

## **Regular Pickens County Council Meeting**

January 3, 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 December 28, 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

Les Hendricks, Contract Attorney

Meagan Nations, Clerk to Council

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

Chairman Chris Bowers called the meeting of January 3, 2022 to order and welcomed those in attendance. Councilman Ensley Feemster led the Invocation and 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. Melanie McLane: Ms. McLane discussed the property on Six Mile Highway.
2. Johnnelle Raines: Ms. Raines prayed a prayer while addressing Council.
3. Doug Stokes: Mr. Stokes addressed Council about his fire fee increasing.

## **APPROVAL OF MINUTES:**

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

- December 6, 2021 Regular-Called Council Meeting
- December 21, 2021 Special-Called Council Meeting
- Motion was made by Councilman Ensley Feemster, and seconded by Vice Chairman Roy Costner. 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 782 active cases reported in Pickens County, within the last 14 days. He stated there have been five hundred twelve (512) deaths in Pickens County due to COVID-19. He advised a total of 29,986 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 approximately 37.7%, of Pickens County residents have completed vaccinations. Mr. Roper stated the Vaccination Clinics available during the month of January and February.

### **Phase 3 Operations**

Mr. Roper stated that in response to the current situation, Pickens County is in Phase 3 of operations:

- Open to the public
- Continue utilizing protective measures put in place during the first wave of the pandemic (plexiglass dividers, etc.)
- Continue with best practices for social distancing, cleaning and minimizing personal contact
- Minimize disruption of services due to expected employee absence due to illness/exposure
- Encourage the use of online resources

### **Storm Update**

Mr. Roper gave an update to Council regarding Saluda Hill Road, which is closed and will remain closed due to trees entangled with power lines between Hwy 11 up to Ridge Springs Road.

### **Solid Waste Update**

Mr. Roper gave an update to Council on the grinder and shredder at Solid Waste. He stated the C&D shredder continues to dramatically increase our collections from our metal vendor, and for November and part of December, the county has been paid \$112,548.00.

### **Countywide Radio RFP**

Mr. Roper gave an update to Council on the Request for Proposals on a Countywide Radio System. He stated it has been published and the responses will be due by 1/14/2022.

### **CIP Update**

Mr. Roper gave an update to Council on the Capital Improvement Plan.

### **Comprehensive Plan Update**

Mr. Roper gave Council and the public more information on the notice of Public Hearing for the draft Comprehensive Plan. He stated the Pickens County Planning Commission will hold a Public Hearing on the draft Comprehensive Plan on Thursday, Jan. 27<sup>th</sup> at 6:00 PM in Council Chambers of the Administration Building.

### **New Small Business Liaison**

Mr. Roper introduced Brittany Chapman, who is the new Small Business Liaison for Alliance Pickens.

### **Request to Add to Executive Session**

Mr. Roper requested for Council to add a personnel matter to Executive Session regarding Covid-19 on this evening's agenda.

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

- Fire Fee Revenue Questions (*as presented during Public Forum*)
- Update on Six Mile Hwy Property (*as presented during Public Forum*)
- Financial Request for the Pickens County Performing Arts Center Foundation

**COMMITTEE REPORT: None**

**COUNCIL CORRESPONDENCE:**

Chairman Chris Bowers announced the following:

- Non-Essential County Offices will be closed on Monday, January 17, 2022 in observance of the Martin Luther King Holiday.
- The Committee of the Whole will be held on Tuesday, January 18, 2022 at 6:00 PM in the Main Conference Room of the Administration Building.
- The next Council Meeting will be held on Monday, February 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.

- Chairman Chris Bowers made a motion to add Covid-19 Personnel Update to Executive Session this evening. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).
- Councilman Alex Saitta made a motion to add Discussion on 120 Day Moratorium on the Development of Highway 11. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (6-0).

Seeing no discussion, Chairman Bowers closed the floor.

**CONSIDERATION OF A RESOLUTION 2022-01 RECOGNIZING JANUARY 2022 AS NATIONAL BLOOD DONOR MONTH WITHIN PICKENS COUNTY.**

Chairman Chris Bowers asked for a motion to consider Resolution 2022-01.

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

**CONSIDERATION OF A RESOLUTION 2022-02 APPROVING FISCAL YEAR 2023 BUDGET CALENDAR.**

Chairman Chris Bowers asked for a motion to consider Resolution 2022-02.

- Motion was made by Councilman Henry Wilson and seconded by Councilman Ensley Feemster. Chairman Bowers asked if there was any discussion.

- Councilman Wilson went into discussion stating he would like to have a Budget Work Session in January, before the Finance Department submits departments' requests to the Administrator.
- Councilman Whitehurst asked if it was possible we replace a Committee of the Whole with a Budget Work Session.
- Councilman Saitta went through the Finance calendar of events and explained what he would like to see changed on the timeline for the Budget.
- Vice Chairman Roy Costner amended the motion, stating he would like to add a Priorities and Budget Work Session to the Finance Calendar of events in January. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).

**STAFF UPDATE ON PLAN FOR UPCOMING COUNTY ROAD MAINTENANCE AND RESERVE FUNDING ALLOCATIONS.**

Mr. Roper stated after the vote of Council to give County staff the proper funding for roads, he feels it's important on giving Council clarity of how we intend to spend the money.

He stated there were two funds that were created by the Budget Amendment Ordinance: 1) Road Maintenance Revenue Fund and 2) Road Reserve Fund. He stated our State Senator sought an opinion from the Attorney General who provided us further clarity on what his view of the law was on how we can spend the money. Mr. Roper gave an overview on how the county intends to spend this money on the roads.

Mr. Roper presented a photo presentation to Council, explaining the following:

- **Road Maintenance Fund**
  - Crack Sealing and Surface Treatment
  - Patch and pave roads with 25% or less patching
  - Box / Arch Culverts
  - Culvert / Pipe replacements of 60" or larger
- **Road Reserve Fund**
  - Reclamation / Reconstruction roads
  - Multiyear Striping project
  - Multiyear Guardrail Project
  - Multiyear Culvert Project
- Explaining of [www.fixingcountyroads.com](http://www.fixingcountyroads.com) to report road problems and to keep tab on the two funds themselves and see the collections/expenditures

**FIRST READING IN TITLE ONLY OF AN ORDINANCE TO COMBINE CONSTRUCTION BOARD OF APPEALS AND ZONING BOARD OF APPEALS.**

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

- Motion was made by Councilman Alex Saitta, seconded by Councilman Ensley Feemster. Chairman Bowers asked if there was any discussion.
  - Councilman Trey Whitehurst asked Attorney Hendricks if this was legal.
  - Attorney Hendricks stated he is looking into this, and he hopes to have Council more information at Second Reading.
- After more discussion, motion carried unanimously (6-0).

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

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

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

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

**DISCUSSION ON 120 DAY MORATORIUM ON HIGHWAY 11** *(as added during Motion Period and New Business)*

Councilman Alex Saitta stated Administration recommended this a few months back and asked what their idea was.

Mr. Roper stated his idea is that while the county is going through the process of looking for the first time for some type of development standards that are specific to our scenic highway, that we put a pause on any projects out there to protect the county and public, but also the development.

Councilman Trey Whitehurst asked if there were any projects happening now.

Mr. Roper stated there is nothing that has been brought in front of the Planning Commission and no permits as of today.

Mr. Hendricks stated there are three parts of this moratorium that Council needs to be aware of:

1. The purpose of the moratorium must be stated and passed by Ordinance
  2. Moratorium has to be of limited duration, with the presumptive limit being 180 days
  3. Once passed, immediately research amendments that you want to be placed into the DSO
- After more discussion between Council and staff, Councilman Alex Saitta made a motion to constitute first reading in title only of an Ordinance on a 180 days' moratorium along the scenic highway of Highway 11. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

**CONSENT AGENDA:**

- PROVISION OF COUNTY EMPLOYEE HEALTH BENEFITS FOR UPCOMING FISCAL YEAR – *Committee of the Whole*
- 2030 COMPREHENSIVE PLAN REFERRAL BY COUNCIL TO THE PICKENS COUNTY PLANNING COMMISSION FOR FURTHER PUBLIC INPUT AND RECOMMENDATIONS – *Committee of the Whole*
- CONSIDERATION OF FUNDING REQUEST FROM THE PICKENS JOINT REGIONAL WATER SYSTEM – *Committee of the Whole*
- COUNCIL REDISTRICTING – *Committee of the Whole*
- Motion was made by Councilman Ensley Feemster, seconded by Councilman Henry Wilson 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.

Legal – Section 30-4-70 (a) (5)

- Pickens County v. SCDHEC and MRR Pickens LLC

Contractual – Section 30-4-70 (a) (5)

- Project Arnold

Personnel – Section 30-4-70 (a) (1)

- Public Works
- Covid-19 Updated (*as added during Motion Period and New Business*)

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

- Applications

- 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:

Legal – Section 30-4-70 (a) (5)

- Pickens County v. SCDHEC and MRR Pickens LLC – **No Action Taken.**

Contractual – Section 30-4-70 (a) (5)

- Project Arnold – **No Action Taken.**

Personnel – Section 30-4-70 (a) (1)

- Public Works – **No Action Taken.**
- Covid-19 Update (*as added during Motion Period and New Business*) – **Chairman Chris Bowers made a motion to extend the COVID-19 sick pay for another 90 days. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).**

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

- Applications – **Chairman Chris Bowers made a motion to appoint Barbara Shehan to Lodging Seat on the ATAX Committee, and Russ Gantt to the Culture Seat on the ATAX Committee. Also, Brandon Looper and Rodney Robinson to the Grievance Committee. Motion was 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 10:20 p.m.

Respectively Submitted:

Approved:

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Meagan Nations, Clerk to Council

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Chris Bowers, Chairman of County Council