

Regular Pickens County Council Meeting

December 5, 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 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 December 5, 2022 to order and welcomed those in attendance. Councilman Trey Whitehurst led the Invocation and the Pledge of Allegiance.

REVIEW OF COUNCIL ACHIEVEMENTS

Administrator Ken Roper reviewed the following achievements with Council:

- Council Goals 2021-2022
 - Provide Efficient Essential Services
 - Fixing County Roads
 - Unified Fire Service
 - Efficient and Innovative Landfill Operations
 - Protect and Enhance our Unique Nature
 - Protection from Coal Ash
 - New Parks
 - Comprehensive Anti-Litter Strategy
 - Protecting and Preserving SC Highway 11
 - Promote a Culture of Public Service
 - Pickens County Leadership Enhancement Academy for Public Servants
 - Public Employee Service Corps
 - Community Service
 - Deliver Prompt and Effective Emergency Response
 - Staffing EMS & Fire
 - Support of First Responders
 - Mental and Behavioral Health
 - Strengthen our Resilient Local Economy

- Pickens County Broadband Initiative
- Improvements at PC Airport
- Support of Pickens County Businesses

Chairman Chris Bowers thanked Councilman Ensley Feemster and Councilman Trey Whitehurst for their service to Pickens County.

PUBLIC FORUM:

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

Councilman Henry Wilson made a motion to allow all public forum speakers who are signed up to speak this evening. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).

1. Matt Chappell: Mr. Chappell addressed Council regarding the Highway 11 Ordinance.
2. Ellen Akers: Ms. Akers addressed Council regarding the Highway 11 Ordinance.
3. Steve Lorch: Mr. Lorch addressed Council regarding the Highway 11 Ordinance and Table Rock Tea Company.
4. Vickie Perez: Ms. Perez addressed Council regarding the Highway 11 Ordinance.
5. Keven Keller: Mr. Keller addressed Council regarding the Highway 11 Ordinance.
6. Paulette Keller: Ms. Keller addressed Council regarding Highway 11 Ordinance.
7. Gary Stach: Mr. Stach addressed Council regarding the Highway 11 Ordinance.
8. Jan McCrary: Ms. McCrary addressed Council regarding the Highway 11 Ordinance.
9. Tommy Hendricks: Mr. Hendricks addressed Council regarding the Highway 11 Ordinance.
10. Stanley Osowicki: Mr. Osowicki addressed Council regarding the Highway 11 Ordinance.
11. Jeff Derrick: Mr. Derrick addressed Council regarding the Highway 11 Ordinance.

APPROVAL OF MINUTES:

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

- November 7, 2022 Regular-Called Council Meeting
- Motion was made by Councilman Ensley Feemster, and seconded by Councilman Henry Wilson. Seeing no discussion, the motion carried unanimously (6-0).

ADMINISTRATOR’S REPORT:

Mr. Roper addressed Council on the following:

- 2022 Community Service Award
- High Performance Leadership Academy
- Temporary Closure of Pickens County Museum of Art & History
- Request to add update to Project Made to Executive Session as proposed contractual matter

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

- Recycling Center Questions
- Compacter Condition at Landfill

COMMITTEE REPORT:

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the Committee of the Whole meeting to order at 6:00 P.M., and Chairman Bowers led the Invocation and Pledge of Allegiance.

UDSO – Log No. 141

- Mr. Roper stated under Section 303 Motorized Vehicle Tracks (commercial) in the UDSO, the Chairman had requested a map demonstrating and there is language in the UDSO that states dirt tracks shall be located no closer than one mile from any residential use. Mr. Roper presented a map of residential property with 1-mile buffer in Pickens County.
- Council and County Staff had discussion that included, but was not limited to:
 - Discussion on the Pickens County UDSO
 - Citizens who are interested in a dirt track in the future should bring a proposal to Council
 - Discussion on the UDSO between the ½ mile and mile radius

❖ **No Action taken by the Committee**

Council Action on Log No. 141: No Action Taken by the Committee.

ANNUAL CAPITAL IMPROVEMENT PLAN UPDATE – Log No. 210

- The Committee had very detailed discussion on the Annual Capital Improvement Plan. Vehicle Maintenance Director, Toney Chastain, presented the update to Council.
- Detailed Discussion was included but was not limited to:
 - Mr. Chastain went through the spreadsheet with Council and reviewed what they have been able to replace, what has not been replaced, what has been ordered but cancelled and to be considered.
 - Mr. Chastain stated we have the advantage of already having an established fleet and can choose to spend the funds on repairs rather than replacements in the short term.
 - Mr. Roper asked Council to consider Staff a proposed solution which is to be able to take the funds of the items that cannot be delivered at this time to be used at items that can be delivered at this time. He stated it is a change on the way we established the Capital Improvement plan but it is only a temporary change due to the market. He stated he wanted Council to recognize that this would require a budget amendment in the budget process in the Spring. He stated the procurement policy will still be followed.
 - Discussion on condition of EMS Fleet
 - Discussion on Solid Waste roll-off trucks

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

Council Action on Log No. 210: No Action Taken by the Committee.

AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO – Log No. 205

- The Committee and County Staff had very detailed discussion on this Ordinance. Discussion was included but was not limited to:
 - 100ft Buffer Discussion and 150ft Buffer Discussion
 - Setback

- GIS provided a chart regarding Right Away Size, Acres and Percentage of Road
 - Discussion on Industrial Growth and Industrial Use
 - Commercial on Highway 11
 - Commercial Design Standards
- After much discussion between Council & Staff, Vice Chairman Roy Costner made a motion for the following recommendations. Motion was seconded by Councilman Trey Whitehurst. The recommendations are:
 - 150ft buffer
 - No heavy Industrial
 - Commercial Design Standards fall within view shed
 - After more discussion, Vice Chairman Costner amended his motion to include the 1000ft north and south and view shed (as depicted in red on map). Councilman Henry Wilson seconded the motion.
 - Seeing no other discussion, the motion carried (4-1), with Councilman Alex Saitta opposed.
- ❖ **After much discussion between Council & Staff, Vice Chairman Roy Costner made a motion for the following recommendations. Motion was seconded by Councilman Trey Whitehurst. The recommendations are:**
 - **150ft buffer**
 - **No heavy Industrial**
 - **Commercial Design Standards fall within view shed**
 - ❖ **After more discussion, Vice Chairman Costner amended his motion to include the 1000ft north and south and view shed (as depicted in red on map). Councilman Henry Wilson seconded the motion. Seeing no other discussion, the motion carried (4-1), with Councilman Alex Saitta opposed.**

Council Action on Log No. 205: After much discussion between Council & Staff, Vice Chairman Roy Costner made a motion for the following recommendations. Motion was seconded by Councilman Trey Whitehurst. The recommendations are:

- 150ft buffer
- No heavy Industrial
- Commercial Design Standards fall within view shed

After more discussion, Vice Chairman Costner amended his motion to include the 1000ft north and south and view shed (as depicted in red on map). Councilman Henry Wilson seconded the motion. Seeing no other discussion, the motion carried (4-1), with Councilman Alex Saitta opposed.

Council had detailed discussion regarding their opinions on the Ordinance.

After much discussion, Chairman Bowers asked for all those in favor to please signify by raising your hands. The motion carried (5-1), with Councilman Alex Saitta opposed.

ADJOURN:

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Henry Wilson, seconded by Vice Chairman Roy Costner and carried unanimously (5-0). Meeting was adjourned at 7:51 p.m.

COUNCIL CORRESPONDENCE:

Chairman Chris Bowers announced the following:

- There will be no Committee of the Whole meeting during the month of December.
- Non-Essential County Offices will be closed on Friday, December 23 and Monday, December 26 for the Thanksgiving Holiday. Offices will reopen on Tuesday, December 27 at 8:00 AM.
- Non-Essential County Offices will be closed on Monday, January 2 for the New Year Holiday.
- The Swearing-In Ceremony and Organizational Meeting will be held on Tuesday, January 3 at 6:00 PM in the 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 Project Made to Executive Session. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

Seeing no discussion, Chairman Bowers closed the floor.

PUBLIC HEARING FOR RENAMING THE PICKENS COUNTY LAW ENFORCEMENT CENTER LOCATED AT 216 C DAVID STONE RD. TO THE C. DAVID STONE PICKENS COUNTY LAW ENFORCEMENT CENTER

Chairman Chris Bowers opened the floor for Public Hearing Comment.

Seeing no speakers, Chairman Bowers closed the floor.

Chairman Bowers asked for a motion to consider this request.

- Councilman Henry Wilson made the motion, Councilman Ensley Feemster seconded the motion and the motion carried unanimously (6-0).

PRESENTATION OF FY2022 AUDIT: Cherry Bekaert, LLP

Mr. Robinson stated he is here to report on the financial report for the fiscal year ended June 30, 2022. He stated there are two documents that Council has in their packets that represent the audit; one is the CAFR Comprehensive Annual Financial Report, and the other is letter to Council. He stated on the financial statement, there are three different reports/opinions. Mr. Robinson stated the audit is published with a clean or unmodified audit opinion. He stated the audit is concluded and presented as a final document. Mr. Robinson presented financial highlights from the report.

REMOVAL OF ITEMS FROM COMMITTEE LOG

- Vice Chairman Roy Costner made a motion to keep the following items on the Committee Log. The motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
 - Log No. 80 – County Radio System
 - Log No. 109 – Fort Prince George
 - Log No. 123 – Ordinance 572
 - Log No. 133 – Solid Waste Needs
 - Log No. 134 – Mental Health
 - Log No. 141 - UDSO
 - Log No. 142 – Discussion on Old Jail
 - Log No. 177 – American Rescue Act Funding
 - Log No. 178 – Hagood Mill MOU
 - Log No. 182 – Unified Dispatch Plan from Staff
 - Log No. 196 – Arial Mill Rehab Project
 - Log No. 203 – Updating County Tire Policy per DHEC Requirement
 - Log No. 208 – County Employee
 - Log No. 209 – County Constables and Certification Process

AN INDUCEMENT RESOLUTION No. 2022-28 IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY ONE OR MORE COMPANIES KNOWN TO THE COUNTY AT THIS TIME, COLLECTIVELY, AS PROJECT EFFICIENCY, ITS OR THEIR AFFILIATES AND RELATED ENTITIES AND CERTAIN SPONSOR AFFILIATES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF AD VALOREM TAXES ARRANGEMENT WITH PICKENS COUNTY, SOUTH CAROLINA; PROVIDING FOR ANY OTHER NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECT THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.

Chairman 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).

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**

Contractual – Section 30-4-70 (a) (5)

- **Proposed Contractual Agreement – RECAS USA LP and ERA-CONTACT USA, LLC**
- **Project Made** (*as added during motion period and new business*)

- Motion was made by Councilman Ensley Feemster, seconded by Councilman Trey Whitehurst 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 appoint the following citizens to the following boards. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).**

Behavioral Health Board	Rhonda Billingsley	
Behavioral Health Board	Douglas Clamp	
Behavioral Health Board	Dawn Gilstrap	
Bethlehem Roanoke Water	Mike Parrott	
Emergency Services Advisory Board	JB Kelley	District 5
Planning Commission	Philip E Smith	District 3
Planning Commission	Gary Stancell	District 2
Planning Commission	Charles M. Watson	District 4

Zoning Board of Appeals	Kathlina Racine	District 5
Zoning Board of Appeals	Elizabeth Howard	District 6
Zoning Board of Appeals	Todd-Claud Lewis	District 1

- **Chairman Chris Bowers made a motion to appoint Clay Counts to At-Large seat on the Planning Commission. Motion was seconded by Councilman Ensley Feemster and carried (5-0), with Vice Chairman Roy Costner abstaining.**
- **Vice Chairman Roy Costner made a motion to appoint Randy Bowers to the District 5 seat on the Emergency Services Advisory Board. Motion was seconded Councilman Ensley Feemster and carried (5-0), with Chairman Chris Bowers abstaining.**

Contractual – Section 30-4-70 (a) (5)

- **Proposed Contractual Agreement – RECAS USA LP and ERA-CONTACT USA, LLC – Chairman Bowers made a motion to extend the investment period for 5 years for RECAS USA LP and ERA-CONTACT USA, LLC. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).**
- **Project Made (as added during motion period and new business) – No Action Taken.**

ADJOURN:

Hearing no further Council 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). Pickens County Council stood adjourned at 9:11 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Chris Bowers, Chairman of County Council