

## **Regular Pickens County Council Meeting**

July 18, 2016

6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman Jennifer Willis presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media on July 11, 2016.

### Council Members in Attendance:

Jennifer H. Willis, Chairman  
Trey Whitehurst, Vice Chairman  
Tom Ponder, Vice Chairman Pro-Tem  
G. Neil Smith  
Randy Crenshaw  
Ensley Feemster

### Staff in Attendance:

John T. Hendricks, Interim Administrator  
Ken Roper, County Attorney  
Crystal A. Alexander, Clerk to Council

### **WELCOME AND CALL TO ORDER:**

Chairman Willis called the meeting of July 18, 2016 to order and welcomed those in attendance. Chairman Willis further led the Invocation and Pledge of Allegiance.

### **PUBLIC FORUM:**

Chairman Willis opened the Public Forum and requested the Clerk to call upon the citizens who signed up to speak.

1. Joseph Herbst: Mr. Herbst appeared regarding the protection of forests and to provide the Council with a document for their consideration.
2. Carolyn McAlister: Ms. McAlister appeared regarding a time-sensitive property issue that is impacting the recent sale of her home. The county attorney and key staff members plan to consult with Ms. McAlister to provide options to help her resolve the referenced issue.
3. Junius Smith: Mr. Smith appeared regarding his opposition to Tri-County Technical College funding and the designated \$23 million that is earmarked for the new jail.
4. Ruth Clark: Ms. Clark appeared regarding the recently implemented fire fee increase for the Pickens Rural Fire District. She further stated her concerns with the action taken.
5. Dan Winchester: Mr. Winchester appeared to discuss the Pickens County Jail/Detention Center and to thank the Council for their service.
  - Councilman Neil Smith reiterated the project for the jail expansion will not resolve all of the issues.

**APPROVAL OF MINUTES:**

Motion was made by Councilman Tom Ponder, seconded by Councilman Randy Crenshaw and unanimously passed to approve the June 20, 2016 minutes as presented.

**ADMINISTRATOR’S REPORT:**

Mr. Hendricks updated Council on the following items:

**Jail Expansion Project:** Mr. Hendricks advised Council a contract has been signed with Moseley Architects for a 67,000 square foot jail. The architect has coordinated a meeting with the County on Thursday, July 21<sup>st</sup> to further discuss the project. Mr. Hendricks further stated there is no expectation that inmate conduct will improve with a new jail facility. He made reference to jail incidents that have recently occurred in new facilities.

**Pickens County Museum:** Mr. Hendricks briefed Council on a structural issue that was discovered three weeks ago at the Museum. He further presented Council with pictures of the damage and an estimated repair cost of \$120,259, with the largest expense to divert water around the building with a French drain. Mr. Hendricks stated this was a preliminary cost and he recommended Council to allocate \$130,000 from the accommodations tax fund for the repair and renovation of the Museum within the next month.

**Public Service Commission:** Mr. Hendricks briefed Council on the County’s sewer on 18-mile Creek and his concerns that may come to fruition over the next two to three years. Additionally, Mr. Hendricks advised Council that Brian O’Kelley, who has 25 years of institutional knowledge, will be retiring next year. Mr. Hendricks further introduced Mr. O’Kelley to speak on behalf of this matter. Mr. O’Kelley, along with Tom Vollmar of Hulsey, McCormick & Wallace, presented Council with a PCPSC Business Plan that proposes the future of the sewer service in Pickens County. The plan addresses the issues that will occur towards the end of the steel package plants lifespan. Mr. Vollmar stated the upper plant may not reach that lifespan and recommends closing that facility, and conveying the waste water down to the middle facility. The plan outlines a 10 year timeline and a proposed revenue stream to fund the project over existing budget.

- During the presentation, Councilman Neil Smith stated concerns with the plan going through people’s property.
- Vice Chairman Trey Whitehurst asked about going across the road and Mr. Hendricks stated that would not be an option.
- Councilman Neil Smith also stated the plan is comparing wholesale to wholesale and the County has two cities that use the sewer and water as a revenue source. This plan will drive their sewer bill up.
  - Mr. Hendricks responded this matter would need to be addressed with the municipalities at some point in the future.
  - Mr. Smith further asked how much grant monies are available.
    - Mr. Vollmar responded there is some grant money, but the money is limited and it seems to be a dwindling supply.
- Councilman Neil Smith stated concerns that the County will eventually reach max capacity on that stream and that is the only stream the County has that can be used for a sewer line. Mr. Vollmar stated there is approximately 3.5 million gallons of capacity in the referenced stream. Mr. Vollmar also stated the County has Twelve Mile Creek that has extra capacity. Mr. Smith stated that option would be expensive to pump and this was not good news.

**Probate Judge and Register of Deeds:** Mr. Hendricks advised Council in 2001 the Probate Judge converted the conference room to offices. A plan has been developed to convert a portion of the Register of Deeds office to the Probate Judge. He further stated the renovation and furniture would cost approximately \$30,000; however, this would give the Probate Judge the ability to have privacy for families that are going through a difficult time. Mr. Hendricks recommended that Council approve the \$30,000 one-time expense and that decision needed to be made in the next thirty days.

**Minimum Rental Standards:** Mr. Hendricks advised Council that he has requested the Planning Director to develop minimum rental standards on property rented as homes. He mentioned Council should expect to receive more information in the next thirty days.

- Chairman Willis asked Mr. Hendricks if there was a standard at the State level. She further asked Mr. Hendricks to research the State statute on this matter.

**Request of Council to Add Items to Executive Session:** Mr. Hendricks requested Council to add two items to Executive Session, as follows: (1) Board and Commissions item; (1) Personnel matter dealing with the Sherriff's Office.

#### **COUNCIL CORRESPONDENCE:**

Chairman Willis opened the floor for any correspondence.

**Council Meeting Update:** Chairman Willis announced the regular called meeting dates for August and September as follows:

- Monday, August 15, 2016 at 6:30 PM
- Monday, September 19, 2016 at 6:30 PM

#### **COMMITTEE REPORTS:**

- Chairman Willis advised there were no committee reports to discuss.

#### **MOTION PERIOD AND NEW BUSINESS:**

- Chairman Willis made a motion to add the two items, requested by the Administrator, to Executive Session as follows: (1) Board and Commissions item; (1) Personnel matter dealing with the Sherriff's Office. Motion was seconded by Councilman Neil Smith and unanimously passed to add the items as presented.
- Councilman Neil Smith made a motion to add two items, requested by the County Attorney, to Executive Session as follows: (2) Contractual – Economic Development items. Motion was seconded by Chairman Willis and unanimously passed to add the items as presented.
- Councilman Neil Smith made a motion to send the request for video camera(s) in the Council Auditorium to the Administration and Finance Committee with the understanding that if the Administrator can proceed within his funding authority of \$5,000, then this item will not go to the Committee. However, this item will go to the Administration and Finance Committee if the Administrator determines the purchase will exceed \$5,000. Mr. Smith stated there would be one camera on each Council member and the speakers and the video would be posted on the website. Motion was seconded by Councilman Tom Ponder and unanimously passed to add this item to the Consent Agenda.
- Councilman Neil Smith made a motion to add to the agenda the funding for Probate Judge Office and the Pickens County Museum, as mentioned in the Administrator's report. Motion was seconded by Councilman Tom Ponder and unanimously passed to add these items to the agenda immediately following the Motion Period and New Business.

- Vice Chairman Trey Whitehurst made a motion to pull the ban on shooting and firing ranges out of Committee and place on the agenda. Motion was seconded by Chairman Willis and unanimously passed to add this item to the agenda.

**CONSIDERATION TO FUND THE RENOVATION OF THE PROBATE JUDGE OFFICE AND THE PICKENS COUNTY MUSEUM** (As added in Motion Period and New Business):

- Motion was made by Councilman Neil Smith and seconded by Councilman Randy Crenshaw to approve the funding of the renovation of the Probate Judge Office in the amount of \$30,000, to be allocated from capital reserves, and the Pickens County Museum in the amount of \$120,000, to be allocated from the accommodations tax fund.
  - During discussion, Vice Chairman Trey Whitehurst requested to review the renovation plan of the Museum in more detail to ensure the best course of action. Chairman Willis agreed with the request by Mr. Whitehurst.
- Motion was unanimously passed to approve the funding as presented and to have further discussion on the Museum renovation project.

**ITEM PULLED FROM THE EDUCATION, RECREATION, HEALTH, WELFARE AND PLANNING COMMITTEE THAT BANS SHOOTING AND FIRING RANGES** (As added in Motion Period and New Business):

- Motion was made by Vice Chairman Trey Whitehurst to amend the previous motion to exclude indoor ranges from the ban and send this item back into the Committee.
  - During discussion, Councilman Neil Smith wanted to confirm this ban would now only apply to external shooting ranges. Mr. Whitehurst confirmed
- Motion was seconded by Councilman Neil Smith and unanimously passed to approve the exclusion of indoor ranges from the ban and place this item back into the Committee.

**CONSIDERATION FOR APPROVAL OF THE REVISED EMPLOYEE HANDBOOK:**

- Motion was made by Councilman Neil Smith and seconded by Councilman Ensley Feemster to approve the revised Employee Handbook as presented.
  - During discussion, Ken Roper recommended Council to amend to send the Employee Handbook back to committee for future provisions.
  - Chairman Willis wanted to confirm, if passed, the Employee Handbook would become effective immediately and the document sent back to committee for further discussion. Mr. Roper confirmed the Chairman's statement.
- Councilman Neil Smith made a motion to amend to send the revised Employee Handbook to the Administration and Finance Committee for future provisions. The motion was seconded by Councilman Ensley Feemster and unanimously passed.
- Motion to approve the revised Employee Handbook, as presented, to become effective immediately and to be sent back to the Administration and Finance Committee for future provisions passed unanimously.

**CONSIDERATION FOR ACCEPTANCE OF MCCALL LANE INTO THE COUNTY ROAD MINIMUM MAINTENANCE SYSTEM:**

- Motion was made by Councilman Tom Ponder and seconded by Councilman Neil Smith.
  - During discussion, Councilman Neil Smith wanted to confirm when a recommendation to accept a road into the County road system is presented to Council, that staff has already performed their due diligence and approved the referenced road from their perspective.
    - This statement was confirmed by Tom Hendricks and Gerald Wilson, the Director of Public Works.
- Motion unanimously passed to accept McCall Lane into the County road system under minimum maintenance.

**CONSIDERATION FOR APPROVAL OF THE REQUESTED ACCOMMODATIONS TAX FUND DISBURSEMENTS:**

- Motion was made by Councilman Ensley Feemster and seconded by Councilman Neil Smith.
  - During discussion, clarification was made that the motion was to fully fund the Hagood Mill in the amount of \$3,000 and the Pickens County Tourism Department in the amount of \$10,000.
- Motion unanimously passed to approve the Accommodations Tax Fund allocations totaling \$13,000 as presented.

**REQUEST TO REVIEW AND APPLY FOR THE 2016 JUSTICE ASSISTANCE GRANT (JAG) GRANT FUNDS:**

- Motion was made by Councilman Tom Ponder and seconded by Councilman Neil Smith.
  - During discussion, Councilman Neil Smith wanted to confirm that staff has reviewed and approved this application.
    - This statement was confirmed by Tom Hendricks.
- Motion to approve the JAG grant application unanimously passed.

**FIRST READING IN TITLE ONLY OF AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING ONE MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$1,550,000) GENERAL OBLIGATION BOND, SERIES 2016 OF PICKENS COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO:**

- Motion was made by Councilman Neil Smith and seconded by Chairman Willis.
  - During discussion, Councilman Neil Smith stated that with his motion in title only, he would like to receive more information relative to the proposed bond.
- Motion unanimously passed to constitute a first reading in title only of this ordinance.

**FIRST READING IN TITLE ONLY OF THE PROPOSED AMENDMENTS TO THE UDSO (UNIFIED DEVELOPMENT STANDARDS ORDINANCE):**

- Motion was made by Councilman Neil Smith and seconded by Vice Chairman Trey Whitehurst.
  - During discussion, Councilman Tom Ponder stated he has additional questions for staff.
- Motion unanimously passed to constitute a first reading in title only of this ordinance.

**FIRST READING OF ORDINANCE NO. 511 TO CONVEY THE QUICK JOBS DEVELOPMENT CENTER:**

- Motion was made by Councilman Tom Ponder and seconded by Chairman Willis to constitute a first reading.
  - During discussion, Chairman Willis clarified the land was not conveyed to Tri-County Technical College when the Quick Jobs Center was built; and therefore, Tri-County cannot obtain insurance as they do not own the land the building sits on.
  - Councilman Neil Smith wanted to further clarify that the reason that the referenced property was in the County's name was due to a grant. Mr. Smith asked if there would be an issue with the grant if we transferred the property to Tri-County Technical College.
    - Ken Roper responded there would have been an issue, but Tri-County investigated this matter and obtained a waiver from the State. The County was ultimately going to convey the property to Tri-County, but has elected to convey earlier to help resolve the insurance problem.
  - Councilman Neil Smith asked for a copy of the letter documenting the State's waiver to allow the County to still receive the referenced grant.

- Councilman Neil Smith wanted to clarify the County has been providing the insurance and that Tri-County has not been uninsured. Mr. Smith further stated if Tri-County owns the property and they insure it, the County pays the insurance costs anyway.
  - Ken Roper confirmed the County would pay for the insurance, as this would be categorized as operations and maintenance. Mr. Roper further clarified this conveyance would solidify the insurance situation.
- Vice Chairman Trey Whitehurst questioned the inability for Tri-County to obtain insurance in this situation.
  - Ken Roper stated staff has thoroughly investigated this matter with the County's carrier and Tri-County has investigated with their carrier. This action would clear up the issue and was inevitably what the County was going to do at a later time.
- Motion unanimously passed to constitute a first reading of Ordinance No. 511.

**CONSENT AGENDA:**

- a) Roads in Farms at Beaver Creek Subdivision - (*Public Service Committee*)
- b) Additional information to be considered by the Committee for Alexander Drive, current log item no. 22 (*Public Service Committee*)
- c) Compensation Plan for Committee review, current log item no. 43 (*Administration and Finance Committee*)
- d) Video Cameras for the Council Auditorium, as added in Motion Period and New Business (*Administration and Finance Committee*)
  - Motion was made by Vice Chairman Trey Whitehurst, seconded by Ensley Feemster and unanimously passed to approve the consent agenda as presented.

**EXECUTIVE SESSION: S.C. Code of Laws, Section 30-4-70 (a)**

Chairman Willis called for a motion to convene into Executive Session as defined by S.C. Code of Laws, Section 30-4-70 (a). Chairman Willis further stated that each issue would be discussed as the Law provides.

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

**Legal Issues-Section 30-4-70 (a) (2)**

- MRR Pickens LLC
- Detention Center (2)
- Legal Review of County Plans
- Liability

**Contractual Issues- Section 30-4-70 (a) (2)**

- Acquisition of Property (1)
- Leased Property (3)
- Industrial Park (1)

**Personnel-30-4-70 (a) (1)**

- County Administrator Recruitment
- Code Officers (6)
- Sheriff's Office (1) – (As added in Motion Period and New Business)

**Economic Development-30-4-70 (a) (5)**

- Project Dallas
- Project Exodus
- Contractual Item (2)- (As added in Motion Period and New Business)

**Boards and Commissions-30-4-70 (a) (1)**

- Board and Commissions (4) - (Additional item added in Motion Period and New Business)

**ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:**

**PUBLIC SESSION RECONVENED:**

Chairman Willis called the Public Session back to order and advised the following motions:

**Legal Issues-Section 30-4-70 (a) (2)**

- MRR Pickens LLC – No Action
- Detention Center (2) – No Action
- Legal Review of County Plans – No Action
- Liability – No Action

**Contractual Issues- Section 30-4-70 (a) (2)**

- Acquisition of Property (1) –No Action
- Leased Property (3) – No Action
- Industrial Park (1) –No Action

**Personnel-30-4-70 (a) (1)**

- County Administrator Recruitment
  - Motion was made by Vice Chairman Trey Whitehurst, seconded by Chairman Willis and unanimously passed to hire Gerald Wilson as the new Pickens County Administrator.
- Code Officers (6)
  - Motion to approve the following resolutions to commission code officers made by Vice Chairman Trey Whitehurst:
    1. Resolution No. 2016-06: Donnie R. Green, Jr.
    2. Resolution No. 2016-07: Stacey E. Kelley
    3. Resolution No. 2016-08: Wesley L. Bearden
    4. Resolution No. 2016-09: Robert E. Kelley
    5. Resolution No. 2016-10: Timothy W. Epting
    6. Resolution No. 2016-11: Thomas A. Masters
  - Motion was seconded by Councilman Ensley Feemster and unanimously passed to approve the resolutions as presented.
- Sheriff's Office (1) – (As added in Motion Period and New Business) –No Action

**Economic Development-30-4-70 (a) (5)**

- Project Dallas –No Action
- Project Exodus –No Action
- Contractual Item (2)- (As added in Motion Period and New Business)
  - Motion was made by Councilman Neil Smith to approve Project JAK to allow the subdivision of the property within the park based on the information provided. Motion was seconded by Councilman Tom Ponder and unanimously passed to approve the item as presented.
  - Motion was made by Vice Chairman Trey Whitehurst to grant the \$64,000 for the initial plans of the grading of the industrial site. Motion was seconded by Councilman Randy Crenshaw and unanimously passed to approve the expenditure as presented.

**Boards and Commissions-30-4-70 (a) (1)**

- Board and Commissions (4) - (Additional item added in Motion Period and New Business)
  - Motion was made by Vice Chairman Trey Whitehurst to appoint the following to the new Spring Fire District Board:
    1. Thomas Greene
    2. Louis A. Willimon
    3. Jean Badalamenti
  - Motion was seconded by Councilman Neil Smith and unanimously passed to approve the appointments to the new Springs Fire Board as presented.
  - Motion was made by Vice Chairman Trey Whitehurst, seconded by Councilman Neil Smith and unanimously approved to constitute a first reading in title only of an ordinance to amend the Library ordinance.

**ADJOURN:**

Hearing no further Council business, Chairman Willis called for a motion to adjourn. Motion was made by Councilman Tom Ponder, seconded by Councilman Randy Crenshaw and unanimously passed. Pickens County Council stood adjourned at 9:50 p.m.

Respectively Submitted:

Approved:

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Crystal A. Alexander, Clerk to Council

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Jennifer H. Willis, Chairman