

## **Regular Pickens County Council Meeting**

September 13, 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 September 9, 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

Miranda Craig, Deputy Clerk to Council

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

Chairman Chris Bowers called the meeting of September 13, 2021 to order and welcomed those in attendance. Vice Chairman Roy Costner led the Invocation and Veteran Sherry Harris led the Pledge of Allegiance.

## **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. Camille Cooper: Ms. Cooper went into discussion regarding a county-wide mask mandate. She stated she is for wearing masks during this pandemic, due to COVID spreading at an alarming rate.
2. Carrie Kaye: Ms. Kaye went into discussion regarding a county-wide mask mandate. She stated she would see Council pass a county-wide mask mandate to prevent Covid-19 spread.
3. Claiborne Linvill: Ms. Linvill stated she feels the purpose of Council is to ensure that Pickens County operates well, but she feels that due to the Covid-19 delta surge, Pickens County is not operating at its best. After much discussion, Ms. Linvill stated she supports a county-wide mask mandate and she supports adjusting millage rates to fund the improvement of the County's roads.
4. Valerie Melkus: Ms. Melkus went into discussion regarding feral cats in Pickens County. She stated she does TNR (trap, neuter, release) for feral cats in Pickens County. She gave Council a binder filled with more information.
5. Johnnelle Raines: Ms. Raines advised to Council that a county EMS employee has reached out to her and is concerned that there are fewer trucks ready to be out covering medical situations in our

community, and that many employees are leaving to go to other counties who are paying them more. She also went into discussion on how Conservatives of the Upstate are against mask mandates. Ms. Raines asked Council if they will be refunding the illegal road user fees that have been collected, and why they are ignoring the 600 petitioners who wanted Council to pass a property rights protection resolution.

6. Lyudmyla: Lyudmyla went into discussion with County Council that she is in support of a county-wide mask mandate.
7. Allan Quinn: Mr. Quinn went into discussion on addressing the tax increases being considered to fix the Pickens County roads.
8. Margaret J. Thompson: Ms. Thompson gave Council an update on Clemson Paw Partners. She went into discussion on the spay and neuter program,
9. Amanda Hallen: Ms. Hallen went into discussion on how she is against a county-wide mask mandate. She stated it is our bodies, and our choice.
10. Rick Henry: Mr. Henry went into discussion on how his kids will not put on a mask for anyone.

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

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

- August 16, 2021 Regular-Called Council Meeting
- Motion was made by Councilman Ensley Feemster, and seconded by Vice Chairman Roy Costner. Chairman Bowers asked if there was any discussion.
  - Councilman Alex Saitta amended the motion, stating in the Committee Report section of the minutes, it says that Council voted on the “Discussion of County Road User Fee – Log No. 139”, when they did not do a final vote due to second reading being on the agenda that evening. He stated he would like for the vote to be taken out of the minutes. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).
- Seeing no other discussion, the motion carried unanimously (6-0).

#### **DISCUSSION OF MASK REQUIREMENTS**

Chairman Chris Bowers stated he would like to move agenda item #13, Discussion of County Mask Requirements, next on the agenda. Chairman Chris Bowers made the motion, Councilman Henry Wilson seconded and the motion carried unanimously (6-0).

Chairman Bowers stated he was contacted by a Member of Council that purely wanted to have a conversation around masks, and his constituents reached out concerned and wanted to know that the county was taking it serious. He stated he reached out to the County Attorney because he has concerns over the county stepping out too far, purely because he knows the state has some things in place. He stated the County Attorney has done some research and asked what he was able to find.

Mr. Hendricks went into discussion stating there are several different opinions around the state on masks. He stated the county is allowed to issue a mandate, but there are some issues that surround passing a mask mandate. He stated the first issue is what does that mandate entail (does it apply to municipalities or

schools?) and the second issue is are you going to be able to enforce it. He stated the Sheriff would be the person who enforces it, but you would have to have an agreement between the municipality and the county. Mr. Hendricks stated when you pass a mandate, it is not just about the mandate itself, it's how you apply the mandate, what the factors are and how you enforce the mandate.

Chairman Chris Bowers stated the conversation and discussion in general is about masks, and he knows we all have our opinions. He stated his biggest concern over any mandate is can you enforce it. He went into more discussion on how everyone is confused if masks work/do not work and our EMS employees are exhausted.

Councilman Alex Saitta, Vice Chairman Roy Costner, Councilman Trey Whitehurst and Councilman Henry Wilson gave their opinion on masks requirements. After each member of Council shared their opinions, seeing no other discussion, the Chairman moved forward to the next item on the agenda.

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

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

Mr. Roper updated Council on COVID-19 cases in Pickens County. Mr. Roper stated there are currently 1744 active cases reported in Pickens County, within the last 14 days. He stated there have been three hundred fifty-three (353) deaths in Pickens County due to COVID-19. He advised a total of 24,623 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 43,486, or approximately 40%, of Pickens County residents have completed vaccinations.

He stated Emergency Services will host a Vaccine Clinic during the month of September, select hours only. The clinic will be held at the Pickens County Administration Building and vaccines will be administered at the Employee Wellness Clinic. To sign up for an appointment, call 864-898-5844. Appointments are optional and walk-ins are welcome.

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

Mr. Roper gave Council more information on the implementation of the Capital Improvement Plan and the status of items that have been approved by Council. He went into detailed information on a spreadsheet for the 5-year plan for capital purchases. He stated he will be updating Council monthly on these capital purchases and their status.

#### **Solid Waste Update**

Mr. Roper gave an update on the new C&D shredder located at Solid Waste. He stated normally the amount of metal we are able to get from people bringing their metal to us every week is around \$40,000 a month and that varies. He stated since we have put the shredder in use, this month they received a check of \$90,000. He stated he believes this shredder was a good step forward and its allowing us not only to get paid more because we are getting the metal, but saving time from shipping the metal to the landfill and paying a tipping fee for it. He stated staff is encouraged and he will keep Council updated in the future on how things are going.

#### **Update on Litter Efforts**

Mr. Roper stated Pickens County and SCDOT will take a new approach to tackle litter in Pickens County. He stated SCDOT will be responsible for litter removal on all state-maintained roads, and the county will shift focus solely to county maintained roads, allowing us to concentrate heavily on those areas for which we are responsible. He stated agencies mutually agree to maintain good communication.

Mr. Roper also stated there will be a Litter Clean Up at Long Shoals Park on Saturday, September 18 from 9-10:30 am. He stated all volunteers are welcome.

### **Plastic Questions**

Mr. Roper gave an update on Plastics Recycling 101. He stated in the effort to educate the public about our plastic issue, we had our plastics graded by the vendor. He presented a flow chart of questions that leads to figuring out if the plastic is recyclable or not.

### **Update on Resolution #2021-19**

Mr. Roper stated that Council passed Resolution 2021-19 last month, which was: *A RESOLUTION RECOGNIZING SEPTEMBER 2021 AS NATIONAL SUICIDE PREVENTION MONTH IN PICKENS COUNTY*. He stated there are a list of events taking place in September regarding this resolution:

- Talk Saves Lives Webinar on September 15, 2021
- Suicide Prevention Lunch and Learn 11:00 am – 1:00 pm in the EOC on September 23, 2021 in collaboration with the National Guard
- Pickens County Crisis Intercept Mapping Reception with Secretary William Grimsley on September 23, 2021
- NAMI AOP “Go Lime Green – Mental Health Matters” bows in the Courtyard and present at the Pickens Middle School Football Game on September 23, 2021

Mr. Roper asked if Council had any questions for him.

Council had questions for Staff that included:

- Pick Up Pickens Update
- Partnership Opportunities for Litter Pick-Up on Pickens County Lakes
- EMS Discussion
- Litter Control Officers

### **COMMITTEE REPORT:**

**The Committee of the Whole met in Main Conference Room, at the Pickens County Administration Facility, on Monday, August 30<sup>th</sup> 2021. All members of the committee were in attendance, with Chairman Chris Bowers presiding. Councilman Alex Saitta 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:**

#### **American Rescue Act Funding – Log No. 177**

- Mr. Roper stated the council passed a resolution a couple of months ago about how staff should approach American Rescue Act Funding Proposals. Pickens County will receive a total of \$24.6 million in ARPA funding. He stated the resolution caused staff to consider options out there, including one-time costs that council could not do in their regular budget cycle. Mr. Roper advised that the county has received half of the funding, a little over 12 million dollars and the county will receive the second half of funding summer of 2022. He gave council detailed information regarding ARPA Laws. He stated that Pickens County took in more money this past year than years before, but using the federal formula, the loss revenue was \$2.395 million. He stated of the \$12.3 million that is in the bank, \$2.359 million is the loss revenue which can be spent in a way council finds appropriate. Mr. Roper advised it is probably best for council to discuss ARPA funding in big strokes and big priorities before discussing staff proposals. Mr. Roper stated that the municipalities are receiving money under other funding mechanisms. Mr. Roper stated that the ARPA funding has to be allocated before the end of the year end 2023.

- Some ideas that council mentioned regarding ARPA funding included, but was not limited to:
  - County Radio System
  - Focus on providing basic services
  - Capital items (non-recurring expenses)
  - Broadband
  - Sewer infrastructure
  
- Council and staff had detailed discussion that included, but was not limited to:
  - Possibility of new EMS Station
  - Possibility of using some ARPA funding on roads
  - Census tracks
  - Nonprofit organizations
  - Pick Up Pickens program
  - Fort Prince George
  - Supplemental pay for essential employees
- Mr. Roper gave council a list of ARPA funding requests for consideration from staff. Council and staff reviewed the funding requests.

❖ **No action taken by the committee.**

**2021 Accommodations Tax Funding – Log No. 167**

- Council and staff discussed the applications received for Accommodations Tax funding from the Rensing Center and the SC Entertainment Hall of Fame. Mr. Roper stated that Allison Fowler, Director of Parks, Recreation and Tourism, is here to answer any questions.
- Council and staff had detailed discussion on the requested additional information from Rensing Center. The Rensing Center requested \$12,000 Accommodations Tax funding. Staff stated the Rensing Center does not collect accommodations tax but runs as an Airbnb. Council made no motions on the Rensing Center.
- Vice Chairman Roy Costner moved discussion towards the SC Entertainment Hall of Fame’s Accommodations Tax funding request. The SC Entertainment Hall of Fame requested \$55,773.56 funding to market and relocate to the Pickens County Performing Arts Center. Council and staff had detailed discussion that included, but was not limited to:
  - Concerns that Council discussed about the SC Entertainment Hall of Fame Transition Budget:
    - Changing the use of the atrium
    - Building Codes
    - Purchasing the memorabilia
    - Building a kitchen
    - Cost of wall wraps
  - Discussion on making the Pickens County Performing Arts Center a drive to destination for people to see South Carolina music memorabilia
  - Discussion on wanting a designed proposal of the SC Entertainment Hall of Fame’s plan for the building
- Attorney Les Hendricks informed council that one of the tenants of the Pickens County Performing Arts Center is also on the SC Entertainment Hall of Fame Board.
- After much more discussion, Councilman Henry Wilson made a motion to allocate \$3,000 towards the Pickens County Performing Arts Center project with the SC Entertainment Hall of Fame, in contingent that the Performing Arts Center Foundation Board matches funding. Motion was seconded by Councilman Trey Whitehurst and carried (5-1), with Councilman Alex Saitta opposed.

❖ **Councilman Henry Wilson made a motion to allocate \$3,000 towards the Pickens County Performing Arts Center project with the SC Entertainment Hall of Fame, in contingent that the Performing Arts Center Foundation Board matches funding. Motion was seconded by Councilman Trey Whitehurst and carried (5-1), with Councilman Alex Saitta opposed.**

**Council Action at 09/13/21 Council Meeting:** Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. He asked if there was any discussion and for all those in favor to please signify by raising your hands. Motion carried (5-1), with Councilman Alex Saitta opposed.

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

- Chairman Bowers stated Council has a copy of the Animal Control Ordinance in their packet, as well as a letter from Dr. Kim Sanders, with the Anderson County PAWS. He stated Dr. Sanders has been very helpful to us over the years getting the Animal Shelter to the rules and standards.
- Pickens County Sheriff's Office Animal Control Officers, Gary Anthony and Anthony Raines, were present at the meeting to answer any questions Council may have.
- Council had detailed discussion that included, but was not limited to:
  1. Proposed changes that Council discussed on Animal Control Ordinance:
    - Tethering – putting the definition of tethering in the ordinance
    - Domestic Animals definition
    - Vicious Animals
    - Chain length for animals
    - Removing all new wording in Section 4.7 in Ordinance
    - Removing 4-10-H in Ordinance
    - Add in State Law Wording on Vicious Animal
    - Details in Section 7.4 is not included

❖ **Councilman Trey Whitehurst made a motion to amend the ordinance, making the discussed proposed changes, and to send it out of Committee for the next reading. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).**

**Council Action at 09/13/21 Council Meeting:** Chairman Bowers stated Council has the amended copy of the Ordinance in their packet. He stated no second is required as this comes as a recommendation from the Committee. He asked if there was any discussion and for all those in favor to please signify by raising your hands. Motion carried unanimously (6-0).

**Discussion of County Road User Fee and Alternatives– Log No. 139**

- Chairman Bowers opened the floor for Council Discussion of County Road User Fee and Alternatives. Council had detailed discussion that included, but was not limited to:
  1. Discussion on funding roads for Municipalities
  2. State Funding
  3. Council would like a timeline of when Ordinance was enacted to now
  4. County roads within each municipality
  5. Millage discussion
  6. Intergovernmental Agreement on Roads between municipalities and county

❖ **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 Trey Whitehurst, seconded by Councilman Ensley Feemster and carried unanimously (6-0). Meeting was adjourned at 8:31 p.m.

**COUNCIL CORRESPONDENCE:**

Chairman Chris Bowers announced the following:

- The next Committee of the Whole meeting will be on Monday, September 20, 2021 at 6:00 p.m. in the Main Conference Room of the Administration Building.
- The next Council Meeting will be held on Monday, October 4, 2021 at 6:30 p.m. in Council Chambers of the Administration Building.
- An informational table is set up in the Lobby this evening with more information about current vacancies and upcoming openings on Pickens County Board and Commissions. If you are interested in serving on a board, please stop by the table or please see the Clerk to Council, Meagan Nations, for more information. The next After Hours Opportunity Fair will take place on Monday, August 16th, 2021 from 5:00 pm – 6:30 pm, which is before our next Council Meeting. Please

make plans to attend, come network, and learn more about Pickens County Boards and Commissions. If you have any questions, please see the Clerk after this meeting.

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.

**CONSIDERATION OF EXTENSION OF EMERGENCY COVID TIME OFF LEAVE**

Mr. Roper stated this proposal comes from the Human Resources Department. He presented the proposal, stating: “When COVID first started in March 2020, employees were eligible for up to 2 weeks of COVID pay. This was part of the Families First Coronavirus Response Act, (FFCRA) which ended on 12/31/20.

With Council approval, Pickens County extended our “COVID pay” through 5/31/21 due to the fact that cases were extremely high in PC in the first part of the year.

Effective 6/1/21, employees who are absent for COVID related reasons are required to use their own sick and/or vacation time, or take the loss time as unpaid.

While some employees are able to work from home during a COVID absence, others are in job positions that are not conducive to remote work. And in some cases, the recent COVID spike/absences are putting a financial strain on employees who are out of sick time, and/or may be trying to reserve their vacation for future plans later this year.

In general, an employee who is out of sick time indicates an attendance problem. However, there are legitimate reasons why an employee may not have sick time available to cover their COVID absence, such as a recent non-COVID extended illness/medical leave of absence, a new employee who hasn’t accrued much sick time yet, etc.

Staff proposes that we reinstate the 2 weeks of COVID pay under the following conditions.

1. Employees who have not already used their 2 weeks of COVID pay would be eligible.
2. We retro it back to 6/1/21 so that there is no gap (we would credit back any sick/vacation time used for qualifying COVID related absences since 6/1/21. We have continued to track these absences so the record keeping for that process should be up to date.
3. The same terms and conditions from the FFCRA COVID pay would still apply.”

Mr. Roper asked if Council had any questions.

Vice Chairman Roy Costner asked if this would fall under the American Rescue Act Funding.

Mr. Roper stated yes, it would and would not have any budget impact except for opportunity costs.

- Councilman Henry Wilson made a motion to extend the Emergency COVID time off leave, and to defer costs in excess of current budget to ARPA funding where necessary. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

**FIRST READING IN TITLE ONLY OF AN ORDINANCE TO THE CODE OF THE COUNTY OF PICKENS TO CERTIFY A PORTION OF THE ALICE MANUFACTURING COMPANY, INC. ARIAL MILL PROPERTY AS A TEXTILE MILL SITE UNDER THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT.**

Chairman Bowers asked for a motion to constitute first reading in title only of this ordinance.

- Motion was made by Councilman Ensley Feemster, and seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any discussion.
  - Attorney Les Hendricks addressed the council's questions and stated that there are two separate sites that are wanting to be certified as a textile site. He stated when renovating a certified textile site there is a tax credit from the state given to the construction company. He stated that the two sites are, a 22 wide single-family resident houses on Church Street and Arial Street and a 20-unit single family attached townhouse development on Rice Street and West Arial Street. Mr. Hendricks stated Pickens County Council is the body that must endorse this site as a textile site in order for them to get a tax credit from the state. He also stated that some counties do this by resolution but since the two sites are already approved by the Planning Commission, Council can do this by an ordinance. Mr. Hendricks stated it is 25% of the construction cost and it has nothing to do with county property tax, it is a credit the developer gets on their state income tax. He also explained that there are two real builders that have already been approved by the Planning Commission and this is a definite project moving ahead.
  - Council discussed going through this process previously for other projects that came to fruition.
  - Councilman Alex Saitta pointed out that this project does not comply with the spirit of the law but complies with the letter of the state law. He stated that state tax credit would be given for developing a vacant piece of land that happens to be within a certain distance from the Alice Manufacturing Mill building. Mr. Saitta stated that he doesn't want to spend any more government money to bring more people to into the county when we can't manage the people that are here now. He stated encouraging more development will make council's problems worse.
  - Councilman Henry Wilson stated that this particular area could use development and positive improvements, and this would incentivize something to be done at the distressed mill facility there.
  - Chairman Chris Bowers explained that he understands Councilman Saitta's concerns but this is for council to sign off on, if it meets the definition per the state law.
  - Councilman Ensley Feemster stated that this will help an area with crumbling buildings be improved.
- Seeing no other discussion, the motion carried unanimously (6-0).

**PUBLIC HEARING TO ESTABLISH THE ANNUAL MILLAGE RATE TO MEET THE BUDGETARY REQUIREMENTS FOR THE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.**

Chairman Chris Bowers opened the public hearing for comments regarding the Establishment of Millage Rate for Fiscal Year 2021-2022. Hearing none, Chairman Bowers declared the public hearing closed.

Finance Director Ralph Guarino presented the recommended FY 2022 for County Operation, Bonded Indebtedness, Library, Tri-County Tech, and Special Tax District for Sewer, Vineyards Fire District, Shady Grove Fire District, and Springs Fire District.



*(Discussion after Agenda Item #11)* -- Council called Finance Director, Ralph Gaurino, to speak on the value on millage. He stated with the 6 million dollars, the value of a mil is approximately \$600,000 that will equate to about 10 mils that will be added to the operations for the county. Mr. Gaurino stated that it has been 16 years since there was a millage increase overall in Pickens County.

- Chairman Chris Bowers made a motion to set the millage at 63.3 (9.9 mils), seconded by Councilman Trey Whitehurst and carried (5-1), with Councilman Alex Saitta opposed.

**PUBLIC HEARING AND THIRD READING OF AN ORDINANCE NO. 602 REPEALING ORDINANCE #s 295, 332, 365, AND 373 (THE ROAD USER FEE ORDINANCES) AND AMENDING ORDINANCE No. 599 (THE FY 22 BUDGET ORDINANCE) SO AS TO PROVIDE FOR A LEVY OF TAXES TO OFFSET THE LOSS OF REVENUE FROM THE REPEAL OF SAID ROAD USER FEE ORDINANCES, AND MATTERS RELATED THERETO.**

Councilman Henry Wilson asked if Council could take a 5-minute recess before third reading and discussion on this ordinance. Seeing that no member of Council was opposed, there was a recess from 8:21pm – 8:31pm.

Chairman Chris Bowers called the meeting back to order at 8:31 pm.

Chairman Chris Bowers opened the public hearing for comments on Ordinance 602. Seeing none, Chairman Bowers declared the public hearing closed.

Chairman Chris Bowers asked for a motion to constitute third reading of Ordinance 602.

- Motion was made by Councilman Ensley Feemster, and seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any discussion.
- Councilman Alex Saitta went into detailed discussion regarding the ordinance from second reading. He had a statement that it would be left blank regarding Section 5 Intergovernmental Agreement.
  - Chairman Chris Bowers motioned to remove the Section 5 Intergovernmental Agreement to keep the ordinance clean. The motion was seconded by Henry Wilson, and carried unanimously (6-0), to remove Section 5 Intergovernmental Agreement.
- Mr. Hendricks explained the different ordinances in the agenda packet that Council received, and the other nine ordinances that he placed on Council's desk this evening.
- Staff provided examples of nine different ordinance options that Council might consider. The examples included:
  - Ordinance Example #1- Repeal Road Maintenance Fee (\$1.6M and No IGA)
  - Ordinance Example #2- Repeal Road Maintenance Fee (\$2.3M and IGA)
  - Ordinance Example #3- Repeal Road Maintenance Fee (\$2.3M and No IGA)
  - Ordinance Example #4- Repeal Road Maintenance Fee (\$3.2M and IGA)
  - Ordinance Example #5- Repeal Road Maintenance Fee (\$3.2M and No IGA)
  - Ordinance Example #6- Repeal Road Maintenance Fee & Levy Reserve Millage (\$6M & IGA)
  - Ordinance Example #7- Repeal Road Maintenance Fee & Levy Reserve Millage (\$6M & No IGA)
  - Ordinance Example #8- Repeal Road Maintenance Fee & Levy Reserve Millage (\$8M & IGA)
  - Ordinance Example #9- Repeal Road Maintenance Fee & Levy Reserve Millage (\$8M & No IGA)

- Chairman Chris Bowers stated he spoke with Mr. Hendricks to help look into every avenue possible for the Intergovernmental Agreement to be in the Ordinance. Mr. Bowers stated that he backed up on everything he asked Mr. Hendricks to do.
- Attorney Les Hendricks stated the idea was to figure out how to keep the Intergovernmental Agreement in there.
- Councilman Trey Whitehurst stated that it was a little bit much to step out and start creating something that wasn't in direction of the council.
- Chairman Chris Bowers responded that it was in direction of the council because there was an Intergovernmental Agreement that was referenced in the second reading. He restated that he would like to remove Section 5 and that he does not want the Intergovernmental Agreement to hold up the bigger issue of roads.
- Councilman Henry Wilson stated that having the Intergovernmental Agreement in the ordinance would be to entertain the opportunity to extend it but since it is not there then Council would end up going back and negotiating.
- Chairman Chris Bowers confirmed his statement.
- Councilman Wilson asked for confirmation on if the county collects money this year none of the municipalities will get a piece of it.
- Chairman Chris Bowers stated that municipalities would only get a piece of it if council decides to negotiate with them.
- Attorney Les Hendricks stated that the county will not receive the money until property taxes come in. Mr. Hendricks also stated that he provided Council 5 different options that do not have an Intergovernmental Agreement. Attorney Les Hendricks pointed out that Section 2, Exhibit A in their documents is blank because he doesn't have the millage rate.
- Chairman Chris Bowers began discussion on how much money does Council feel is necessary to spend on roads in Pickens County.
- Administrator Ken Roper explained that there are a lot of variables and factors that affect the life of a road and that the county is using \$1.6 million of the County Transportation Committee (CTC) funds towards roads currently.
- Councilman Henry Wilson recognized the lack of preventative maintenance on Pickens County roads for generations. He stated that this issue cannot be pushed down the road. Mr. Wilson asks Council how to get the funds for the roads. He stated that if the CTC funds go to the county roads, it would only cover 2.2 million of the 6 million needed.
- Councilman Trey Whitehurst stated that the roads issue has been dealt with over many years and the \$20 road user fee was set in 2001. Mr. Whitehurst said he would be in favor of trying to get to \$3.2 million to go towards the county roads. He stated that there is a point in which the condition of the road drops drastically and cost to rebuild quadruples. Mr. Whitehurst stated that there are a lot of roads on the verge of a rebuild which costs more.
- Mr. Hendricks stated that the millage cap is \$3.1879 million however, in Section 61320 A, there is an exception. He stated the exception is that Council can add a reserved millage in an additional amount above the cap but must maintain a reserve account. Mr. Hendricks explains that if passed, it would be a reserve account that can go up to \$6 million. He stated in the Ordinance, it needs to specifically say what that account is for. He referenced the Ordinance he gave to Council, that was the \$6 million without the IGA.
- Council and staff had detailed discussion regarding value of homes and number of vehicles.
- Administrator Ken Roper stated that the break-even point is someone who has a 200K home and 3 vehicles.
- After much more discussion between Council and Staff, Council seeks legal counsel from Attorney Les Hendricks for the best way to make a motion.

- Mr. Hendricks stated as he hears Council speaking, the document he provided that has written on top of the page “6 million with no Intergovernmental Agreement” would be the ordinance they are talking about.
- Chairman Bowers confirmed with Council to make sure they knew the Ordinance being discussed.
- Councilman Henry Wilson motioned to approve Ordinance 602, in the form that offers \$6 million dollars in road funding with no Intergovernmental Agreement, with the reserve fund. Chairman Bowers seconded the motion. Chairman Bowers asked if there was any discussion.
  - Councilman Alex Saitta stated he would like to explain to his constituents why he is not voting for this Ordinance. He went into detailed discussion on the history of the road user fee. He stated he does not believe it is the responsibility of the County Government to provide City services. He stated there is talk to renegotiate with the cities on giving them funding for roads, and there will be no way for him to stop them if he votes in favor for this today. He stated he is afraid that some of this tax increase may end up in the hands of funding city roads and that is not the county’s responsibility.
  - Councilman Trey Whitehurst stated he does not support taking County funding for city roads. He stated if there is any proposal like this in the future, he will not be in favor of it.
- Seeing no other discussion, Chairman Bowers called for the final vote on the motion made. The motion carried (5-1), with Councilman Alex Saitta opposed.

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

Council asked Attorney Les Hendricks for an update on the lease for Long Shoals Roadside Park.

- Attorney Les Hendricks stated that this lease has been edited since last reading. Mr. Hendricks explained that the county can’t provide 24/7 security but will provide Pickens County law enforcement to patrol the park. He informed Council that this is a 20-year lease with a 10-year addition option with the South Carolina Forestry Commission and the rent is \$88 a year. Mr. Hendricks also stated that the South Carolina Forestry Commission has already re-paved the entrance way and that the park will be maintained by Pickens County Parks, Recreation and Tourism. The only concern Mr. Hendricks had with the lease is that either party can terminate the lease and that anything constructed on the property will be considered the South Carolina Forestry Commission’s.
- After more discussion, Chairman Chris Bowers asked for a motion to constitute third reading in title only of Ordinance 601.
- Councilman Henry Wilson made a motion to accept the lease for Long Shoals Roadside Park. The motion was seconded by Vice Chairman Roy Costner and the motion carried unanimously (6-0).

**CONSENT AGENDA**

1. UNIFIED DISPATCH PLAN FROM STAFF – *Committee of the Whole*
2. ANNUAL UPDATE TO CAPITAL IMPROVEMENT PLAN – *Committee of the Whole*
3. CONSIDERATION OF RECOMMENDATION FROM PUBLIC SERVICE COMMISSION FOR PROVISION OF SEWER FOR THE GRANGE SUBDIVISION – *Committee of the Whole*

4. CONSIDERATION OF REQUEST FROM LIBRARY BOARD FOR EXPANSION PLANS FOR HAMPTON LIBRARY – *Committee of the Whole*

- o Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson and carried unanimously (6-0).

**ADJOURN:**

Hearing no further Council business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Henry Wilson, seconded by Councilman Ensley Feemster and carried unanimously (6-0). Pickens County Council stood adjourned at 9:21 p.m.

Respectively Submitted:

Approved:

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Meagan Nations, Clerk to Council

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Chris Bowers, Chairman of County Council