

## **Regular Pickens County Council Meeting**

June 7, 2021

6:30 PM

County Council met in regular session, in the Auditorium of the County Administration Facility, with Chairman Chris Bowers presiding. Agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on June 2, 2021.

### Council Members in Attendance:

Chris Bowers, Chairman

Roy Costner, Vice Chairman

Trey Whitehurst, Vice Chairman Pro-Tem

Alex Saitta

Ensley Feemster

Henry Wilson

### Staff in Attendance:

Ken Roper, County Administrator

Meagan Nations, Clerk to Council

Les Hendricks, Contract Attorney

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

Chairman Chris Bowers called the meeting of June 7, 2021 to order and welcomed those in attendance. Councilman Ensley Feemster led the Invocation, and the Hendricks Brothers of Pickens led the Pledge of Alliance.

Following the Pledge of Allegiance, Council presented a Certificate in Honor to the Hendricks Brothers of Pickens, thanking them for their service.

### **PUBLIC FORUM:**

Chairman Chris Bowers opened the Public Forum and requested the Clerk to call upon the citizens signed up to speak, and who left a voicemail through the County phone in Council Chambers.

1. Chris Williams: Mr. Williams stated he will be sharing what he perceives as a growing threat to our property rights. He stated without property, we have no liberty and no means to exercise our inalienable rights of life, liberty, and the pursuit of happiness. He stated without property, you and I are in practice the property of government. Mr. Williams gave three points from the 10-point plan in the communist manifesto. He stated for 100+ years, Marxist socialist ideology has been infiltrating all levels of our culture from academia, government, entertainment, and notably mass media.
2. Tommy Stroud: Mr. Stroud stated we are proud of our Dacusville Community and we are a God-fearing community who is thankful for His many blessings. He stated Grandparents, Parents and Pillars of our community have taught us what was right and wrong, good family values and morals, and we are trying to teach our children and grandchildren the same values. He stated grown-ups are supposed to make good examples, especially the County Council because they make our rules and our regulations for Pickens County. He stated with much concern, he is there to voice his opinion on the serving of alcohol and wine at our Community Center. Mr. Stroud stated everyone on Council does not live in our Dacusville area. He stated our Community Club voted some guidelines consisting of no smoking, no alcohol, no profanity and others be allowed at our Community Center. He stated we have boys and girls clubs, sewing groups, a library, a

fitness center, self-defense classes and recreation facilities for our youth. He stated we do not want our children and grandchildren to come out to these facilities with someone drinking and using foul language. Mr. Stroud stated we have had horse shows, July 4<sup>th</sup> BBQ's, farm days, car shows, and Christmas Tree lightings, in which six to seven churches have participated, without the serving of alcohol. He stated each have been a success. He stated if someone cannot stop drinking for two to three hours, they surely do not need to be in our community placing our children and family in danger. He stated he is coming to Council to keep our community values and families safe.

3. Maggie Erickson: Ms. Erickson stated where she lives on Six Mile Highway, and stated she is here to address Council about a nuisance property with chronic code violations on Six Mile Highway, which is adjacent to her property, and Daniel High School. She stated in September 2017, she and her husband moved into her childhood home, which her family has owned since 1974. She stated the property is adjacent to their north began deteriorating rapidly, including a large build-up of junk, including over 30 junk cars, boats, RVs, appliance and garbage scattered throughout the property. She stated she searched Pickens County's Code of Ordinances and realized there were numerous violations, and contacted code enforcement. Ms. Erickson stated in February 2020, she contacted Councilman Whitehurst with concerns about the ongoing code violations. She stated they had been in regular contact with code enforcement but weren't seeing much progress, but after speaking with Councilman Whitehurst, the code enforcement officer was out reviewing the property again, then citing the residents for violations. She stated according to the officer and public record, the resident is current in queue for three jury trials related to code violations, and at his last appearance before the magistrate in 2020, he was ordered to build a fence along their property line. She stated it has been over a year and though the resident began building the fence, it isn't completed over one year later. She stated it's partially constructed with junk, including a 3-foot-tall blue swimming pool liner, and it encroaches on our property in two locations. She stated if the resident was ordered to build a fence because of the junk, then they also request a review of the codes which prohibit a junkyard within a thousand feet of a public school (Chapter 10, Article 3, Section 10-74(c)). She stated the property should be cleaned up and should not be allowed to operate as a non-licensed or licensed junkyard, fence or no fence. She stated this isn't just about a fence; the resident is a chronic violator of the codes of Pickens County and the magistrate's orders. She stated we're addressing this in the public forum because this property is a hazard to the surrounding residents and to Daniel High School. According to the Pickens County Code of Ordinances: "...the violation of any such provision of this Code, or any such ordinance, shall be subject to a fine not exceeding \$500.00 or imprisonment not exceeding 30 days, or both such fine and imprisonment. (b) Each day any violation of this Code or any such ordinance, resolution, rule, regulation or order shall continue shall constitute, except where otherwise provided, a separate offense." ~Chapter 8, Article II, Division 2, Section 8-77(c) that cross references Section 1-7 quoted above. Ms. Erickson stated she believes that only full enforcement of the steepest penalty will get this resident's attention. She stated citations and appearing before the magistrate have not brought him into compliance and they are asking for follow up inspections and for the steepest penalties for non-compliance to be implemented. She stated when Councilman Whitehurst and I spoke on the phone January of 2020, he said that the codes are meant to ensure the peaceful enjoyment of our property, as well as to help protect property values. She stated we are begging you to be part of protecting our property value and restoring the peaceful enjoyment of our property, which we have not had since moving here in September of 2017. She thanked Council for their time and for their public service to our county.
4. Brad Erickson: Mr. Erickson stated he lives on Six Mile Highway and he is concerned about the condition of the property adjacent to his house, specifically the dwellings. He stated he has been in the brick residence and the tiny home on Six Mile Hwy. He stated in the brick home, the

resident ripped out all the ductwork and copper piping over a year ago, a deck is falling off the back, and there's a window that has been missing in the home and the hole has remained uncovered for more than two years. Mr. Erickson stated we believe people live in RVs on the property, but don't know if or how they have access to sanitation. He stated he does not know if the tiny house was permitted or inspected after being built, and one resident lives in the tiny home. He stated they are asking that an inspection be made of the structures on the property to ensure compliance with health and safety codes as outlined in Article II, Housing and Abatement. He stated he has tried on several occasions to work directly with the resident about the unfinished fence, but he's unwilling to work with us. He's asking the council to direct a coordinated effort between council, administrator, code enforcement, the magistrate, the solicitor (if necessary) and anyone else who may have authority to act in regard to the chronic code violations and unsafe conditions at the home on Six Mile Hwy. Mr. Erickson stated please help restore health, safety and the peaceful enjoyment of our property. He thanked Council for their time and their public service.

5. Dale Holloway: Mr. Holloway stated he will be sharing a letter from Tom Turner addressing concerns shared by him and members of the Dacusville community of an upcoming event. He stated he lives on Earls Bridge Road in the Dacusville Community. He stated together, with the Dacusville Community Volunteers, we host the Dacusville Farm Show every year. He stated thus far, we have held eight Dacusville Farm Shows alcohol-free, with visitors from all over the state and other states. Mr. Holloway stated he comes tonight seeking some answers, concerning the art show that is to be held at the Dacusville Community Center. He stated it is his understanding that alcohol will be sold at this event and he is against the sale of alcohol at the event, and any other event held at the Community center. He stated he had a few questions, which were:
  - What kind of alcohol is to be sold?
  - Three readings are usually made before the granting permission of this kind of permit, and did this happen?
  - I have brought photos of a sign outside the community center which states there is to be no alcohol used or consumed on the premises.
  - Bylaws of the Dacusville Community Center states that there will be no consumption of alcohol at the community center.
  - Who is paying for the liability insurance of the alcohol? Who will be liable if someone is seriously hurt or killed if alcohol is traced back to the event?
  - Will the County be responsible?
  - Do taxes pay for the insurance or pay if someone is hurt or killed?
  - Who is licensed to serve and provide the alcohol?
  - Will servers be trained to determine if someone has had too much alcohol? Who is in charge to set up a cut off limit? Will Law Enforcement be there?
  - On Arrests.org, there have been 84 DUI related charges since the first of the year.
6. Johnnelle Raines: Ms. Raines stated that over 325 members of the Conservatives of the Upstate have 4 concerns this evening.
  - 1) She stated first, none of Council have replied to her emails if you are in favor or against signing our Resolution we presented to you all affirming you will protect our property rights in the Comprehensive Plan. She stated we are close to 300 petition signatures from citizens who want you to adopt this resolution, and they are still collecting through this month.
  - 2) Secondly, she stated their group is upset that the alcohol sales vote on County property was not transparent ahead of time for citizens to know what your behind the scenes plans were. She stated no one knew there was going to be a vote on this issue, except a few

“special” citizens. Ms. Raines stated just because Council had two speakers speaking on behalf of alcohol sales on the night of that vote, was not reason enough to go against an already in place policy for decades of no alcohol on county property. She stated it is very concerning that the agenda informs people of upcoming votes that there was no actual verbiage saying “Considering alcohol sales on county property.” She stated one has to wonder if this was by design or was it because Council did not want hordes of people at the meeting opposing this policy. She stated that four Council members voted for it anyway, with little to no input from average citizens. She asked what the procedure is now if citizens want this policy changed back and that they would like to know going forward that on any agenda the verbiage is transparent and any votes that are going to take place, not requiring three readings, we the people be informed. She stated even the newspaper didn’t alert citizens about Council’s upcoming vote on this alcohol issue last month.

- 3) Third, Ms. Raines stated they would like to know more about the 2 EMS vehicles purchased recently. She stated are they presently on the roads answering calls, and if not, why not? She asked are County EMS ambulances services prepared for growth of calls due to population. She stated they would also like to know the total cost to taxpayers of the new Pickens County logo, including updating the new signage, employee uniforms and logos on equipment like the EMS vehicles and county vehicles.
  - 4) Lastly, Ms. Raines stated the library situation is indeed troublesome. She stated sitting on a 3-million-dollar nest egg of tax payer money is outrageous and Council is over collecting our tax money and they can’t understand why the library has a leg to stand on to complain and say you are cutting their funds. She stated please move forward with Council’s plan to adjust their millage so there will not be over collection of taxes taking place. She stated if there are reserves in any departments, those funds should be spent on critical needs, not just “wants”, or at least consider refunding the over collection to the tax payer.
7. Ken Horbinski: Mr. Horbinski stated that two years ago in this room at a Council Meeting, he presented the issue of heavy trucks using the engine brakes in our community. He stated he is asking Council once again to please give your attention to this loud, unnecessary noise. He stated since that meeting, his wife and himself were in York, SC in York County. He stated there were posted signs that said “No Engine Breaks” with a hefty fine. Mr. Horbinski stated there is a trucking company right as you enter the town and their County Council solved this problem, as he talked with one of their members. He stated he is asking Council to please do something about this. He stated he will get a petition and cover Hwy 8 from Hwy 11, right into the City of Pickens, where this occurs daily. He stated he has talked about this with many residents who live on or near Hwy 8, and they are on board with the annoyance of this loud noise and would like for it to be stopped. He stated he is not against trucks and truck drivers, as they are the wheels that move our commerce and vital to our economy. Mr. Horbinski stated he worked in the trucking industry, both management and road driver, and he has been behind the wheel of a big truck for over 1 million miles. He stated he is well aware of how this loud noise can be stopped. He advised some of these drivers have absolutely no mufflers on their rigs so in essence, they are running straight pipes right off the exhaust manifold. He stated we can hear them coming at least a mile away, and when they go by the noise gets louder. He stated drivers use their engine brakes coming to the stop at Pumpkintown blinker light, a totally flat stretch of Hwy 8. After more discussion, Mr. Horbinski stated before he brought this issue to Council last time, he contacted the trucking company whose trucks were making the loud noise. He stated he politely explained the noise in our rural area, and he was treated rudely, hung up on and the truck noise got worse. He stated he is looking for some peace and quiet in our lovely county and he thanked Council for the opportunity to speak.

8. Pat Edmunds: Ms. Edmunds stated she would like to talk about the Library funding situation. She stated a wide spectrum of the population in this county uses the library, including young children, adults and older adults. She stated it is a source of information, a source of comfort, and it is vitally important to maintain the library systems. She stated this is knowledge infrastructure that needs to be maintained. Ms. Edmunds stated if you have not been in the library the last couple of years, she encourages citizens to go. She stated they have outreach programs in all areas. She stated all kinds of business were down in door count areas this past year due to the pandemic. She stated her husband doesn't go to the library but he uses his phone every day, which is connected to a library.
9. Melanie McClain: Ms. McClain thanked Council for their service. She stated she is lifelong resident of the Upstate SC, growing up in neighboring Oconee County, but she has raised her family in Pickens County along with her husband and two children who attend RC Edwards. She stated she resides in Central SC, on a property adjacent to Daniel High. She stated the Journal Newspaper published an article about an incident that took place in the Daniel High School Parking Lot on May 19<sup>th</sup>, and while the article was not specific about the aggressor in the incident, the article gave the impression and even stated they were "confident that the situation was resolved effectively." She stated her purpose for being here this evening is to notify Council that the situation has not resolved and has been an ongoing problem for the last three years. She stated she has been reaching out to code enforcement and law enforcement, notifying them of the conditions and activity of the residents located at Six Mile Hwy. She stated she is asking for Council's help and support to address two specific concerns. The first, is effective and efficient enforcement of code violations. She stated as it stands today, there are multiple dwellings on the property, dozens of junk cars, abandoned RV's and other miscellaneous collections of junk. She stated the second concern is the lack of response from law enforcement for calls regarding guns and domestic disturbances. She stated on more than one occasion, they have called the sheriff's department with no follow up response. She stated in addressing this issue directly with the Sheriff, he has indicated a community action team would be convened to consist of the school board, law enforcement and code enforcement, but has failed to follow through with his commitment. She stated she appreciates the opportunity to address Council.
10. Lori Osborne: Ms. Osborne stated she loves the Library, and when she first moved to Pickens County, she was in awe of the beautiful facility in Easley. She stated however, while there is an extreme value in the libraries, they are not any more important than the other departments that the county is responsible for maintaining. She stated she was amazed when she found out that the library is allowed to keep any monies that they do not use from the previous budget year, while other departments must return that money to the general fund. Ms. Osborne stated they are in essence creating a savings account with the taxpayers' dollars. She stated slowing the growth in the library's fund that continues to grow does not seem unreasonable. She stated it is prudent since they are sitting on close to three million dollars in their coffers as we speak. She stated the library should not be treated any differently than any other county entity, and the library also receives funds from the library foundation so if citizens feel the need and willingness, they can always donate money to the library foundation, and receive a tax deduction at the same time. Ms. Osborne stated from attending the Council's budget meeting, it was stated that Pickens County is required by the state to have a local commitment of 3.1 million dollars, however, the council voted to bring before the people a local commitment of 3.2 million. She stated the council has a governance rule and every department should be treated equally. She stated she believes what the council discussed at the budget meeting is fair and any monies that are saved through this could be put to use for road improvements, new equipment and/or personnel for emergency services, and the safety of all Pickens County residents. She stated the roads in Pickens County are very

bad; 30% of the roads are considered in poor condition. She stated the county has 660 miles of roads and repaving that is running once every 75 years. She stated she would like to invite more citizens to come to the meetings that Council holds, example budgeting. She stated this way citizens will learn firsthand and not through the media what is exactly going on in their county.

#### **APPROVAL OF MINUTES:**

Chairman Chris Bowers called for a motion to approve the following minutes as presented:

- April 27, 2021                      Budget Work Session
  - April 28, 2021                      Special-Called Meeting (Alliance Pickens)
  - May 3, 2021                          Regular-Called Council Meeting
  - May 11, 2021                        Budget Work Session
- Motion was made by Councilman Henry Wilson, and seconded by Councilman Ensley Feemster. Seeing no other discussion, the motion carried unanimously (6-0).

#### **ADMINISTRATOR'S REPORT:**

##### **COVID-19 Response Briefing**

Mr. Roper updated Council on COVID-19 cases in Pickens County. Mr. Roper stated there are currently 126 active cases reported in Pickens County, within the last 14 days. He stated there have been three hundred two (302) deaths in Pickens County due to COVID-19. He advised a total of 19,074 confirmed cases of COVID-19 have been reported in Pickens County since March 20<sup>th</sup>, 2020.

Mr. Roper gave Council information on the DHEC Vaccine Statistics. He stated 35,148, or approximately 32.3%, of Pickens County residents have completed vaccinations.

He stated the Pickens County Vaccination Clinic has moved locations, and is now being held at the Pickens County Museum of Art and History at 307 Johnson St. in Pickens, SC. He stated the clinic is on Tuesday from 7:00 a.m. – 12:00 p.m. and Thursdays from 4:00 p.m. – 7:00 p.m. All appointments can be made through DHEC's Vaxlocator website and walk-ins are welcome.

##### **Pick-Up Pickens Program Update**

Mr. Roper gave Council an update regarding the Pick-Up Pickens Program. He stated the deadline to apply has now been extended to Friday, June 25<sup>th</sup>. He stated they have received 22 applications with over 60 miles of roads, and according to the applicants, over 300 people are planning on participating.

##### **Pickens County Capital Improvement Plan Update**

Mr. Roper gave Council more information on the Capital Improvement Plan and the status of items that have been approved by Council. He went into detailed information on the spreadsheet. He stated he will be updating Council monthly on these capital purchases and their status.

##### **South Carolina Association of Counties Awards**

Mr. Roper stated the presentations for the 2021 Awards Program will take place on Tuesday, June 8<sup>th</sup> at the SCETV studio, beginning at 9:00 a.m. He stated the public can view the presentations live on the Association's Facebook page or at [sccounties.org/livestream](https://www.sccounties.org/livestream). He stated Pickens County will be competing for all three awards this year:

1. J. Mitchell Graham Award Entry – Pickens County Collaborative Repair Program
2. Barrett Lawrimore Memorial Regional Cooperation Award Entry – Pickens County Broadband Initiative, Pickens County School District and Blue Ridge Electric Cooperative
3. Covid-19 Response and Resiliency Showcase Entry – Pickens County COVID Response

### **Public Forum Comments**

Mr. Roper addressed some of the Public Forum Comments from citizens, which included the issue regarding the property next to Daniel High School. He also gave an update on the Animal Control Ordinance/Enforcement and stated himself, the Chairman, the Vice Chair and the Sheriff have met to discuss.

Mr. Roper asked if Council had any questions.

Councilman Trey Whitehurst explained his frustration on the property across from Daniel High School. He asked if the citations were coming from Code Enforcement or the Sheriff's Office.

Councilman Whitehurst also asked about the truck brakes noise complaint and if they are county roads.

Mr. Roper stated that is not a county road, it is a SCDOT road.

Councilman Whitehurst asked about the new alcohol policy on County property and asked Mr. Roper to explain how the application process and liability works.

Councilman Saitta asked Mr. Roper a question regarding the capital budget. He stated he was reading that we're going to spend about 4.5 million on the airport regarding upgrading, and he asked Mr. Roper to explain.

Mr. Roper stated the airport cross field development has been a huge success story in the county and a lot of the improvements in the airport have been paid for by federal dollars. He stated whenever we have a project approved at the airport, we make sure to go through the process to see if it's eligible for federal reimbursement. He stated the federal reimbursement comes at 90%. Mr. Roper gave more detailed information.

### **COMMITTEE REPORT:**

**The Committee of the Whole met in Main Conference Room, at the Pickens County Administration Facility, on Monday, May 17, 2021. All members of the committee were in attendance, with Chairman Chris Bowers presiding. Chairman Chris Bowers led the Invocation and Pledge of Allegiance.**

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

Chairman Chris Bowers called the Committee of the Whole meeting to order.

### **COMMITTEE OF THE WHOLE:**

#### **Results of Employee Survey – Log No. 173**

- Mrs. Lisa Bryant, Director of Human Resources, presented the Results from the Employee Survey. She stated there was a 57% completion rate, a total of 31 questions, 367/693 employees completed the survey, and according to benchmarks, anything over 50% is considered a "good" response rate for an online employee survey. Mrs. Bryant went into discussion on factors contributing to good response rate. She stated this is only the second employee survey conducted in many years, and the last survey was conducted two years ago. She stated all employees had easy access for completion, stating the link to the survey was sent out to all employees via email, instructions sent on how to complete the survey online from any computer, anywhere and at any time, and the link to the survey was placed on Employee Self Service (ESS). Mrs. Bryant went through a few of the questions that were asked on the survey, along with the results to the questions:
  - I am satisfied with the job related training offered to me.
  - I feel that I have opportunities to apply my talents and expertise my job.
  - I am inspired to meet my goals at work.
  - I feel completely involved in my work.

- Employees in my department adapt quickly to difficult situations.
- I am compensated fairly relative to the local market.
- Management within my department recognizes strong job performance.
- My supervisor and I have a good working relationship.
- My co-workers and I have a good working relationship.
- Employees treat each other with respect.
- I am satisfied with the healthcare-related benefits offered to me by Pickens County.
- I am satisfied with the amount of paid leave I receive (vacation, sick time, holidays).
- I am satisfied with the workplace flexibility offered within Pickens County.
- I feel Pickens County provides a safe work environment.
- I feel like Pickens County is dedicated to diversity and inclusiveness.
- I am satisfied with my job security.
- Mrs. Bryant stated the positive themes that came out this survey are that around 75% of employees feel “involved in their job and inspired to meet their work goals,” over 84% say they have a good working relationship with their supervisor and over 84% also feel they have a good working relationship with their coworkers. She stated of those who completed the survey, employees feel like their talents and skill sets are being utilized, and are overall satisfied with the training opportunities available to them.
- Mrs. Bryant went into detailed discussion on the top 3 areas of needed improvement, which are:
  - Compensation
  - Vacation Carryover
  - Inclement Weather Policy
- Council had detailed discussion that included, but was not limited to:
  - Vacation Policy – how it is accrued for employees
  - Vacation Bank, Sick Bank, and Holiday Bank
  - Council asked for a copy of the questions from the Survey, including the results
  - Follow-up interview for employees who leave Pickens County
  - Turnover Rate
  - Compensation
  - Benefit statement for employees at the end of the year
  - Council would like a broader discussion on PTO in future
  - Military/National Guard Employees

❖ **No Action Taken by the Committee.**

- **Council Action on Log No. 173: No Action Taken by the Committee.**

**Overriding Parks and Recreation Plan – Log No. 174**

- Mr. Roper stated that Allison Fowler, Director of Parks, Recreation and Tourism, is with us tonight to give Council an overview of Pickens County Parks and plans to take all of the existing parks to the next level, as well as plans to develop a few new parks into our system and claim ownership of the mountains. Ms. Fowler stated the current County Parks are Mile Creek Park, Cateechee Point, and Equoni Point. She stated the Grant Meadow Overlook and Long Shoals Recreation Area are two parks that were recommended in the Marketing Study to find some type of ownership in the mountains on Highway 11.
- Ms. Fowler presented the following:
  - All Parks - Signage
    - Ms. Fowler stated designing and implementing a comprehensive signage system is an extensive and complex project, but it is important to the success of becoming a viable tourism community. She stated the only park, as of today, that has signage is Mile Creek Park. She stated if you were to visit any of the other parks today, there is no signage to show that the County owns and manages the park.
  - Mile Creek Park
    - Existing Conditions



- Proposed Master Plan
  - Implementation Plan, such as construct upper overflow parking area, construct new dump station, build new day use area, and update layout of current boat ramp parking area, as well as some additional projects
  - Improvements without Master Plan
- Parks Along Twelve Mile
  - Cateechee Point
  - Madden Bridge (Equoni Point)
  - Twelve Mile Recreation Area
- Parks Along Highway 11
  - Grant Meadow Overlook
  - Long Shoals Recreation Area
- Summary
  - Ms. Fowler stated as a result of the COVID-19 pandemic in SC, residents and tourists flocked to the outdoors, where social distancing was easier. She stated although the parks were busier than ever and revenues were up, the Pickens County parks were hit hard by overuse and litter. She stated the Pickens County Parks, Recreation and Tourism Department Requests Council’s consideration of a proposal using Fiscal Recovery Funds to repair, improve and enhance our county-managed parks.
- Council had detailed discussion that included, but was not limited to:
  - “Welcome to Pickens County” wayfinding signage
  - ATAX funding
  - Duke Energy / Mile Creek Park

❖ **No Action Taken by the Committee.**

**Council Action on Log No. 174:** No Action Taken by the Committee.

**Ordinance 533- 1<sup>st</sup> Reading in Title Only to Amend Animal Control – Log No. 176**

- Mr. Roper stated there is some concerned citizens who have confronted council at previous council meetings regarding changes requested in the Animal Control Ordinance. He stated Council has a copy of the ordinance in front of them and the two things he has heard the most regarding the ordinance are there are no specific criminal penalties within the ordinance, and to be more specific in definitions within the ordinance, such as the word abandonment.
- Councilman Saitta stated there are really three pieces in the legal process, 1. Ordinance is written by the Council, 2. Enforcement (Sheriff’s Office), 3. Solicitor/Magistrate’s Office. He stated he did not write the ordinance but he feels the ordinance is very thorough. He stated he feels there is nothing missing in the ordinance, except maybe a few definitions. He went into explanation on a couple of changes he would make on the ordinance.
- A few concerned citizens explained and discussed what they would like to see changed in the ordinance.
- After much more discussion regarding the Ordinance, Vice Chairman Roy Costner stated he would like, as a Council, to sit down the Sheriff’s Office to see what exactly is going on.
- Chairman Bowers asked the Clerk and Administrator to schedule a meeting with the Sheriff and himself.
- Councilman Saitta stated he will be researching the ordinance and come back to Council with suggestions on changes, regarding vicious dogs and hunting dogs.

❖ **No Action Taken by the Committee.**

**Council Action on Log No. 176:** No Action Taken by the Committee.

**Council Rules/Council Communication – Log No. 175**

- Chairman Chris Bowers stated he asked Attorney Hendricks to look into Council Communication mainly

because he was a little shook himself with the MRR legal stuff. He stated he wanted to make sure all of Council is on the same page about the appropriate way to communicate as a Council through emails, text messages, social media, etc.

- Attorney Hendricks gave a detailed discussion on exactly why the law is there. He stated the purpose of FOIA is, “vital in a democratic society that public business be performed in an open and public manner so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy.” He stated everything Council does shall be transparent. He stated a “public record” includes all books, papers, maps, photographs, cards, tapes, recording and other documentary materials regardless of physical form or characteristics prepared, owned, used in the possession of, or retained by a public body. He stated that includes electronic communications, which is texting, social media, email, etc. Mr. Hendricks stated it is not illegal to communicate back and forth between one another, but it is illegal to have a meeting without notifying the public. He stated a meeting means the convening of a quorum of council members “by means of electronic equipment, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power.” He stated 4 council members, which constitute a quorum, is a meeting. Attorney Hendricks went into discussion on examples that could constitute a meeting. He suggested Council needs to come up with a policy for communication between each other.
- Council had detailed discussion that included, but was not limited to:
  - What is subject to FOIA
  - Definition of a meeting
  - Meeting characteristics
  - Communication from the Clerk to Council
  - December 30, 2016 Council Meeting

❖ **No Action Taken by the Committee.**

**Council Action on Log No. 175:** No Action Taken by the Committee.

**ADJOURN:**

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Henry Wilson, seconded by Councilman Alex Saitta and carried unanimously (6-0). Meeting was adjourned at 8:27 p.m.

**SOLID WASTE ADHOC COMMITTEE REPORT**

- The committee met on April 27, 2021 and May 18, 2021 via Microsoft Teams.
  - At the May 18, 2021 meeting, Councilman Trey Whitehurst made a motion to recommend purchasing the Shredder out of reserve money, and to recommend to start putting plastics into the regular MSW temporarily, for economic reasons. Motion was seconded by Councilman Henry Wilson and carried unanimously (3-0).
- Councilman Henry Wilson gave Council an update on the Adhoc Committee Meetings. He stated there are so many details associated with Solid Waste and that is why they took on this adhoc committee. He stated they took a look at the opportunity to do some short-term things to triage the situation, and talked about doing mid-term things where we might do some capital purchases that have short-term impact on some of the issues Solid Waste has had, but would also have carry over into some of the longer-term things.
- Councilman Whitehurst stated it costs us \$70 dollars a ton to transport the plastic from the recycling center to the main landfill because your transporting so much air. He gave more explanation on the costs.
- Mr. Roper stated he wants to ask if it suits the Council as a part of this recommendations if we continue trying pilot programs where we can let people know the distinction between recyclables. He stated staff will continue trying.

- After more discussion, Councilman Alex Saitta made a substitute motion to approve the shredder and send the plastics question to the Committee of the Whole for further discussion. Chairman Bowers seconded the motion and it carried unanimously (6-0).

### **COUNCIL CORRESPONDENCE:**

Chairman Chris Bowers announced the following:

- Council will hold a special-called meeting on Monday, June 14, 2021 at 6:00 p.m. in Council Chambers of the Administration Building.
- The next Committee of the Whole meeting will be on Monday, June 21, 2021 at 6:00 p.m. in the Main Conference Room of the Administration Building.
- Chairman Bowers stated that Pickens County Non-Essential Offices will be closed on Monday, July 5, 2021 in observance of the Independence Day Holiday.
- Due to the Holiday on July 5, the next Council Meeting will be held on Monday, July 12, 2021 at 6:30 p.m. in Council Chambers of the Administration Building.

Chairman Bowers called for other council correspondence.

Seeing no other correspondence, Chairman Bowers announced moving to Motion Period and New Business.

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

Chairman Chris Bowers opened the floor for motion period and new business.

Seeing no discussion, Chairman Bowers closed the floor.

### **COUNCIL POLICY REGARDING COMMUNICATION**

Chairman Bowers stated we discussed this a little bit in the Committee of the Whole and didn't have any action taken during that meeting. He stated he has talked with our legal entity and council communication, in honor of full transparency, etc., we want to make sure that our Council stays in line. He stated we are very much in a changing time, especially with technology and the way technology allows our life to work, so he has asked Mr. Hendricks if he would share what they talked about regarding communication, in terms of how we communicate outside of the building, how we communicate individually, and especially as a whole.

Mr. Hendricks stated our different means of communication have grown so rapidly over the last couple of decades that the laws and the communications are not meshed. He stated the ability to communicate instantly in many different forms of social media. He stated the state government, federal government and local governments realize an effort needed to be made to become more transparent and this Council has embraced that thoroughly. He stated the Freedom of Information Act really has two different issues that it deals with, the first is meetings. Mr. Hendricks gave legal information on meetings and communication. He stated Council needs a policy on how to prepare.

Chairman Bowers stated this is a purely preemptive type conversation and he does not want anyone to misconstrue any of this, it's preparing for the future and changes as they come down.

- Chairman Bowers made a motion to add legal consultation regarding communication to Executive Session for this evening's agenda. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).

## **OVERRIDING PARKS AND RECREATION PLAN**

Mr. Roper stated we talked some about this at the previous Committee Meeting. He stated council asked for additional information and Allison Fowler, PRT Director, is here this evening to give Council more information.

Ms. Fowler stated Council saw the overall plan for Parks, Recreation and Tourism moving forward and one of those recommendations was our wayfinding signage. She stated currently in the county, we don't have any county signs that direct you to the different parks/buildings in Pickens County. She stated there are places in our county where internet doesn't work and you can't rely on Google. She stated signage is inviting, welcoming and shows you where to go, and Ms. Fowler presented some examples of what the signage would look like and what they might say on them. She stated the PRT staff has traveled the entirety the county over the course of three days identifying locations for these signs and the GIS department was helpful in creating an app for us to do this so we could pinpoint all of them and create a map of where all those signs would go. She stated after meeting with the County Engineer, they figured an overall cost of what we think this project will amount to. She stated they have had conversations with both Oconee County & Anderson County about their plans. She stated they are estimating this project to cost around \$275,000, and that includes: Project Management & Coordination, Site Investigation, SCDOT Coordination & Encroachment Permit Package, Bid Phase Services, Construction Engineering & Inspection, Contract Administration, and Sign Production and Installation. She stated we chose a simpler design because if something new comes or if a sign gets damaged, they can be replaced easily.

Chairman Chris Bowers asked if Council had any discussion or questions for Ms. Fowler.

- Chairman Chris Bowers made a motion that we move forward with the signage as presented and allocate money out of the general fund to implement. Vice Chairman Roy Costner seconded the motion. Chairman Chris Bowers asked if there was any discussion.
  - Chairman Bowers asked if there was a way to take this out of ATAX funding.
  - Mr. Roper stated there is, but it would take us multiple years to be able to do that.
  - Ms. Fowler stated 30% of ATAX funding is all that we could spend on this project each year, and that is approximately \$40,000 a year.
  - Vice Chairman Costner asked if it was possible to use the 30% money allocated in future years, in other words, we pay for it out of the general fund now and reimburse it.
  - Mr. Roper stated he is not sure that would be allowed due to the reporting requirements.
  - After much more discussion, Chairman Chris Bowers amended his motion to fund this project with 30% of the ATAX Funding and fund the remaining balance with money out of the general fund. Motion was seconded by Vice Chairman Roy Costner. Chairman Bowers asked if there was any discussion.
  - Councilman Alex Saitta stated signs are not as vital as some other needs in other departments, such as EMS and Solid Waste. He stated he feels this should not be funded out of general fund for that reason. He stated he understands the uniformity of the signs for the County but he doesn't agree with spending general fund money on that. He stated PRT has plans to get three parks up to standard, and he doesn't think the first thing they should be fixing is signs. He stated he would focus on spending this money on things that are going to impact people directly, which is the parks and the restoration of the parks. He stated he will not be voting against it because of this reason, but that is just how he feels.
  - Mr. Roper stated the proposal they have this evening would be that we have significant money in a fund balance, let's spend a small portion of that on getting our signs right and consistent with our brand, and take advantage of this opportunity now.

- After much more discussion between Council and the Administrator, Chairman Bowers amended his motion, stating he would like for staff to exhaust every ATAX funding source option available that is discussed prior to using general fund money to move forward with this signage plan. Councilman Alex Saitta seconded the motion and carried unanimously (6-0).

**2021 RECREATION FUNDING REQUESTS RECOMMENDATIONS**

Chairman Bowers stated Council discussed the Recreation Funding Request Recommendations in a Budget Work Session a couple of weeks ago.

- Vice Chairman Roy Costner made a motion to add the following items recommended by Council at the Budget Work Session, and the motion was seconded by Chairman Chris Bowers. Chairman Bowers asked if there was any discussion.
  - Councilman Whitehurst stated Council has received the recommendations from the Rec Committee regarding the request from the Town of Six Mile for \$16,125.
- Vice Chairman Roy Costner withdrew his original motion, and Chairman Bowers seconded.
- Vice Chairman Roy Costner made a new motion, stating he would like to approve the following items recommended by Council at the previous Budget Work Session, including the new District 2 and District 6 requests. Motion was seconded by Chairman Bowers. Chairman Bowers asked if there was any discussion.
  - Councilman Alex Saitta stated he would like to make a substitute motion to roll his District 3 funds to next year. Chairman Bowers seconded the motion. Chairman Bowers asked if there was any discussion.
    - Mr. Hendricks stated it is Council’s decision on how they would like to rollover their funds.
    - Mr. Guarino stated all recreation funds not used carry over.
    - Councilman Saitta withdrew his motion.
- Seeing no other discussion on the amended motion, motion carried unanimously (6-0).

The following was approved for 2021 Recreation Funding Requests Recommendations:

Council District	Name of Organization	Approved Amount	Comments
1	City of Clemson	\$ 29,705.00	
1	Clemson Aquatic	\$ 5,736.00	
1	Issaqueena Composite	\$ 30,271.00	
<b>DISTRICT 1 TOTAL:</b>		<b>\$ 65,712.00</b>	

Council District	Name of Organization	Approved Amount	Comments
2	Town of Central Parks & Rec	\$ 24,500.00	
2	Town of Six Mile	\$ 16,125.00	
<b>DISTRICT 2 TOTAL:</b>		<b>\$ 40,625.00</b>	

Council District	Name of Organization	Approved Amount	Comments
4	Pickens County Airport	\$ 63,693.00	
<b>DISTRICT 4 TOTAL:</b>		<b>\$ 63,693.00</b>	

Council District	Name of Organization	Approved Amount	Comments
5	Pickens County YMCA	\$ 2,500.00	
5	City of Easley Parks & Recreation Dept.	\$ 23,163.00	
<b>DISTRICT 5 TOTAL:</b>		<b>\$ 25,663.00</b>	

Council District	Name of Organization	Approved Amount	Comments
6	Pickens County YMCA	\$ 2,500.00	
6	Summit Soccer Club (Dacusville)	\$ 9,528.52	
6	Dacusville Recreation	\$ 6,079.00	
<b>DISTRICT 6 TOTAL:</b>		<b>\$ 18,107.52</b>	

**THIRD READING OF AN ORDINANCE NO. 598 TO PROVIDE FOR ADOPTION OF A BUDGET AMENDMENT CONTAINING ESTIMATES OF REVENUE AND EXPENDITURE CHANGES FOR PICKENS COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021.**

Chairman Bowers asked for a motion to constitute third reading of Ordinance 598.

- o Motion was made by Councilman Alex Saitta, and seconded by Councilman Ensley Feemster. Seeing no discussion, the motion carried unanimously (6-0).

**SECOND READING OF AN ORDINANCE NO. 599 TO PROVIDE FOR THE LEVY OF TAXES IN PICKENS COUNTY FOR ORDINARY COUNTY PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022, AND TO DIRECT EXPENDITURE THEREOF.**

Chairman Bowers asked for a motion to constitute second reading of Ordinance 599.

- o Motion was made by Councilman Ensley Feemster, seconded by Councilman Trey Whitehurst. Chairman Bowers asked if there was any discussion.

Chairman Bowers stated the amendment page in front of Council this evening is amendments for Council to consider for the FY 2022 Budget. He stated if Council would like to move forward with a motion on these amendments, now is the time to do so.

- o Councilman Alex Saitta made a motion to adopt all the amendments listed for Council's consideration. There was no second, so the motion was dead.
- o Vice Chairman Roy Costner made a motion that he would like to individually go through each motion of amendments and vote on each one separately. Motion was seconded by Councilman Trey Whitehurst. Motion carried unanimously (6-0).

The following motions were made:

1. Chairman Roy Costner made a motion to allocate \$200,000 to the City of Easley for a fire engine. Motion was seconded by Chairman Chris Bowers and carried unanimously (6-0).
2. Councilman Alex Saitta made a motion to make the local commitment from the County Government to be 3.2 million, which is above the required amount from the state, which we are

required to do by regulation, to fund the library. Motion was seconded by Councilman Trey Whitehurst. Chairman Bowers asked if there was any discussion:

- Vice Chairman Costner stated he does not think reducing the funds the library is going to be the answer to fixing our roads. He stated he believes they should be funded at the level that they requested, and have an ongoing conversation with the library on their plans for the future.
  - Chairman Chris Bowers stated he feels they should fully fund them to their budgeted amount of \$3,681,621. He stated if you look in the budget book at the library's page, it actually shows a \$12,000 revenue that comes from Friends of the Library, which is not guaranteed money, so their actual budgeted amount should be \$3,693,621. He stated he agrees, they should be funded to their expenditure level and budgeted amount.
  - Council had detailed discussion that included:
    - Local Commitment should be \$3.4 million to make them whole
    - Library Budget Section in Budget Notebook
    - Statistics from previous years on cash balances
    - Discussion on Library taking over Museum
    - Discussion with departments/library ahead of time in budget calendar for future years
  - After much more discussion, Councilman Henry Wilson made a motion to take this motion off the table until Council knows more about the agreement with the Museum. Councilman Alex Saitta seconded the motion.
    - Chairman Bowers asked staff when Council could get the agreement with the Museum. He stated we need to remember we have to pass third reading by the end of the month, which is quickly approaching.
  - Seeing no other discussion, the motion dies (3-3), with Chairman Bowers, Vice Chairman Costner and Councilman Ensley Feemster opposed.
  - Councilman Alex Saitta made a motion to compromise a local commitment of 3.3 million dollars to the Library. The motion was seconded by Councilman Henry Wilson.
  - After more discussion, Councilman Trey Whitehurst made a substitute motion to fund the Library at 3.4 million local commitment. Motion was seconded by Councilman Alex Saitta and the motion carried (5-1), with Vice Chairman Roy Costner opposed.
3. Councilman Trey Whitehurst made a motion to use \$130,878 from Sheriff's Budget to fund 2 Litter Control Officers. Motion was seconded by Councilman Henry Wilson and approved unanimously (6-0).
4. Councilman Trey Whitehurst made a motion to give County Employees 2% COLA increase and use the other 1% to go towards departments who job positions need pay increase. Motion was seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any discussion.
- Vice Chairman Roy Costner moved to amend the motion, stating he would like to fund the full 3% COLA increase and ask staff to come back with the targeted approach that Councilman Saitta had discussed. Motion was seconded by Councilman Ensley Feemster.
  - Councilman Alex Saitta moved to make a substitute motion, stating he would like to stick with the original motion of 2% COLA increase and staff to come back with detailed plan on the 1% compensation increases, for second reading. He stated if staff comes back before third reading with the information we can make the changes then if wanted. Councilman Henry Wilson seconded the motion.
  - Chairman Chris Bowers made a motion to withdraw all motions and have the Administrator come back at third reading with more information. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

5. Chairman Chris Bowers made a motion to reduce funding for Tri-County Technical College to requested amount of \$1,575,100. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).
6. Councilman Henry Wilson made a motion to show Rescue Squad budget separate from Emergency Management. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).
7. Chairman Bowers made a motion to add \$1,000 for Economic Development Wi-Fi. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).
8. Councilman Trey Whitehurst made a motion to take out fire equipment for Dacusville Fire Engine, Six Mile Fire Truck and Vineyards Fire Truck, which will be purchased in FY 2021. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).
  - o Seeing no other discussion, the original motion to constitute second reading carried unanimously (6-0).

**SECOND READING OF AN ORDINANCE NO. 601 AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A LEASE FOR LONG SHOALS ROADSIDE PARK.**

Chairman Bowers asked for a motion to constitute second reading of Ordinance 601.

- o Motion was made by Vice Chairman Roy Costner, and seconded by Councilman Henry Wilson. Seeing no discussion, the motion carried unanimously (6-0).

**PUBLIC HEARING AND SECOND READING OF AN ORDINANCE NO. 600 TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH OCONEE COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH OCONEE COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO (PROJECT RISE).**

Chairman Bowers opened the public hearing for comments regarding Ordinance 600.

Seeing none, Chairman Bowers declared the public hearing closed.

Chairman Bowers asked for a motion to constitute second reading of Ordinance 600.

- o Motion was made by Vice Chairman Roy Costner, and seconded by Councilman Ensley Feemster. Chairman Bowers asked if there was any discussion. Seeing none, motion carried unanimously (6-0).

**CONSENT AGENDA**

1. American Rescue Act Funding – *Committee of the Whole*
  - o Motion was made by Vice Chairman Roy Costner, seconded by Councilman Ensley Feemster and carried unanimously (6-0).



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

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

- Motion was made by Councilman Ensley Feemster, seconded by Councilman Alex Saitta and carried unanimously (6-0), to convene in executive session for the stated purposes after a five-minute recess.

Personnel – Section 30-4-70 (a) (1)

- Clerk to Council Annual Review

Contractual – Section 30-4-70 (a) (2)

- Legal Update
- Legal Update via Council’s Policy on Communication (*as added during discussion under Council Policy regarding Communication*)

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

Chairman Chris Bowers called the Public Session back to Order and advised the following:

Personnel – Section 30-4-70 (a) (1)

- Clerk to Council Annual Review – **No Action Taken.**

Contractual – Section 30-4-70 (a) (2)

- Legal Update – **No Action Taken.**
- Legal Update via Council’s Policy on Communication (*as added during discussion under Council Policy regarding Communication*) – **No Action Taken.**

**ADJOURN:**

Hearing no further Council business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson and carried unanimously (6-0). Pickens County Council stood adjourned at 10:23 p.m.

Respectively Submitted:

Approved:

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Meagan Nations, Clerk to Council

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Chris Bowers, Chairman of County Council