

Regular Pickens County Council Meeting
June 10, 2013
6:30 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 on June 4th, 2013.

Council Members in attendance:

G. Neil Smith, Chairman
Tom Ponder, Vice Chairman
Jennifer H. Willis, V.C. Pro-Tem
Jeff Martin
Trey Whitehurst
Randy Crenshaw

Donna Owen, Clerk to Council

Staff:

Chappell Hurst, Administrator
Ken Roper, County Attorney

WELCOME AND CALL TO ORDER:

Chairman Smith called the meeting of June 10, 2013 to order and welcomed those in attendance. Vice Chairman Tom Ponder led the Invocation and Pledge of Allegiance.

PUBLIC FORUM:

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

1. Ron Johnson –Mr. Johnson stated he was a member of the Azalea Festival planning team, and they appreciate all funding resources from the County, and further stated that the Azalea Festival continues to grow more popular each year.
2. Weldon Clark – Mr. Clark stated the Tax Payers Association is encouraging Council to keep the tax base low for FY 2013/14. Also, Mr. Clark stated he has spoken with the County Coroner regarding her request for added personnel. Mr. Clark stated he had several recommendations for Ms. Kelley as it relates to rules about the Coroner's office and their responsibilities for prescription drugs.
3. Chris Williams –Mr. Williams presented Council with Southern Wesleyan University shirts, and to thank Council for their participation regarding the new recreation facilities that are being developed at the college, and available to the public.

With no other citizens addressing Council, Chairman Smith declared the public forum closed.

APPROVAL OF MINUTES – May 6, 2013

- Motion was made by Vice Chairman Tom Ponder, and seconded by Councilman Jeff Martin to approve the minutes of May 6, 2013.

>>>Councilwoman Jennifer H. Willis amended the motion to correct the minutes on page 3 as it relates to the vote on Ordinance No. 464. Mrs. Willis pointed out that the vote as it pertains to this ordinance was not a unanimous vote, and that part of the sentence structure should be stricken. Both Mr. Ponder and Dr. Martin concurred.

- Motion as amended was unanimously passed, with the exception of Councilman Randy Crenshaw who abstained due to his absence.

ADMINISTRATOR’S REPORT:

Mr. Hurst reported the following items to Council.

1. **Appalachian Regional Commission-** This commission represents 13 states in the Southeast, and studies their growth and economic impact. Mr. Hurst stated this commission contacted Pickens County to state that during the last few years during difficult economic turn down that Pickens County was an area that has stood out as being successful while other areas are failing. Mr. Hurst stated he was very proud about this interview with the Appalachian Regional Commission because it gave him the opportunity to give many examples of how staff works to save taxpayers money. In addition, this study also shows the quality of the county’s workforce for economic development. Mr. Hurst concluded by stating this study also shows how Council’s choice to invest in infrastructure has proven to be an asset.
2. **Storm Water Education-**Mr. Hurst stated that storm water education is part of the county’s responsibility. Mr. Hurst showed Council and Citizens pictures of how the storm water team utilizes their time in the classroom, which allows children to participate. In the particular picture that council viewed, the children were assisting in marking storm water drains. Mr. Hurst stated he thought Pickens County is innovative with their work within the schools.

COMMITTEE REPORTS:

- 1) **Administration and Finance Committee**—Chairman Smith gave the following report-

June 4, 2013

The committee of Administration and Finance met on Tuesday, June 4, 2013 at 12 noon in the Main Conference Room at the Pickens County Administration Facility in Pickens SC. All Committee Members were in attendance, as well as Councilman Jeff Martin. Chairman Smith presided.

Committee:

Chairman Neil Smith
Jennifer H. Willis
Trey Whitehurst

Staff:

Chap Hurst, Administrator
Ralph Guarino, Finance Director
Donna Owen, Clerk to Council
Dale Powell, Parks and Recreation

Guest:

Helen Hockwalt, A-Tax Committee
Dot Jackson

Agenda Item Number 38-

Accommodations Tax Recommendations

- The committee recommends funding the Accommodations’ request as recommended from the Accommodation Tax Advisory Committee.
- >>Council unanimously approved.

- The committee further recommends to additionally provide \$10,000 to the Pendleton District Commission and to provide \$15,000 to Big League World Series. The additional funds will come from the 30% money. The committee also stipulates that these funds are to be used to market Pickens County; Big League World Series will also provide matching funds.

>>Council unanimously passed.

COUNCIL CORRESPONDENCE:

Chairman Smith reminded Council of Summer/Fall schedule. Also, Chairman Smith reminded Council that most information from the office is passed via email, so it is important to check.

MOTION PERIOD AND NEW BUSINESS:

Chairman Smith opened the floor for new business. Hearing none, new business was closed.

APPROVAL TO ACCEPT BRIDGTON DRIVE INTO THE COUNTY MINIMUM MAINTENANCE ROAD SYSTEM:

- Motion was made by Vice Chairman Tom Ponder, seconded by Councilman Randy Crenshaw and unanimously passed.

APPROVAL OF THE SHADY GROVE FIRE DISTRICT CONTRACT:

- Motion was made by Vice Chairman Tom Ponder, seconded by Councilman Randy Crenshaw and unanimously passed.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 461 TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO.384,410,424,433,437,438,442,AND 451 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK:

Chairman Smith opened the floor for the Public Hearing as it relates to Ordinance No. 461. Hearing no participation, public hearing was closed. Chairman Smith called for a motion.

- Motion was made by Chairman Smith, seconded by Councilman Trey Whitehurst and unanimously passed that this constitutes third and final reading of Ordinance No. 461.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 462 AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND PROJECT CT, THE CODE NAME FOR A SOUTH CAROLINA CORPORATION, WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES; AND OTHER MATTERS RELATED THERETO:

Chairman Smith opened the floor for the Public Hearing as it relates to Ordinance No. 462. Hearing no participation, public hearing was closed. Chairman Smith called for a motion.

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Jeff Martin and unanimously passed that this constitutes third and final reading of Ordinance No. 462.

PUBLIC HEARING AND THIRD READING OF THE FISCAL YEAR 2013/2014 BUDGET ORDINANCE NO. 463:

Chairman Smith opened the floor for the Public Hearing as it relates to Ordinance No. 463 FY 2013/2014 Budget.

- 1) Weldon Clark stated as President of the Tax Payers Association, the group was in favor of a budget with no tax increase. Mr. Clark thanked Council for their ability to keep taxes down in Pickens County

Hearing no further comments, the public hearing was closed, and Chairman Smith called for a motion.

- Motion was made by Vice Chairman Tom Ponder and seconded by Councilwoman Jennifer H. Willis that this constitutes third reading of Ordinance No. 463

Hearing the motion, Chairman Smith called for any amendments.

Amendments-

1) Magistrate position-

- Councilwoman Jennifer H. Willis made the motion to remove the magistrate position from the budget in the amount of \$59,625.00. During discussion Ms. Willis stated this motion is based on that fact that council is currently spending money for an office building to consolidate magistrates, and also the fact that she will not favor an increase in personnel until the State will utilize technology of online forms. This amendment was seconded by Chairman Smith who also stated that with the consolidation of this department, there needed to be time to see if there is better efficiency before adding personnel. Amendment carried with a unanimous vote.

2) Seniors Unlimited/Harvest Food Bank-

- Councilwoman Jennifer H. Willis moved to remove these (2) outside agencies from the budget in the amount of \$7,000. Ms. Willis explained there have been United Way grants that have assisted in these efforts. Chairman Smith seconded the amendment and added that the Meals on Wheels will be utilizing the Liberty Cafeteria, and will also be part of helping organizations such as Seniors Unlimited. Amendment carried with a unanimous vote.

3) Sheriff's Office-

- Motion was made by Chairman Smith and seconded by Councilman Trey Whitehurst to add to the Sheriff's Office \$35,000 for a requested position/reorganizing. The \$35,000 will come from the \$66,625 deletion amendments; therefore, leaving a balance of \$31,625. Amendment was unanimously approved.

4) Administrative Assistance in Coroner's Office-

- Motion was made by Chairman Smith to utilize funds from the deletion amendments for a part-time position. Motion was seconded by Vice Chairman Tom Ponder. Mr. Ponder stated he wanted to know more about the position needs. Mr. Ponder asked if staff would do an assessment, and further communicated concern that the problem may be clarification of Federal/State mandates as it relates to the position of the Coroner. Councilman Jeff Martin concurred with Mr. Ponder and stated it may be a technology issue.
- Vice Chairman Tom Ponder moved to amend the amendment to state that the funds will be frozen pending a needs assessment, looking at the mandates/requirements of the Coroner, and determining if the issue is personnel driven or technology driven. Seconded by Councilman Jeff Martin, the amendment was unanimously passed.

>>The original motion was unanimously passed as amended.

5) Road Paving Funds.

- Councilman Neil Smith moved to add to the budget a onetime amount from reserves for \$1million for the road paving cycle. Mr. Smith explained that the cost of asphalt has been so expensive that it has caused the county road system to fall behind. Mr. Smith stated he had no issue using the reserve for public services of this type. Also, the county will be using a new sand

mix type of paving on roads that are not in failure status. This will significantly increase the amount of miles being paved this year. Councilwoman Jennifer H. Willis stated she would like to see the paving list on the website so citizens can readily look at the paving list. Amendment was seconded by Councilman Trey Whitehurst and unanimously passed.

Hearing no further amendments Chairman Smith called for a vote on the FY 2013/2014 third reading of Ordinance No. 463 as amended. Motion passed with a unanimous vote.

Point of Order:

Mr. Hurst informed the Chairman that a motion was still needed to add the funding back to the Meals on Wheels agreement. Mr. Smith stated he thought that was part of Mrs. Willis' original motion. Mrs. Willis clarified that she only moved for the deletion, and did not move to add back for the Meals on Wheels agreement.

- Vice Chairman Tom Ponder moved to reconsider the third reading of Ordinance No. 463 for the purpose of further amendments; motion was seconded by Chairman Neil Smith and unanimously passed.
- 1) Meals on Wheels and balance left from the deletion of budgeted items-
- Chairman Smith moved to add back to the amended budget \$7,000 for Meals on Wheels. Mr. Smith stated there is a formal agreement which obligates funding for a (3) year period. Also, this clarifies the amount left for the Coroner's budget is \$24,625. Motion was seconded by Councilman Jeff Martin and unanimously passed.

Hearing no further amendments, Chairman Smith called for a vote for third reading of FY 2013/2014 budget Ordinance No. 463 as amended. Motion passed with a unanimous vote.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 464 TO AMEND THE FISCAL YEAR 2012/2013 BUDGET ORDINANCE:

Chairman Smith opened the floor for the Public Hearing as it relates to Ordinance No. 464, FY 2012/2013 Budget Amendment Ordinance.

1) Weldon Clark- Mr. Clark stated he would still like to be informed about attorney fees. Hearing no further participation, Chairman Smith closed the public hearing and called for a motion.

- Motion was made by Vice Chairman Tom Ponder and seconded by Chairman Smith that this constitutes third reading of Ordinance No. 464.

Amendments-

- 1) Adjustment of Attorney Fees-
 - Motion was made by Councilman Neil Smith, seconded by Councilman Trey Whitehurst to amend the ordinance to include \$75,000 for attorney fees. Amendment carried with all voting in favor, and Councilman Jeff Martin abstaining.
- 2) Land Agreement for Taylor Made-
 - Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Trey Whitehurst and unanimously passed to approve the addition of \$140,000 for the land agreement with Taylor Made, Inc.

Hearing no further amendments, Chairman Smith called for the vote of Ordinance No. 464 as amended.

Councilwoman Jennifer H. Willis requested to let the record show she would be voting in opposition of this ordinance due to the fact that it funds the magistrates building consolidation, and she continues to be appalled that the State will not allow the efficiency of online filing with no cost to the taxpayer.

>>Third reading of Ordinance No. 464 as amended carried with a 5-1 vote; Mrs. Willis voting in opposition.

THIRD READING OF ORDINANCE NO. 466 TO AMEND THE AERONAUTICS COMMISSION AS IT RELATES TO THE NUMBER OF YEARS OF THE TERM:

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Vice Chairman Tom Ponder and unanimously passed that this constitutes a third and final reading of Ordinance No. 466.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 469 AUTHORIZING THE CONVEYANCE OF PROPERTY KNOWN AS THE OLD LIBERTY MIDDLE SCHOOL CAFETERIA TO PICKENS COUNTY MEALS ON WHEELS, INC., ALONG WITH OTHER INDUCEMENTS, IN ORDER TO FACILITATE THE OPERATION OF THE CHARITABLE PROVISION OF MEALS TO INDIVIDUALS IN NEED IN PICKENS COUNTY:

Chairman Smith opened the floor for a public hearing as it relates to Ordinance No. 469. Hearing no participation, Chairman Smith closed the public hearing and called for a motion.

- Motion was made by Chairman Smith, seconded by Councilman Jeff Martin and unanimously passed that this constitutes a third and final reading of Ordinance No. 469.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 467 AN ORDINANCE AUTHORIZING SPECIAL PROPERTY TAX ASSESSMENTS FOR REHABILITATED HISTORIC PROPERTY OR LOW AND MODERATE INCOME RENTAL PROPERTY:

Chairman Smith opened the floor for a public hearing as it relates to Ordinance No. 467. Hearing no participation, Chairman Smith closed the public hearing and called for a motion.

- Motion was made by Councilman Jeff Martin and seconded by Vice Chairman Tom Ponder that this constitutes a third reading of ordinance No. 467.

Amendments-

Chairman Smith stated that between second and third reading, the Attorney has included all the blank areas in the ordinance. These were filled in to state things about oversight and other authority during the process.

- Councilman Jeff Martin moved to amend the ordinance with the changes as stated by the Attorney. Motion was seconded by Vice Chairman Tom Ponder and unanimously passed.
- Ordinance No. 467 was unanimously passed as amended.

CONSENT AGENDA:

- Motion was made by Vice Chairman Tom Ponder, seconded by Councilman Jeff Martin and unanimously passed to approve the consent agenda as proposed.
 - Request for a quit-claim deed-Public Service Committee
 - Property options for courthouse parking-Administration and Finance

EXECUTIVE SESSION:

- Motion was made by Councilwoman Jennifer H. Willis, seconded by Councilman Jeff Martin and unanimously passed to convene into executive session for the stated purposes.
 - Legal Update
 - Boards and Commissions

PUBLIC SESSION RECONVENED:

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

Legal Update-

Council heard a legal update with no action.

Boards and Commissions-

Zoning Board of Appeals-Motion was made by Councilman Randy Crenshaw, seconded by Vice Chairman Tom Ponder and unanimously passed to appoint Patricia Watkins to the Zoning Board of Appeals.

Public Service Commission - Motion was made by Councilman Jeff Martin, seconded by Councilwoman Jennifer H. Willis and unanimously passed to re-appoint Paul West to the Public Service Commission.

Accommodations Tax –Motion was made by Chairman Smith, seconded by Vice Chairman Tom Ponder and unanimously passed to appoint Mr. Dean Andrews to the Accommodations Tax Committee.

ADJOURN:

Hearing no further Council business, Chairman Smith called for a motion to adjourn. Motion was made by Councilwoman Jennifer H. Willis, seconded by Vice Chairman Tom Ponder and unanimously passed. Pickens County Council stood adjourned at 8:45 PM.

Respectively Submitted:

Approved:

Donna F. Owen, Clerk to Council

G. Neil Smith, Chairman