

Regular Pickens County Council Meeting

March 6, 2023

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 March 3, 2023.

Council Members in Attendance:

Chris Bowers, Chairman
Roy Costner, Vice Chairman
Alex Saitta, Vice Chairman Pro-Tem
C. Claiborne Linvill
Chris Lollis
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 March 6, 2023 to order and welcomed those in attendance. Councilman Alex Saitta led the Invocation and the Pledge of Allegiance.

Vice Chairman Roy Costner made a motion to move Agenda Item #8 first on the agenda, to recognize the High School Team who is present this evening. Motion was seconded by Councilman Chris Lollis and carried unanimously (6-0).

ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:

a.) CONSIDERATION OF A RESOLUTION 2023-07 CONGRATULATING LIBERTY HIGH SCHOOL'S WRESTLING TEAM AS CLASS AA SOUTH CAROLINA HIGH SCHOOL WRESTLING CHAMPIONS

- o Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson and carried unanimously (6-0). Chairman Bowers recognized the Liberty High School Wrestling Team.

PUBLIC FORUM:

Chairman Chris Bowers opened the Public Forum and requested the Clerk to call upon the citizens signed up to speak.

1. Allan Quinn: Mr. Quinn addressed Council regarding Economic Development.
2. Tom Hendricks: Mr. Hendricks addressed Council regarding freezing of taxes.

3. Robert Lee: Mr. Lee addressed Council regarding an opinion of Attorney General Request.
4. Dawn Crooks: Ms. Crooks addressed Council regarding annexation of Brown Drive.

APPROVAL OF MINUTES:

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

- o December 5, 2022 Regular-Called Council Meeting
- o January 3, 2023 Organizational Meeting

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

ADMINISTRATOR’S REPORT:

Mr. Roper addressed Council on the following:

- 2023 Council Goals – People, Purpose, Plan
 - Plan: Parcel Growth in Pickens County
 - Purpose: Fixing County Roads // implementation of road tax mileage
 - Plan: Communications with Municipalities – Monthly Administrator’s Breakfast with municipal Administrator’s
 - People: Pickens County EMS – EMS Employees Raises and Recognition, EMS Ambulances and Equipment, and EMS Technology Upgrades.

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

- Question regarding Robert Lee’s Public Forum discussion on opinion from Attorney General
- Question regarding Dawn Crook’s Public Forum discussion on Annexation of Brown Drive
- Sheriff’s Office Questions regarding Litter Pickup

COMMITTEE REPORTS:

Committee of the Whole Report for 2/21/23:

The Committee of the Whole met in Main Conference Room, at the Pickens County Administration Facility, on Tuesday, February 21, 2023. All members of the committee were in attendance with Chairman Chris Bowers presiding the beginning of the meeting. Councilman Chris Lollis 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:

Solid Waste Needs – Log No. 133

- Steve Raines, Solid Waste Director, gave an overview of the landfill and went into discussion regarding the Landfill Expansion. Council and staff had detailed discussion that included, but was not limited to:
 - Current landfill capacity
 - Discussion regarding the SCDHEC Demonstration of Need filing on February 2
 - Proposed expansion
 - Proper Equipment needed in future at Landfill
 - Plan for Solid Waste in 50+ years
 - Tipping Fees

- Recycling
- Saturday Operating Cost
- Discussion of Solid Waste Adhoc Committee

- After much more discussion, Chairman Chris Bowers made a motion to move forward with expanding the piggyback at the landfill and the purchase of an excavator for \$142,000. Motion was seconded by Councilman Henry Wilson and carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

First Council Action on Log No. 133- Chairman Chris Bowers made a motion to move forward with expanding the piggyback at the landfill and the purchase of an excavator for \$142,000. Motion was seconded by Councilman Henry Wilson and carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

Chairman Bowers stated that no second is required as this comes as a recommendation from the Committee. He asked for any discussion.

Council and Staff had detailed discussion that included, but was not limited to:

- Councilman Saitta went into discussion on why he will be voting no on this motion.
- Councilman Wilson went into discussion on why he will be voting yes on this motion.
- Chairman Bowers went into explanation of why he feels it is necessary to expand the piggyback at the landfill
- Councilman Lollis agreed that purchasing the equipment is a great idea, but he is hesitant about voting to approve the expansion of the piggyback
- Mr. Roper stated we are at the mercy of when DHEC says it is time to close the landfill
- Councilwoman Linvill asked if the county can make the map public on the website of the expansion of the piggyback at the landfill and the properties it will be near
 - Seeing no other discussion, the motion carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

UDSO – Log No. 141

- Mr. Roper gave a brief overview of the Unified Development Standards Ordinance, stating the UDSO regulates the use of land, the location and use of buildings and other site improvements, and the construction of public facilities and private improvements related to the development of land.
- Planning Staff did an overview of General Improvements, Housing and Growth. They presented Council with a recommended plan of action and had detailed discussion on changes that Council would like to see updated in the ordinance.
- Council and staff had detailed discussion that included, but was not limited to:
 - Traffic and Infrastructure
 - High Density
 - Standards for transition zones
 - Overlay district
 - Open Space
 - Planned Developments
 - Conventional Subdivisions
 - Tiny Homes, RV, and townhomes
 - Traffic Studies
 - UDSO Section 10 (Roads)

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

Council Action on Log No. 141: 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 Chris Lollis and carried unanimously (6-0). Meeting was adjourned at 8:32 p.m.

COUNCIL CORRESPONDENCE:

Chairman Chris Bowers announced the following:

- The Committee of the Whole meeting will take place on Monday, March 13, 2023, at 6:00 p.m. in Council Chambers of the Administration Building.
- The next Council meeting will be held on Monday, April 3, at 6:30 p.m. in Council Chambers of the Administration Building.

Chairman Bowers called for other council correspondence.

- Councilwoman Claiborne Linvill stated she will be out of the Country March 16 – April 15. She will miss the April Council meeting and will only be available by email.

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.

ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:

- b.) CONSIDERATION OF A RESOLUTION 2023-08 TO COMMEMORATE MARCH 2023 AS BLEEDING DISORDERS AWARENESS MONTH IN PICKENS COUNTY
 - Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Councilwoman Claiborne Linvill, seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

ORDINANCES FOR SECOND READING

None

ORDINANCES FOR THIRD READING

None

OTHER REQUEST AGENDA ITEMS

- a) **Presentation from Appalachian Council of Government regarding performance of services in the county in 2022-2023**
 - Mr. Steve Pelissier, Director of Appalachian Council of Government, presented the 2022 Annual Report to Council. He discussed the following:

- Pickens County's annual investment in the Appalachian Council of Governments is \$61,631. The return on investment to Pickens County in 2022 was \$1,781,091 representing a return on investment ratio of \$28.90 on every \$1.
- 2022 Return on Investment
- Services Provided to Pickens County in 2022
- Grants Secured
- Senior Advocacy Services
- Economic Development
- Government Services
- Planning Services

b) Consideration of a proposed application by Pickens County to the State Transportation and Infrastructure Bank (STIB) regarding funding for improvements to South Carolina

- Mr. Roper went into discussion on how Pickens County has applied for funding from the State Transportation Infrastructure Bank. He stated that GPATS met last November to approve the Long-Range Transportation Plan, which included this as a priority and is ranked #7 in the entire GPATS area. He stated the State Infrastructure Bank Staff needs to affirm GPATS's ranking, which staff understands that they've signaled they would, and then Pickens County needs to determine whether it will increase its local match. Mr. Roper stated that GPATS says to improve our score, we need to get our local match into the nature of 22.5 million dollars. He stated he has been informed by members of the Delegation that 10 of that 22 million will be made available to the CTC in the State Budget and could be applied to the local match, and as with the previous application, the CTC is open to pledging half of a million dollars a year for 20 years (servicing a bond issue of 6.5 million). He stated of the remaining 6 million, the county could provide in cash, or through a larger bond issue, or other options. He stated that he is bringing this up to Council tonight is because they have been told by GPATS staff that the Infrastructure Bank wants to meet and can reconsider our application. He stated he is not committing to them 22.5 million dollars, but would like to be able to communicate to them that we are going to work our way through that if we are awarded. He stated all he is looking for permission is to send them a letter saying that Pickens County is applying. He stated this is not an approval of obligation and there'll be conditions precedent for us to receive that grant funding and we will have to show that monies have been set aside but we will not have to do that until they're ready to send us the money.
- After much discussion between Council, Chairman Chris Bowers made a motion to move forward with consideration of the proposed application by Pickens County to the State Transportation Infrastructure Bank regarding funding for improvements to South Carolina Highway 183 and matters related thereto. Motion was seconded by Councilman Henry Wilson and carried unanimously (5-1), with Councilman Alex Saitta opposed.

c) Consideration of potential renovation of the flooring replacement at the Pickens County Museum and source of funds

- Mr. Roper stated that PRT is requesting \$15,000 from the Local Accommodations Fee account to replace the flooring and display rails in the upstairs portion of the Pickens County Museum. He stated the funds will come from the Local Accommodations Fee fund collections, 50% of which are eligible to be used for tourism related activities in the following fiscal year. He stated that PRT plans to replace the flooring on the upstairs

level of the Museum and repair damaged wall treatments on the upstairs level of the Museum. Mr. Roper advised that Building Maintenance has been briefed on the project and agreed to oversee implementation.

- Vice Chairman Roy Costner made a motion to allocate the \$15,000 from the Local Accommodations Fee to specifically replace the flooring and display rails in the upstairs portion of the Pickens County museum. Motion was seconded by Councilwoman Claiborne Linvill and carried unanimously (6-0).

d) Council Rules – specific to Executive Session

- Chairman Chris Bowers stated there has been a lot of conversation around Executive Session and he believes it is important to discuss the intent and purpose of Executive Session. He stated state law is very clear on what we can discuss in Executive Session. He stated he would like to have a conversation with Council regarding Executive Session and whether or not we should put something in our rules regarding ES.
- Council had detailed discussion that included, but was not limited to:
 - Personnel and Contractual Matters explanation for Executive Session
 - No notes taken by Council or recording in Executive Session
 - Clarification of how newly elected Council members are briefed on past Executive Session items still being discussed
- After much more discussion between Council, Vice Chairman Roy Costner made a motion to amend Council Rules for Executive Session items to be discussed include contractual, negotiations, personnel or specific confidential safety issues, and if any member of Council violate that we lose the privilege of going into Executive Session for three months. Motion was seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any other discussion.
 - Councilman Saitta stated it is illegal to do this.
- Vice Chairman Roy Costner amended his motion, stating he would like it to be through the process of vote by full council with the council person having the opportunity to speak. Councilman Henry Wilson seconded the motion for discussion purposes.
 - Councilman Saitta went into discussion on FOIA.
- After much more discussion, the Vice Chairman withdrew his motion.

CONSENT AGENDA

None

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)

- Beautification Committee
- Recreation Funding Advisory Board

Personnel – Section 30-4-70 (a) (1)

- Citizen Award

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Economic Development – Section 30-4-70 (a) (5)

- Project Sierra Foxtrot
- Motion was made by Councilwoman Claiborne Linvill, seconded by Councilman Chris Lollis 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)

- Beautification Committee – **Chairman Chris Bowers made a motion to appoint George Ramos to the Beautification Committee in the District 6 seat. Motion was seconded by Councilman Chris Lollis and carried unanimously 6-0.**
- Recreation Funding Advisory Board – **Chairman Chris Bowers made a motion to appoint Jarred Brink to the Recreation Funding Advisory Board in the District 2 seat. Motion was seconded by Councilman Chris Lollis and carried unanimously (6-0).**

Personnel – Section 30-4-70 (a) (1)

- Citizen Award – **No Action Taken.**

Economic Development – Section 30-4-70 (a) (5)

- Project Sierra Foxtrot
 - **Chairman Chris Bowers made a motion to constitute First Reading in title only of this Ordinance. Motion was seconded by Councilman Henry Wilson and carried (5-0), with Councilwoman Claiborne Linvill abstained.**
 - **Chairman Chris Bowers made a motion to approve the Inducement Resolution for Project Sierra Foxtrot. Motion was seconded by Councilman Henry Wilson and carried (5-0), with Councilwoman Claiborne Linvill abstained.**

ADJOURN:

Hearing no further Council business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilwoman Claiborne Linvill, seconded by Councilman Henry Wilson and carried unanimously (6-0). Pickens County Council stood adjourned at 9:38 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Chris Bowers, Chairman of County Council