Willis presiding.

Staff:

Chap Hurst, County Administrator

Donna Owen, Clerk to Council

Brent Suddeth, Pickens County Auditor

Item	Description	Referred	Report from Committee
32	<u>Brief update from staff regarding Textile Mill Conversion Project</u> <u>First reading on 09/10/2012</u>	08/20/2012	>>Committee recommends a courteous first reading of an ordinance, in title only for textile rehabilitation project. Council approved for a First Reading in title only.
33	<u>Tif language for tax notices</u>	08/20/2012	>>Committee recommends a "TIF district summary" posted on the tax notice. Discussion regarding the TIF – Councilman Jeff Martin stated he did not think the summary would be clear to the taxpayer, and he thought confusion would put a lot of burden on the Auditor’s office. Councilman Neil Smith stated this summary was a reconciliation of the gross tax. Councilman Sam Wyche stated the committee was trying to summarize the notice in a way that the average taxpayer would understand the breakdown. However, if Councilman Martin still thinks it is not understandable, then perhaps it should be looked at again. Councilman Trey Whitehurst stated the summarization was about transparency to show where the tax money goes. Mr. Whitehurst stated we can look at better explanations for next year, but for this year this summarization should be approved, and anything else would be a stall tactic in order not to have transparency. Councilman Tom Ponder concurred with Councilman Whitehurst and Councilman Smith that the summary is clear as to where the tax dollars are going. <u>Motion:</u> <ul style="list-style-type: none"> • Councilman Sam Wyche moved to have further study and bring back to full Council in a special called meeting. Motion was seconded by Councilman Jeff Martin. Councilman Neil Smith stated the committee meeting has already met to determine clarity of the notice, and he sees no reason for further meetings. Councilman Trey Whitehurst concurred. Councilman Jeff Martin stated in his opinion, it is not a stall tactic by the City of Clemson, but a means to not confuse the taxpayer. <ul style="list-style-type: none"> • Chairman Willis called for a vote on the amendment-Councilman Jeff Martin and Councilman Sam Wyche voted in favor. Chairman Willis, Councilman Neil Smith, Councilman Trey Whitehurst, and Councilman Tom Ponder opposed. Motion failed.

			<ul style="list-style-type: none"> Chairman Willis called for the vote on the original motion to approve the summary for the upcoming tax notice. Chairman Willis, Councilman Neil Smith, Councilman Trey Whitehurst, and Councilman Tom Ponder voted in favor. Councilman Jeff Martin and Councilman Sam Wyche opposed. Motion carried.
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COUNCIL CORRESPONDENCE:

- Chairman Willis stated there was still no set date regarding EPA reports relating to the Twelve Mile River. However, when those reports arrive, a meeting can be scheduled.
- Chairman Willis stated the Daughters of the American Revolution have asked her to sign a proclamation to celebrate the anniversary of the Constitution in honor of Constitution week. Mrs. Willis stated while she has the authority to sign a proclamation, she wanted to inform Council.

MOTION PERIOD AND NEW BUSINESS:

Chairman Willis opened the floor for new business.

- Councilman Jeff Martin stated he was on the board of the South Carolina Equine Council. This Council has completed an Economic Development Study, and he would move for this item to be placed in the Committee of the Whole for the Equine council to share this report. Motion was seconded by Councilman Neil Smith. All members voted in favor to send this to the Consent Agenda.
- Councilman Sam Wyche moved to pull the Teen Canteen Pickens Gym property from the Committee of the Whole and to place on next month’s agenda to have a First Reading of an Ordinance to sell the property, as he has a buyer. Motion did not receive a second and therefore, failed.

Councilman Sam Wyche stated the reason he has brought this up was because his predecessor, Councilman Ben Trotter requested permission to purchase this property for \$110,000. However, five weeks prior to this purchase, the property was purchased for \$60,000. Mr. Wyche stated that Councilman Tom Ponder, Councilman Neil Smith, Chairman Willis, and Randy Crenshaw were on Council and unanimously passed this decision. In addition, this property was found to be in bad repair, and was found out to cost in excess of \$100,000 in order to bring the property up to code for use. Mr. Wyche stated this is taxpayers money, and this property is not being used for anything except a men’s basketball team, and the wrestling coach at the high school, who has placed his own money in the gym for fans. Mr. Wyche stated if he could sell the property, the taxpayer could recover \$0.36 on the dollar. Mr. Wyche stated that members of Council were still seated, and they were deliberately blocking attempts to sell this property. Mr. Wyche stated he did not think these members of council wanted the story told.

Councilman Tom Ponder stated he was on Council and he gave the second to purchase the property. Mr. Ponder stated this was dealing with recreation funds, and that each Council was given the ability to purchase items and make improvements in their district with these funds. Mr. Ponder further stated he did not appreciate the insinuation that Council had done anything wrong

as it relates to this purchase. In addition, Mr. Ponder stated that the process to split the recreation funds within the districts was being done long before this building was purchased, and Pickens District was in need and favor of a more developed plan, other than ball fields.

Councilman Sam Wyche read the minutes from 2008 where the Committee unanimously passed the purchase of the property for \$110,000.

Councilman Tom Ponder stated the minutes did not reflect that the property was purchased for \$60,000 five weeks prior, and that if he did not know, the rest of Council more than likely did not know either. Further restated by Councilman Ponder was the fact that recreation funds are more of a decision of each district and not the whole Council. Mr. Ponder concluded by stating he did not think anything was mishandled.

Councilman Sam Wyche stated that it was Council's responsibility to know; and he did not understand how Council members did not realize how this property was handled.

Chairman Willis asked Councilman Sam Wyche if he had another motion. Mr. Wyche stated he wanted the issue pulled from the Committee. Chairman Willis stated that motion had previously failed for lack of a second, and was not debatable.

Councilman Sam Wyche stated he would ask Chairman Willis how he can sell this property to Earl Finley, who has offered \$40,000 for the property, and he needs the right of way to build a house for his daughter who is blind.

Chairman Willis stated the Council has already approved a right of way for Mr. Finley.

Councilman Sam Wyche stated the right of way is not functional, and the better decision is to sell the property to him for \$40,000. Mr. Wyche stated that Mr. Finley would be willing to work out some agreement to utilize the facility or property for the community, especially with discussion on the rails to trails issue. Mr. Wyche concluded by stating he wants to sell this property in order to get back money that Council wasted.

Without hearing a motion Chairman Willis directed council to move on.

Councilman Neil Smith requested a moment to speak, not on the recreation property topic, but wanted to inform the public that this was the second meeting that citizens have come to County Council as it relates to the rails to trails project. Mr. Smith stated he wanted to be clear that Pickens County Council has taken no position regarding this project, and further will not be competing with the City of Easley or the City of Pickens concerning their purchase of the railroad. Mr. Smith stated the County Council cannot stop that property from being sold, and further advised citizens with right of way concerns to consult an attorney. Mr. Smith stated he wanted to advise this because he did not want citizens to be under the impression that the County could be in a position to stop another entity from moving forward with this project.

Councilman Sam Wyche concurred with Councilman Neil Smith on this issue, and further stated he had several conversations with private corporations as it relates to funding. Mr. Wyche also stated that it was his impression that the municipalities were going to move forward with this project, and he would like to obtain any available funds to offset tax dollars being used.

PRESENTATION OF FUNDS FROM THE SOUTH CAROLINA FOREST SERVICE

Mike Shealy and Paul Blessing with the South Carolina State Forestry Commission presented a check to the County in the amount of \$22,627.60.

ESTABLISHMENT OF MILLAGE RATE FOR FISCAL YEAR 2012/2013:

It was noted that there is no change in the millage rate for this year. It remains at 53.2 mils.

- Motion was made by Councilman Sam Wyche and seconded by Councilman Jeff Martin and unanimously passed to have the millage rate of 53.2 mils for the Fiscal Year 2012/2013.

APPROVAL OF THE REGIONAL FIVE-YEAR COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY:

David Shellhorse presented the draft 5 Year comprehensive Economic Development Strategy for Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg counties.

Councilman Neil Smith stated this document is a much improved comprehensive plan. Mr. Smith explained the old report was a wish list without a means of a realistic approach. The current plan allows for a project to be updated, planned, and funded. Councilman Neil Smith also stated the list was updated on an annual basis.

Councilman Trey Whitehurst apologized for having internet issues, and was not able to read the document. Mr. Whitehurst stated he was hesitant to vote without reading the document.

During discussion about the deadline for approval, Councilman Jeff Martin stated it was a good report, and if Councilman Neil Smith and Councilman Trey Whitehurst were confident, then he would be in favor of approval.

- Councilman Neil Smith moved to approve the report, and if any council members had issues prior to the October 1, 2012 meeting, then he would certainly deem it appropriate to reconsider. Councilman Jeff Martin seconded the motion and all members voted in favor.

CONSENT AGENDA:

- Motion was made by Councilman Neil Smith, seconded by Councilman Jeff Martin and unanimously passed to approve the consent agenda as amended.
- 1) Committee of the Whole- Presentation from the South Carolina Equine Board of Directors regarding the Economic Development study.

EXECUTIVE SESSION:

- Motion was made by Councilman Neil Smith, seconded by Councilman Sam Wyche, and unanimously passed to convene in executive session for the stated purposes.

Boards and Commissions-
Aeronautics Commission (district 4)
Workready communities
Board of Zoning and Appeals
Contractual Issue

Legal Update

PUBLIC SESSION RECONVENED:

Chairman Willis called the public session back to order and advised the following motions.

WorkReady communities: Motion was made by Chairman Willis, seconded by Councilman Neil Smith and unanimously passed to appoint Ray Farley to the WorkReady Communities Board.

Aeronautics Commission: Motion was made by Councilman Neil Smith, seconded by Councilman Trey Whitehurst and unanimously passed to appoint George Jackson to the Aeronautics Commission.

Board of Zoning and Appeals: Motion was made by Councilman Neil Smith, seconded by Councilman Jeff Martin and unanimously passed to appoint William Dell to the board of Zoning and Appeals.

ADJOURN:

Hearing no further Council business, Chairman Willis called for a motion to adjourn. Motion was made by Councilman Neil Smith, seconded by Councilman Jeff Martin and unanimously passed. Pickens County Council stood adjourned at 8:30 PM.

Respectively Submitted:

Approved:

Sheila Tinsley, Administrative Assistant
Acting Clerk to Council

Jennifer H. Willis, Chairman