

Regular Pickens County Council Meeting

February 7, 2022

6:30 PM

County Council met in regular session, in the Auditorium of the County Administration Facility, with Chairman Chris Bowers presiding. Final agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on February 1, 2022.

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
Les Hendricks, Contract Attorney
Meagan Nations, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the meeting of February 7, 2022 to order and welcomed those in attendance. Chairman Bowers thanked Captain Gary Parsons for his 37 years of service to Pickens County and wished him well on his retirement. Councilman Trey Whitehurst led the Invocation and Pledge of Allegiance.

CONSIDERATION OF A RESOLUTION 2022-01 CONGRATULATING PICKENS HIGH SCHOOL'S VOLLEYBALL TEAM AS THE WINNERS OF THE CLASS AAAA VOLLEYBALL STATE CHAMPIONSHIP

Chairman Chris Bowers asked for a motion to consider this resolution. Motion was made by Councilman Trey Whitehurst, seconded by Councilman Roy Costner and carried unanimously (6-0).

Chairman Chris Bowers presented a framed resolution to Pickens High School representatives.

CONSIDERATION OF A RESOLUTION 2022-02 CONGRATULATING D. W. DANIEL HIGH SCHOOL'S FOOTBALL TEAM AS THE WINNERS OF THE AAA SC STATE FOOTBALL CHAMPIONSHIP.

Chairman Chris Bowers asked for a motion to consider this resolution. Motion was made by Councilman Alex Saitta, seconded by Councilman Ensley Feemster and carried unanimously (6-0).

Chairman Chris Bowers presented a framed resolution to Daniel High School representatives.

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. Shea Airey: Mr. Airey stated he is a real estate attorney in Pickens County. He stated he is one of the members that is redeveloping the old Gap Hill Marina into Sunset Marina. He came before Council on discussion for Council to consider placing Sunday Alcohol Sales on a referendum to let the people of Pickens County decide whether it's proper to allow the sale of alcohol on Sundays in the unincorporated parts of the County.
2. Maggie Erickson: Ms. Erickson came before Council to discuss the property on 1781 Six Mile Highway.
3. Allan Quinn: Mr. Quinn came before Council to discuss Alliance Pickens Board Meetings and Economic Development in Pickens County.
4. Rick Tate: Mr. Tate addressed Council on his recent appointment to the Public Service Commission and stated he wanted to introduce himself to Council and thanked Council for appointing him to serve on this commission.
5. Deborah Hudson: Ms. Hudson came before Council to discuss Private Property Rights in Pickens County.

APPROVAL OF MINUTES:

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

- o January 3, 2022 Regular-Called Council Meeting
- o January 18, 2022 Special-Called Council Meeting
- o January 24, 2022 Special-Called Council Meeting
- o February 1, 2022 Council Priorities & Budget Work Session

- o Motion was made by Councilman Ensley Feemster, and seconded by Councilman Alex Saitta. 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 and in South Carolina. He also updated Council on vaccination status in South Carolina.

CIP Update

Mr. Roper gave Council a Capital Improvement Update.

Update on Setoff Debt and GEAR Program

Mr. Roper gave an update to Council on the Setoff Debt and GEAR Program in South Carolina.

Gun Safety Lock Pilot Program

Mr. Roper stated that Pickens County will now provide Free Gun Locks and Safety Plans to service members, veterans and their families (SMVF). Pick-up during business hours at these locations: PC Veteran Affairs Office, PC Sheriff's Office, Keowee Springs Fire dept. and Dacusville Fire dept.

Clemson Paw Partners Update

Margaret Thompson, with Clemson Paw Partners, gave Council an update on their new veterinarian, Dr. Kate Whitsel.

Council asked Mr. Roper questions that included, but was not limited to:

- Update on Six Mile Hwy Property (*as presented during Public Forum*)
- Long Shoals Park Work Update
- County Population Question regarding Redistricting

COMMITTEE REPORT: None

The Committee of the Whole met in Main Conference Room, at the Pickens County Administration Facility, on Tuesday, February 1, 2022. All members of the committee were in attendance with Vice Chairman Roy Costner presiding the beginning of the meeting, with the exception of Chairman Chris Bowers. Mr. Bowers joined the meeting late. Councilman Trey Whitehurst led the Invocation and Pledge of Allegiance.

WELCOME AND CALL TO ORDER:

Vice Chairman Roy Costner called the Committee of the Whole meeting to order.

COMMITTEE OF THE WHOLE:

Fire Fee Revenue Structure – Log No. 190

- Council and Billy Gibson, Emergency Services Director, had detailed discussion regarding a proposal from the Emergency Services Board. Mr. Gibson provided Council with a spreadsheet on the summary of the revenue by moving to a “per square foot” based fee. The Emergency Services recommends the 16 cent/ft² plan with a \$3,100 minimum for Commercial establishments.
 - Concerns that Council discussed about the Fire Fee Revenue Structure:
 - Companies on Fee-In-Lieu
 - Universal fee
 - Different options of fees
 - Fire services throughout the county
- ❖ **Vice Chairman Roy Costner made a motion to recommend refunding the difference to tax payers who paid more than \$1800 on their commercial fire fee and for Council to continue discussion on fire fee revenue structure for the next budget year. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (5-0), with Chairman Bowers absent during this vote in the meeting.**

Council Redistricting – Log No. 194

- Council and Administrator Roper, Jimmy Threatt (GIS Director) and Amy Sams (Director of Registration and Elections) had detailed discussion regarding two proposal of drafted maps regarding Council redistricting in Pickens County.
 - Questions regarding precincts in Pickens County
 - Different opinions and reasons from Council for redistricting
- ❖ **Councilman Alex Saitta made a motion to recommend first reading in title only of an ordinance to move forward with the Option 2 Draft Map. Motion was seconded by Councilman Trey Whitehurst**

and carried unanimously (5-0), with Chairman Bowers absent during this vote in the meeting.

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 7:28 p.m.

COUNCIL CORRESPONDENCE:

Chairman Chris Bowers announced the following:

- Non-Essential County Offices will be closed on Monday, February 21, 2022 in observance of the President Day Holiday.
- The Committee of the Whole will be held on Tuesday, February 22, 2022 at 6:00 PM in the Main Conference Room of the Administration Building.
- The next Council Meeting will be held on Monday, March 7, 2022 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.

CONSIDERATION OF A RESOLUTION RECOGNIZING FEBRUARY 2022 AS AMERICAN HEART MONTH.

Chairman Chris Bowers asked for a motion to consider this Resolution.

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

UPDATE ON HIGHWAY 11 CORRIDOR STUDY.

Mr. Roper stated that Council received a written report that is a midway point from the Appalachian Council of Governments. He stated Council commissioned ACOG to do a study to take in public input to look at other options for us all. Mr. Roper stated we want to continuously show how much you all are looking at this. He stated he would like for Council to have a head start on thinking about the ways Council may want to address their recommendations and have plenty of time to reflect to think about the avenue Council would like to take in addressing the need to protect scenic Highway 11.

Councilman Henry Wilson asked if there will be any more meetings with the Community. He stated he received some feedback that the meetings were less of an open discussion and more of a political stump. He stated he would like to know how these meetings are managed, who administrates the meetings, etc. since he has not had a chance to attend.

Mr. Roper stated the meetings are ongoing and will continue through March. He stated he regrets people perceived it that way. He stated there was a lot of ways for different public input, such as an online survey,

visual preference survey, series of public meetings, etc. He stated he attended a public meeting and it was an open forum. He stated other than that, it has been one-on-one meetings with stakeholders and they intend to follow up with potential recommendations on another public meeting.

CONSIDERATION OF A RESOLUTION TO AWARD THE DESIGN AND INSTALLATION OF THE WAYFINDING SIGNAGE FOR PICKENS COUNTY.

Chairman Chris Bowers asked for a motion to consider this Resolution.

- Motion was made by Councilman Ensley Feemster and seconded by Vice Chairman Roy Costner. Chairman Bowers asked if there was any discussion:
 - Mr. Roper stated this is a step we did not anticipate. He stated Council has already funded and approved the idea of this signage, but they found out as they started to go out and install the signs that SC DOT required us to have a resolution from Council saying clearly that we are the county, and we intend to put these signs up and maintain them. He stated it is more of a bureaucratic thing for the SC DOT to have shown legitimacy of our sign program.
 - Chairman Bowers asked the definition of a wayfinding sign, and Mr. Roper gave him an example of wayfinding signage.
 - Councilman Trey Whitehurst stated we need to specify wayfinding signage in Pickens County in the Resolution.
 - After more discussion between Council, Vice Chairman Roy Costner made a motion to amend and to add “by Pickens County according to Pickens County Plan”, in the resolution in the eighth whereas. It should read: *Whereas, Pickens County access ownership of and responsibility for future maintenance, repair, and replacement of the wayfinding signage, relieving SCDOT of that responsibility for any and all wayfinding signage installed by Pickens County according to Pickens County Plan, in SCDOT right-of-way; and*” Motion was seconded by Vice Chairman Chris Bowers and carried unanimously (6-0).
- After more discussion between Council, the original motion carried unanimously (6-0).

FIRST READING IN TITLE ONLY OF AN ORDINANCE APPLYING REDISTRICTING CRITERIA FOR PICKENS COUNTY COUNCIL DISTRICTS BASED UPON THE 2020 U.S. CENSUS.

Chairman Chris Bowers stated first reading in title only of this Ordinance took place in the Committee and was voted on, so this does not require a second. He asked for any discussion:

- Vice Chairman Roy Costner stated he is comfortable moving forward with the language in the title of the Ordinance. He stated he wanted to make sure we were not specifically voting on one draft map only right now. He stated the purpose of having three readings is for Council to discuss and to talk collectively as a group.
- Vice Chairman Roy Costner made a motion to amend the motion coming out of Committee, stating he would like to remove “Draft Map 2” out of the original motion, and just move forward with first reading in title only of the ordinance. Motion was seconded by Councilman Ensley Feemster. After some discussion between Council, the amended motion carried unanimously (6-0).
- Seeing no other discussion, the motion carried unanimously (6-0).

SECOND READING OF AN ORDINANCE TO COMBINE CONSTRUCTION BOARD OF APPEALS AND ZONING BOARD OF APPEALS.

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

- Motion was made by Councilman Trey Whitehurst, and seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any discussion:
 - Attorney Hendricks gave Council a quick update on his research of combining these two boards. He stated he appreciates the idea of combining the two boards and he gave council options of what they can do.
 - Councilman Trey Whitehurst stated he would like to send to Committee for further Council review.
- After more discussion between Council, Vice Chairman Chris Bowers made a motion to amend the original motion, and send this Ordinance to Committee following second reading. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).
- Seeing no other discussion, the motion carried unanimously (6-0).

SECOND READING OF AN ORDINANCE DECLARING A TEMPORARY DEVELOPMENT AND CONSTRUCTION PAUSE (MORATORIUM) FOR SIX MONTHS IN THE ISSUANCE OF DEVELOPMENT AND CONSRUCTION PERMITS FOR CERTAIN RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES AND DEVELOPMENTS ALONG THE SC HIGHWAY 11 SCENIC BYWAY WHILE PLANS ARE CONDUCTED AND APPLICABLE STANDARDS ARE DEVELOPED AND UPDATED RELATIVE TO THE SC HIGHWAY 11 SCENIC BYWAY IN PICKENS COUNTY, SOUTH CAROLINA.

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

- Motion was made by Councilman Ensley Feemster, and seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any discussion.
 - Councilman Alex Saitta stated other than preferring 120 days, he believes the terms of the moratorium are actually very reasonable. He stated he disagrees with a lot of the “whereas” statements, which is someone who has written into the ordinance. He shared three things in particular with other members of Council that he did not like in particular:
 - Add in protecting landowner property rights in second paragraph;
 - Remove paragraph about wants of Pickens County Government;
 - Wait until ACOG study is complete, as well as the Planning Commissions, and take out paragraph regarding defining and recommending property standards on Highway 11.
 - Councilman Alex Saitta made a motion to amend the Ordinance with the three things stated above. Motion was seconded by Councilman Trey Whitehurst. Motion carried unanimously (6-0).
 - After more discussion, motion was carried unanimously (6-0).

PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO THE CODE OF THE COUNTY OF PICKENS TO CERTIFY THE VACANT TEXTILE BUILDING LOCATED AT 225 RUHAMAH RD, LIBERTY, SC 29657 AS A TEXTILE MILL SITE UNDER THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT.

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

Seeing none, Chairman Bowers declared the public hearing closed.

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

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

PUBLIC HEARING AND THIRD READING OF AN ORDINANCE 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 RUBY SLIPPER).

Chairman Bowers opened the public hearing for comments regarding this Ordinance. Seeing none, Chairman Bowers declared the public hearing closed.

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

- Motion was made by Councilman Henry Wilson, seconded by Councilman Ensley Feemster and carried unanimously (6-0).

CONSENT AGENDA:

- ARIAL MILL REHAB PROJECT – *Committee of the Whole*
- Motion was made by Councilman Trey Whitehurst, seconded by Councilman Ensley Feemster and approved unanimously (6-0), to approve the Consent Agenda as presented.

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.

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

- Applications

Personnel – Section 30-4-70 (a) (1)

- 2021 Pinnacle Performer of the Year

Legal – Section 30-4-70 (a) (1)

- Upstate Grading Update

Contractual – Section 30-4-70 (a) (1)

- Potential Contractual Matter regarding Project Arnold

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

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

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

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

- Applications – **Chairman Chris Bowers made a motion to reappointment Robert Ballentine to the District 1 seat of the Planning Commission. Motion was seconded by Councilman Ensley Feemster. Chairman Bowers asked for any discussion:**
 - **Councilman Alex Saitta and Councilman Henry Wilson both gave a statement and explanation for their vote on this agenda item.**
- **Seeing no other discussion, motion carried (4-2), with Councilman Alex Saitta and Councilman Trey Whitehurst opposed.**

Personnel – Section 30-4-70 (a) (1)

- 2021 Pinnacle Performer of the Year – **No Action Taken.**

Legal – Section 30-4-70 (a) (1)

- Upstate Grading Update – **Chairman Chris Bowers made a motion to approve settlement reached in mediation with Upstate Grading. Motion was second by Councilman Ensley Feemster and carried unanimously (6-0).**

Contractual – Section 30-4-70 (a) (1)

- Potential Contractual Matter regarding Project Arnold – **No Action Taken.**

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 Alex Saitta and carried unanimously (6-0). Pickens County Council stood adjourned at 9:31 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Chris Bowers, Chairman of County Council