

Regular Pickens County Council Meeting

September 11, 2017

6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman Roy Costner presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media on September 7, 2017.

Council Members in Attendance:

Roy Costner, Chairman

Chris Bowers, Vice Chairman

Wes Hendricks, Vice Chairman Pro-Tem

Trey Whitehurst

Ensley Feemster

Carl Hudson

Staff in Attendance:

Gerald Wilson, County Administrator

Ken Roper, County Attorney

Crystal A. Alexander, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the meeting of September 11, 2017 to order and welcomed those in attendance. Chairman Roy Costner led a moment of silence to honor the September 11 victims and their families. Councilman Carl Hudson further led the Invocation and Pledge of Allegiance.

PUBLIC FORUM:

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

The Clerk to Council announced that there were no citizens that requested to speak.

APPROVAL OF MINUTES:

- Motion was made by Vice Chairman Chris Bowers and seconded by Councilman Ensley Feemster to approve the minutes as presented.
- Councilman Wes Hendricks made a motion to amend the minutes of August 14, 2017 to reflect his opposition of the appointment of Bob W. Young to the Planning Commission. Motion was seconded by Chairman Roy Costner and carried unanimously.
- Motion carried to approve the minutes for the August 14, 2017 (as amended), August 15, 2017–Special Called and August 21, 2017–Special Called meetings, as presented.

ADMINISTRATOR'S REPORT:

County Administrator, Gerald Wilson, announced that he did not have any items to report.

COMMITTEE REPORTS: August 21, 2017 – Committee of the Whole

Chairman Roy Costner provided the following report for the Committee of the Whole meeting that was held on August 21, 2017:

The Committee of the Whole met in the Main Conference Room on Monday, August 21, 2017 immediately following the Special Called meeting at 6:00 p.m. All members of the committee were in attendance with Chairman Roy Costner presiding.

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the Committee of the Whole meeting to order and welcomed those in attendance.

COMMITTEE OF THE WHOLE:

Speeding Concerns -Old Six Mile Highway – Log No. 67

- Motion to recommend removing this item from the log was made by Chairman Roy Costner, seconded by Vice Chairman Chris Bowers and carried unanimously.

- ❖ Committee recommended removing item no. 67 from the committee log.

Council Action on Log No. 67:

- Motion to remove item, Speeding Concerns – Old Six Mile Highway, from the log carried unanimously.

Spring Break Rowing 2017 – Venue for Event – Log No. 68

- ❖ Committee recommended removing item no. 68 from the committee log.

Council Action on Log No. 68:

- Motion to remove item, Spring Break Rowing 2017, from the log carried unanimously.

Teen Canteen Conveyance to the City of Pickens – Ordinance No. 518 – Log No. 64

- Motion was made by Councilman Carl Hudson and seconded by Vice Chairman Chris Bowers to recommend amending Section 1 to allow for the conveyance of property to include the building, the upper parking lot and the lower parking lot with no lease conditions. Additionally to address the property issue to allow for the right of way for the adjoining property owner. Motion carried unanimously.

- ❖ Committee recommended third reading of Ordinance 518 with the following amendments: (a) change *Section 1- Conveyance of Land*, to allow for the conveyance of property to include the building, the upper parking lot and the lower parking lot with no lease conditions: (b) to resolve the property issue to allow for a right of way for the adjoining property owner.

Council Action on Log No. 64:

THIRD READING OF ORDINANCE NO. 518 AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OF PICKENS COUNTY, SOUTH CAROLINA, KNOWN AS THE TEEN CANTEEN, TO THE CITY OF PICKENS; AND OTHER MATTERS RELATED THERETO.

- Motion to constitute third reading of Ordinance 518 carried (5-1), with Councilman Trey Whitehurst opposed.

Accommodations Tax Recommendations for 2017 – Log No. 65

- Gerald Wilson introduced Dale Powell to present the Committee with an overview.
- Mr. Powell provided the Committee with the referenced document, [ATAX Committee Recommendation](#).
- After discussion, Councilman Trey Whitehurst recommended the following ATAX funding:
 - 1) Preserving Our Southern Appalachian Music – Winter Bluegrass Jubilee: \$4,000.00
 - 2) Clemson Chamber, Town of Central – Central Railroad Festival: \$3,000.00
 - 3) Town of Six Mile – Historical Sign (Cherokee Trail): \$4,020.00
- Motion was made by Vice Chairman Chris Bowers to recommend the funding, as presented by the ATAX Committee, to include the three recommendations from Councilman Trey Whitehurst (listed above). Motion was seconded by Chairman Roy Costner and carried unanimously passed.

❖ Committee recommended to approve ATAX funding as follows:

Organization Name	Project Name	Approved Amount
Clemson Area African-American Museum	Milestones	\$2,000.00
Preserving Our Southern App Music	Winter Bluegrass Jubilee	\$4,000.00
Clemson Chamber, Town of Central	Central Railroad Festival	\$3,000.00
Pumpkintown Opry	Really Big Show and Dinner	\$6,000.00
Pickens Azalea Festival, Inc.	Pickens Azalea Festival	\$5,000.00
Upstate Heritage Quilt Trail	2017 Promotion Plan	\$4,000.00
Upcountry Quilters Guild	2017 Quilt Show	\$500.00
City of Pickens	Take me to Pickens/Doodle Project	\$7,000.00
Town of Six Mile	Historic Monument Sign (<i>Cherokee Trail</i>)	\$4,020.00
Holly Springs Center	School of Mountain Arts	\$5,000.00
Arts Center of Clemson	Festival of Arts	\$2,500.00
Pickens Chamber of Commerce	Pickens Heritage Quilt Trail	\$3,000.00
Hagood Mill	Native American Event	\$6,000.00
Total:		\$52,020.00

Council Action on Log No. 65:

- Motion to approve the Accommodations Tax funding, as recommended by Committee, carried unanimously.

Proposed Sewer Plan and Availability Fee – Log No. 43

- Brian O’Kelley and Wes Hulseley presented the proposed sewer plan.
 - Joel Ledbetter provided the Committee with a handout, Easley Combined Utilities Proposed Acquisition of Treatment Plant Capacity, and further discussed the referenced proposal.
 - After much discussion, the Chairman Roy Costner moved to direct the County Administrator to begin negotiation efforts related to the Saluda River Basin and present a proposal to Council. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.
 - Vice Chairman Chris Bowers moved to recommend to approve the budget modification for 2018, as presented in the proposed Sewer Plan and to increase the availability fee to \$2,340.00. Motion was seconded by Councilman Ensley Feemster and carried unanimously.
- ❖ Committee recommended the following: directing the County Administrator to begin negotiation efforts related to the Saluda River Basin and present a proposal to Council; approving the budget modification for 2018 as presented in the proposed Sewer Plan; and increasing the availability fee to \$2,340.00.

Council Action on Log No. 43:

- Motion, as recommended by the Committee, to direct the County Administrator to begin negotiation efforts related to the Saluda River Basin and present a proposal to Council; approve the budget modification for 2018 as presented in the proposed Sewer Plan; and increase the availability fee to \$2,340.00 carried unanimously.

ADJOURN:

Hearing no further Committee business, Chairman Roy Costner moved to adjourn. Motion was seconded by Councilman Carl Hudson and carried unanimously. The Committee of the Whole stood adjourned at 9:07 p.m.

<<END OF COMMITTEE REPORT>>

COUNCIL CORRESPONDENCE:

Chairman Roy Costner announced the following:

- The Committee of the Whole will meet on Monday, September 18 at 6:00 p.m. in the Main Conference Room of the Administration Facility.

MOTION PERIOD AND NEW BUSINESS:

- a) CONSIDERATION OF MOTION TO PROCEED WITH THE SECOND READING OF ORDINANCE NO. 545 AUTHORIZING (1) THE EXECUTION AND DELIVERY OF AN AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT EXODUS, ACTING FOR ITSELF, ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY SHALL PROVIDE A REIMBURSEMENT TO THE COMPANY OF CERTAIN INCURRED COSTS (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; AND (3) OTHER MATTERS RELATING THERETO.
- Motion was made by Chairman Roy Costner, Councilman Ensley Feemster and carried to add this item to the agenda after item no. 14.
 - Councilman Trey Whitehurst moved to defer all of the current Executive Session agenda items to the meeting next Monday night (September 18). Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.

PUBLIC HEARING AND CONSIDERATION TO APPROVE A RESOLUTION IN TITLE ONLY AUTHORIZING THE NAME OF THE CROSSWELL FIRE STATION BE CHANGED TO THE ALVIN LEE DUNCAN FIREHOUSE, IN HONOR OF MR. DUNCAN'S SERVICE TO PICKENS COUNTY AND THE CROSSWELL FIRE DISTRICT.

Chairman Roy Costner opened the public hearing for comment. The Chairman called on the following to speak:

- 1) Scott Smith: Mr. Smith stated that the recommendation to rename the Crosswell Fire Station came from the Crosswell Fire District Board to honor Mr. Duncan for his years of service to Pickens County and to the Fire District. He stated that Mr. Duncan exemplified the meaning of service; he served his Country through the United States Air Force during the Korean Conflict and the State of South Carolina as a State Constable for many years. Mr. Smith stated that Mr. Duncan switched his law certification to the Pickens County Sheriff's Office and served as a reserve Deputy for over fifteen years, where he was named "Officer of the Year" on three different occasions. He stated that Mr. Duncan held the Crosswell Fire District in high regard, where he attended the first formation meeting for the Board and passed a hat to raise \$62.00 for operating costs. Mr. Smith stated that unfortunately Mr. Duncan passed away on August 16, 2017 at the age of 85, after a battle with cancer. He clarified that the Board thought renaming the building would be a fitting honor to Mr. Duncan, as he served on the Board from the very first meeting, until the last meeting prior to his death.

There being no more speakers, Chairman Roy Costner declared the public hearing closed.

- Motion was made by Councilman Carl Hudson, seconded by Vice Chairman Chris Bowers and carried unanimously to approve the Crosswell Fire Station be renamed to the Alvin Lee Duncan Firehouse.

RESOLUTION NO. 2017-17 DECLARING OCTOBER AS NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH.

- Motion was made by Councilman Wes Hendricks and seconded by Councilman Ensley Feemster.

➤ During discussion, Councilman Wes Hendricks stated that he thought this was important, as he works with children at school that have learning disabilities and he has observed them succeed in different areas. He encouraged businesses to consider employing individuals that have a disability.

- Motion carried unanimously to approve Resolution 2017-17, as presented.

PUBLIC HEARING AND ESTABLISHMENT OF MILLAGE RATE FOR FISCAL YEAR 2017/2018.

Chairman Roy Costner opened the public hearing for comment. Chairman Costner called on the following speakers:

- 1) Ralph Guarino (called on by the Chairman): Mr. Guarino advised that a memo, from the Administrator, should have been provided to the Council that outlined the recommended millage rates for the 2017/2018 Budget. He stated that there was no millage increase on any of the operations, with the exception of the Shady Grove Fire District that was requested to increase by 4.6 mills to 16.8 mills. Mr. Guarino clarified that the referenced increase was voted in favor of, by the constituents in that District, via a referendum during the November 2016 election. He stated that everything else will remain the same with no tax increase for this fiscal year.

There being no more speakers, Chairman Roy Costner declared the public hearing closed.

- Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and carried unanimously to establish the millage rate, as presented.

FIRST READING IN TITLE ONLY OF AN ORDINANCE TO AMEND CHAPTER 14 OF THE CODE OF ORDINANCE OF PICKENS COUNTY, THE DEVELOPMENT STANDARDS ORDINANCE, TO COMPLY WITH REQUIREMENTS FROM THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND OTHER MATTERS RELATED THERETO.

- Motion was made by Councilman Carl Hudson and seconded by Vice Chairman Chris Bowers.
 - Vice Chairman Chris Bowers moved to amend the motion to commit to the Committee of the Whole after the first reading in title only. Motion was seconded by Councilman Wes Hendricks and carried unanimously.
- Motion to constitute first reading in title only of the Ordinance, as amended, carried unanimously. The Ordinance will be sent to the Committee of the Whole for further discussion.

PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 542 TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) GENERAL OBLIGATION NOTE, SERIES 2017D 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.

Chairman Roy Costner opened the public hearing for comment. Chairman Roy Costner called on the following speakers:

- 1) Ken Roper on behalf of Ricky Hall: Mr. Roper stated that although there is no legal requirement to do so, public comment was requested via social media to accommodate those that may not attend the meeting due to inclement weather. He read the following statement from Mr. Hall: *"I am not in favor of borrowing more money than is necessary for government of any sort. If borrowing more money lends itself to paying more ultimately, then at some point that is a worse bargain for the tax payer when the check comes due so to speak. I was taught a long time ago, that any debt serves as a ball and chain shackle to the borrower. It is so true as that debt seems to follow you and prevent other opportunities from developing, most notably, finding other solutions that don't put the tax payer on the hook ultimately."*

There being no more speakers, Chairman Roy Costner declared the public hearing closed.

- Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and carried unanimously to constitute second reading of Ordinance 542.

THIRD READING OF ORDINANCE NO. 540 TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING THIRTY-TWO MILLION DOLLARS (\$32,000,000) GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS, SERIES 2017 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 Ensley Feemster and seconded by Vice Chairman Chris Bowers.
 - During discussion, Chairman Roy Costner clarified that this bond is for the jail project and the consolidation of certain debt that may result in an approximate cost saving of \$1 million for the County.
- Motion carried (5-1), with Councilman Trey Whitehurst opposed.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 544 TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH OCONEE COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED BY A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS “PROJECT EXODUS” OR ITS ASSIGNEE, AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS 1976, SECTION 4-1-170 ET SEQ., AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH OCONEE COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE ALLOCATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX; AND MATTERS RELATED THERETO.

Chairman Roy Costner opened the public hearing for comment. Chairman Roy Costner called on the following speakers:

- 1) Ken Roper on behalf of Johnnelle Raines: Mr. Roper requested that the Chairman consider asking for unanimous consent that certain comments made by Johnnelle Raines be entered into the minutes of council at the conclusion of the public hearing. Mr. Roper clarified that the referenced comments are not germane to this public hearing, but he wanted to ensure that all of council had these comments in their record. He clarified the comments are pertaining to private property rights.

There being no more speakers, Chairman Roy Costner declared the public hearing closed.

- At the request of the County Attorney, Chairman Roy Costner ordered by unanimous consent to add the comments provided by Ms. Raines into the record.
 - [Referenced comments provided by Johnnelle Raines on September 11, 2017](#)
- Motion to constitute third reading of Ordinance 544 was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster and carried unanimously.

SECOND READING OF ORDINANCE NO. 545 AUTHORIZING (1) THE EXECUTION AND DELIVERY OF AN AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT EXODUS, ACTING FOR ITSELF, ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY SHALL PROVIDE A REIMBURSEMENT TO THE COMPANY OF CERTAIN INCURRED COSTS (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; AND (3) OTHER MATTERS RELATING THERETO. (As added in Motion Period and New Business):

- Motion was made by Chairman Roy Costner and seconded by Vice Chairman Chris Bowers.
 - During discussion, Councilman Trey Whitehurst questioned the monetary grant to the Company in the amount of \$25,000.

Gerald Wilson responded for clarification purposes, that this is standard procedure with economic development projects. He stated that as an example, the County provided \$1 million to Project Big Apple and \$1 million to Project Dallas. Mr. Wilson clarified that these funds are an incentive to the Company to locate in Pickens County.

Councilman Trey Whitehurst asked if the County would be reimbursed first dollars on this agreement and if those terms are stipulated in the Ordinance.

Mr. Wilson responded yes and deferred to the County Attorney, Ken Roper, to respond to the language in the Ordinance.

Mr. Roper responded that the referenced language is included in a previously adopted ordinance and does not have to be included in the proposed Ordinance.

- Motion carried unanimously to constitute second reading of Ordinance 545 as presented.

CONSENT AGENDA:

- a) Tourism Plan
- Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson and carried unanimously to approve the consent agenda as presented.

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

Chairman Roy Costner reiterated that the decision was made to defer the Executive Session items to the meeting on September 18, 2017.

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

- Georges Creek Regional Sewer
- Health Insurance Options
- Easley TIF (tax increment financing)

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

- Dacusville Fire District Board
- Board and Commission Vacancies (60):
 - a) Accommodations Tax (ATAX)
 - b) Assessment and Appeals
 - c) Beautification Committee
 - d) Cultural Commission

- e) Economic Development Alliance
- f) Emergency Services Advisory Board
- g) Fire District Board - Crosswell
- h) Fire District Board - Liberty
- i) Fire District Board - Pickens
- j) Fire District Board - Pumpkintown
- k) Fire District Board - Six Mile
- l) Fire District Board - Springs
- m) Pickens County Grievance Committee
- n) Pickens, Oconee, Anderson Mental Health
- o) Public Service Commission
- p) Sedgewood Tax District
- q) Six Mile Rural Water
- r) Southside Rural Water
- s) Water Authority
- t) Zoning and Appeals
- u) *Hagood Mill Non-Profit Corporation Board
- v) *Pickens County Museum Non-Profit Corporation Board
- w) *Performing Arts Center Non-Profit Corporation Board

ADJOURN:

Hearing no further Council business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster and carried unanimously. Pickens County Council stood adjourned at 7:02 p.m.

Respectively Submitted:

Approved:

Crystal A. Alexander, Clerk to Council

Roy B. Costner, III, Chairman of County Council