

Regular Pickens County Council Meeting

February 5, 2018

6:30 PM

County Council met in regular session, in the Auditorium, County Administration Facility, with Chairman Roy Costner presiding. Agendas, bearing date, time, and location of meeting were mailed to Council members and local news media on January 30, 2018.

Council Members in Attendance:

Roy Costner, Chairman

Chris Bowers, Vice Chairman

Wes Hendricks, Vice Chairman Pro-Tem

Trey Whitehurst

Ensley Feemster

Carl Hudson

Staff in Attendance:

Gerald Wilson, County Administrator

Ken Roper, County Attorney

Crystal A. Alexander, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the meeting of February 5, 2018 to order and welcomed those in attendance. Councilman Trey Whitehurst led the Invocation and Pledge of Allegiance.

PUBLIC FORUM:

Chairman Roy Costner clarified that agenda item no. 10 is first reading in title only of possible changes to the existing animal control ordinance. Chairman Costner wanted to reassure the public that there is no specific proposal being considered tonight, instead tonight's action is only a procedural mechanism to allow the council to begin studying the need for any changes. He further stated that he is aware that the City of Liberty recently enacted a tethering ordinance within the city limits; however, that ordinance is not what is being voted on tonight. He clarified that he did not want the public to confuse the two issues. Chairman Costner stated that tonight's issue is whether or not the council should look into the existing ordinance to determine what, if any changes are needed. He stated that any specific changes to the ordinance would be developed only after careful study, and there is an opportunity for all citizens to have input on the issue.

Chairman Roy Costner opened the Public Forum and requested the Clerk to call upon the citizens who signed up to speak.

1. Donna Shelton: Ms. Shelton appeared to discuss her concerns with the DSS building located at 212 McDaniel Ave. in Pickens. She clarified that she is speaking as a private citizen and not as a representative of the Department of Social Services. Ms. Shelton provided a document to members of council that details her concerns with the building.
2. Kim Jackson: Ms. Jackson appeared to thank the council for agreeing to study ordinances and initiatives to ensure more humane and ethical treatment of animals within Pickens County. She offered to be of assistance as the council works through this process. Ms. Jackson also discussed her opinion as it relates to the treatment of animals, more specifically tethering of animals.
3. Marion Lawson: Mr. Lawson appeared to discuss the upcoming sesquicentennial celebration of Pickens County. He stated that The School District of Pickens County is excited to be a part of

the celebration. Mr. Lawson thanked the council for the opportunity to serve on the tourism board. He discussed the opportunity to incorporate The Hagood Mill in the student curriculum. He discussed the ongoing efforts of the District to incorporate the heritage and traditions of Pickens County during the 150th year celebration.

4. Lauren Hamrick: Ms. Hamrick appeared to discuss animal welfare in Pickens County. She presented photos of animals that she has assisted in the past. Ms. Hamrick stated that most people are willing to accept help when it is offered. She stated that better laws and programs in place would help owners that want to provide better for their companions. Ms. Hamrick further discussed the proposed tethering ordinance.
5. Randy Williams: Mr. Williams appeared to discuss the proposed animal welfare ordinance. He stated that he is an animal lover that has tethered his dogs. Mr. Williams stated that his dogs are well taken care of even though they are tethered. He advised that he represents several citizens in attendance that love their dogs and humanely tether them. Mr. Williams encouraged the council to leave the ordinance as is, and allow the citizens to continue to take care of their animals in a loving manner.
6. Robert Oliver: Mr. Oliver appeared to discuss the proposed animal welfare ordinance. He stated that he is an animal lover that has the credentials to speak to these issues. Mr. Oliver stated that dog abuse receives a lot of attention, as it should; however, there are laws in place to address these issues. He further stated that no more laws are needed. Mr. Oliver encouraged the council to remove the proposed animal welfare ordinance from the agenda.
7. Brian Stewart: Mr. Stewart appeared to discuss the proposed animal welfare ordinance. He stated that he agrees with Robert Oliver's opinions. He stated that he would like speak on behalf of the hunters. He advised that he, like most hunters, would report anyone for the mistreatment of animals. Mr. Stewart stated that most hunters take good care their dogs, generating a lot of revenue for Pickens County.
8. Tracy Todd (Easley High School Student Council): Ms. Todd appeared to discuss a three day leadership conference that will be hosted by Easley High School next month. She wanted to let everyone know about this event, further stating it is generating a lot of revenue for Pickens County. Ms. Todd asked the council for their assistance.
9. Brooklyn Kelley (Easley High School Student Council): Ms. Kelley appeared to ask for donations for the upcoming conference that Ms. Todd discussed to include, but not limited to: water bottles; snacks; monetary donations; blankets; etc. She advised that they are in need of community support to include homestays for 89 students.
10. Richard McJunkin: Mr. McJunkin appeared to discuss the proposed animal welfare ordinance. He stated that he was raised that dogs work for their owners. He further stated that dogs are not humans. Mr. McJunkin referenced that cows do not have a barn and Mother Nature takes care of them.
11. Allan Quinn: Mr. Quinn appeared to request that the council add him to the February 26th committee of the whole agenda to speak about the future of Pickens County. Mr. Quinn stated that he wants to see Pickens County succeed. He advised that his topic cannot be discussed in the three minutes allotted for the public forum.

12. Margaret J. Thompson: Ms. Thompson appeared to discuss the animal welfare ordinance. She stated that she's certain that those in attendance are responsible for their animals. She clarified that there are issues of inhumane treatment of animals in Pickens County. Ms. Thompson mentioned her experience as a law enforcement officer, where dogs would be chained with no shelter, water or food in 100 degree weather. She stated that with a common sense approach, no additional laws are needed; the current laws should just be enforced. Ms. Thompson recommended an 800 number be established to report animal abuse. She stated that she is asking everyone to be responsible for their animals.
13. Julia Monks: Ms. Monks appeared to discuss the animal welfare ordinance. She stated the treatment of animals in Pickens County is the worst she has ever witnessed. She stated animals live year after year on chains in poor weather conditions, etc. Ms. Monks stated that there has been progress over the last couple of months relating to the response from law enforcement for animal welfare complaints. She stated that implementing an animal rights law in the county would align with surrounding counties that have already implemented similar laws.

APPROVAL OF MINUTES:

- Motion was made by Vice Chairman Chris Bowers and seconded by Councilman Ensley Feemster to approve the January 4, 2018 minutes as presented.
- Councilman Wes Hendricks moved to amend the minutes on page 4 to reflect "Councilman Wes Hendricks stated that Clemson was not going to be presented with a Key to the County because they did not win the football national championship this year."
 - Motion was seconded by Councilman Ensley Feemster and carried unanimously.
- Motion carried unanimously to approve the minutes as amended.

ADMINISTRATOR'S REPORT:

County Administrator, Gerald Wilson, provided the following report:

Detention Center Construction: Mr. Wilson advised that presently the stormwater drainage and settlement pond are complete. He stated that mass grading is scheduled to be completed sometime next week. He advised that the contractors have stated that if everything stays on scheduled; the project should be completed by March of 2019.

Request for Executive Session: Mr. Wilson requested that council consider adding a legal briefing on pending litigation, related to MRR, in executive session.

Sesquicentennial Celebration: Mr. Wilson introduced Jay Pitts, the County Tourism Director, to provide an update on the 150th anniversary celebration planning.

Mr. Pitts advised that he is coordinating with Wayne Kelley, of the Historical Society, to assemble a group of individuals to oversee the celebration activities. He stated that the plan is to incorporate all of the municipalities and festivals over the course of the year. Mr. Pitts stated that the group will follow-up with Oconee County to discuss opportunities to partner with them, as they celebrate their 150th year anniversary. He advised that efforts are ongoing to determine fundraising ideas and sponsorships to assist with funding. Mr. Pitts announced that the main event is scheduled for October 5th and 6th. Mr. Pitts stated that the 150th anniversary logo has been finalized; he thanked Gerald Wilson and Sharon Johnson, amongst others, for their efforts in creating the logo.

Councilman Wes Hendricks requested that some of the photos being shared on the social media page "Pickens (SC) ~ then & now", be incorporated in the 150th celebration. He also asked if there would be a link for the 150th Facebook page on the county website and/or Facebook page.

-Mr. Pitts responded, yes.

Vice Chairman Chris Bowers stated that the new door seal, on Jay Pitts' vehicle, stood out. He asked if there was any plan to order smaller decals.

-Gerald Wilson responded that the team is looking at smaller decals, lapel pins, etc.

Mr. Pitts lastly introduced Tyler Merck as the new Director of Mile Creek Park.

COMMITTEE REPORT: Committee of the Whole – January 16, 2018

Chairman Roy Costner provided the following report for the Committee of the Whole meeting:

The Committee of the Whole met in the Council Auditorium on Tuesday, January 16, 2018 at 6:00 p.m. All members of the committee were in attendance with Chairman Roy Costner presiding.

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the Committee of the Whole meeting to order and welcomed those in attendance. Chairman Roy Costner further led the Invocation and Pledge of Allegiance.

COMMITTEE OF THE WHOLE:

Building for Second Chance Homeless Shelter (Request from Tracy and Sunshine Gantt Ministries) – Log No. 82

- Tracy and Sunshine Gantt, of Gantt Ministries, discussed their continuous efforts to form a second chance homeless shelter in Pickens County. Mrs. Gantt provided the members of the committee additional information, to include a petition of over 3,000 signatures in support of a shelter.
- Jim Abbott, from the Salvation Army, discussed an assessment of the current community model in Pickens County, which was performed to determine how the Salvation Army could increase the assistance that they can provide and develop the services that are necessary. Mr. Abbott further presented information from that assessment. He advised that the Salvation Army is in the process of opening up a “warming center”. He clarified that this is not a shelter, but would provide a warm place for people to sleep. Mr. Abbott stated that the model is volunteer-centric.
- Chairman Roy Costner stated that he liked Mr. Abbott's the approach of community leadership and having the key organizations come together.
- Vice Chairman Chris Bowers stated that his opinion is the community model is the correct and only way to address this issue. He stated that while he is not certain how the County would fit in this model, other than being part of the community; he agrees that starting conversations with other organizations to formulate a plan is the right direction.
- Councilman Ensley Feemster asked Mr. and Mrs. Gantt if they are planning to model their shelter after the Haven of Rest.
- Mr. Gantt responded that their goal is to turn no one away from the shelter.
- After much more discussion, the Committee directed staff to facilitate a meeting with key organizations in the County to include Mr. and Mrs. Gantt.
- Gerald Wilson, the County Administrator, advised that the Director of Emergency Management, Denise Kwiatek, would reach out to Gantt Ministries and the Salvation Army and report back to Council in 30 days.

❖ No Action Taken by Committee

Council Action on Log No. 82:

- Staff was directed to facilitate a meeting with Gantt Ministries and other key organizations. There was no action taken by Committee.

USPCA Update – Log No. 85

- Ken Roper, the County Attorney, provided an [update on USPCA](#) (Upstate Saving Pickens County Animals).
 - Mr. Roper’s update included, but was not limited to: a mobile adoption trailer, approved in the previous budget, is scheduled to be delivered on January 17, 2018; Request for Proposals (RFP) for veterinarian services at the county facility have been sent and are due on or before February 3, 2018; staff, along with volunteers, are proposing that a name change from “Upstate SPCA” to “Pickens County Animal Shelter” be approved by the Administrator, as council action is not required; and provided a copy of a draft logo that reflects the new proposed name.
 - Mr. Roper provided a copy of the [Pickens County Upstate SPCA Policy and Procedure Manual](#) draft to the members of the committee. He clarified that while council action is not required; he wanted Council to have time to review the draft policy manual before its implemented.
 - Councilman Wes Hendricks commended staff on the number of returned and adopted animals outlined in the PowerPoint.
 - After more discussion, Mr. Roper stated that another update on the Animal Shelter would be provided during the budget cycle.
- ❖ No Action Taken by Committee

Quail Haven Sewer – Log No. 78

- Chairman Roy Costner deferred the Magistrate Compensation discussion to later in the meeting and called on Brian O’Kelley, from the Public Service Commission.
 - Mr. O’Kelley stated that he has researched a request from Senator Rex Rice as it relates to Quail Haven Sewer. He provided a [fact sheet](#) to the members of the committee that outlines his research. Mr. O’Kelley recommends adhering to the current county policy that requires an agreement in order for a transfer of ownership to occur.
 - Councilman Trey Whitehurst asked for clarification of the situation.
 - Mr. O’Kelley clarified that he does not know the details of the proposal between two private parties; however, he is aware that the customer base is dissatisfied with the service and the current owner has expressed the inability to perform.
 - Chairman Roy Costner asked Gerald Wilson to further clarify.
 - Mr. Wilson responded that Senator Rex Rice approached Brian O’Kelley, Chairman Roy Costner and himself about this matter. He clarified that the current owner of the system is the Threatt sisters, as the original owner passed away and the sisters inherited the system. Mr. Wilson stated that Condor is contracted with the Threatt sisters to run the system. He advised that the system is dilapidated, that there are several issues to include line issues, cement caving in the roadways, etc. Mr. Wilson clarified the issue is the current ordinance has a provision in place, that if two parties want to sell a system, a surety bond must be in place to protect the customer base of that system. He further clarified that if the owner doesn’t meet the service requirements, there would be funds in an escrow account to protect the customer. Mr. Wilson advised that the request is to waive that requirement in the current ordinance to allow the Threatt sisters to sell the system to Condor, with an estimated cost to repair the system of \$1 million. He further advised that the referenced language in the ordinance also pertains to other privately owned systems within Pickens County. Mr. Wilson stated that if an exception is made for one, you may set precedence for all.
 - Councilman Trey Whitehurst asked the County Attorney, Ken Roper, for guidance for those residents that are impacted by this matter.
 - Ken Roper responded that he does not want the referenced individuals to leave this meeting with any change in position based on what Council and/or staff say or do not say. He stated that this matter is between the individuals and the service provider. Mr. Roper stated that he would advise either party to talk to an attorney to determine if they have legal remedies through the court, if they are dissatisfied.
 - After much discussion, Councilman Trey Whitehurst stated that the referenced recommendation in the ordinance protects the residents of the referenced subdivision.
 - Gerald Wilson stated that he would reach out to ACOG to determine what may be available for private systems. He stated that Mr. O’Kelley would reach out to the state to determine what can or cannot be done. Mr. Wilson stated that they would explain to Mr. Rice why this is not in the best interest at this point in time for the County or the referenced residents. He also recommended the residents to reach out to Mr. O’Kelley.
- ❖ No Action Taken by Committee

EXECUTIVE SESSION: S.C. Code of Laws, Section 30-4-70 (a)

- Motion was made by Chairman Roy Costner, seconded by Councilman Wes Hendricks and carried unanimously to convene in executive session for a personnel matter related to magistrate compensation.

Magistrate Compensation – Log No. 84

- Committee directed staff to research this matter further and brief council during executive session at the February 5th meeting.
- ❖ No Action Taken by Committee

Council Action on Log No. 84:

- There was no action taken by Committee. This item is listed on the agenda for discussion in executive session.

Funding Request for Four Pickens County Athletes Participating in the National Special Olympics (PCBDSN) – Log No. 86

- Chairman Roy Costner advised that he was contacted by Leo Hayes regarding the four Pickens County athletes that will participate in the National Special Olympics. Chairman Costner stated that Mr. Hayes asked council for assistance with the expense of the trip, which is approximately a total of \$12,000.
- Councilman Wes Hendricks asked what fundraising efforts have been made.
 - Chairman Roy Costner responded that he is not certain, but he knows that they have reached out to several different entities, organizations and parents. He clarified that he wanted to bring this before Council to determine their opinion.
- Vice Chairman Chris Bowers asked if this could qualify for recreation funding.
 - Councilman Trey Whitehurst responded that this would not qualify in his opinion.
- After more discussion, Gerald Wilson advised that he would have Sharon Johnson publicize the accomplishment of the four athletes and reach out to Mr. Hayes to invite the four athletes to the next council meeting in February.
- ❖ No Action Taken by Committee

Proposed Schedule Change for the Sarlin Community Library – Log No. 83

- Gerald Wilson advised that Allison Anderson is going to discuss the proposed hour changes at the Liberty branch, as the council previously changed the ordinance that all hour changes require prior consent of council.
- Allison Anderson, from the Pickens County Library System, stated that the hours were changed at the Liberty branch in June of 2016 in attempt to drive more traffic to the branch. She advised that the board is recommending reverting back to the previous hours at this branch, as this change did not increase attendance as anticipated. She also advised that the branch has received complaints about opening at 11:00 instead of 10:00. Ms. Anderson also provided a request from the Library Board of Trustees that the language in Ordinance 515 be changed in Sec. 26-1.b(1) to allow the Library Board to change branch hours without prior written consent of County Council.
 - After discussion, Councilman Wes Hendricks moved to recommend approving the change of hours at the Liberty branch as requested. Motion was seconded by Councilman Trey Whitehurst and carried unanimously.
- ❖ Committee recommends approving the change of hours at the Liberty branch as requested by the Library Board.

Council Action on Log No. 83:

- **Motion carried unanimously to approve the recommendation to approve the change in hours at the Liberty branch as requested by the Library Board.**

ADJOURN:

Hearing no further Committee business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Councilman Wes Hendricks, seconded by Vice Chairman Chris Bowers and carried unanimously. The Committee of the Whole stood adjourned at 8:49 p.m.

<<END OF COMMITTEE REPORT>>

COUNCIL CORRESPONDENCE:

- Chairman Roy Costner announced that the February Committee of the Whole meeting will be held on Monday, February 26th to accommodate the holiday.

MOTION PERIOD AND NEW BUSINESS:

Chairman Roy Costner opened the floor for any new business:

- Councilman Trey Whitehurst moved to add a legal matter regarding MRR to executive session. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.
- Councilman Wes Hendricks moved to add to the consent agenda, the naming of one of the new Airport hangars, currently being constructed, after the late Dakota Jacks. He stated that as a part of his motion, Pickens County Council will be the sponsoring organization per council rules; the vote tonight will refer this matter to the Planning Commission for their input before final action. Motion was seconded by Vice Chairman Chris Bowers.
 - >During discussion, Councilman Wes Hendricks stated that Dakota Jacks was a rising tenth-grader at Pickens High School that was killed in a plane crash over summer break.
 - Motion carried unanimously to add this item to the consent agenda to be referred to the Planning Commission.

Hearing no further items for Motion Period, Chairman Roy Costner closed the floor.

CONSIDERATION OF A RESOLUTION CONGRATULATING MARCUS CROWDER, ANSLEY HAYES, TYLER POOLE AND ANNE SMITH FOR BEING SELECTED TO REPRESENT PICKENS COUNTY AND THE STATE SOUTH CAROLINA IN THE NATIONAL SPECIAL OLYMPICS IN SEATTLE, WASHINGTON IN JULY OF 2018:

- Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and carried unanimously to approve the Resolution as presented.

Members of council presented an Outstanding Achievement Award to Marcus Crowder, Ansley Hayes, Tyler Poole and Ann Smith. Chairman Roy Costner stated that they were receiving the award for their outstanding accomplishments in being selected to represent Pickens County and the State of South Carolina at the 2018 National Special Olympics in Seattle, Washington on this 5th day of February, 2018.

Chairman Roy Costner announced that the cost to send the four athletes to the Olympics is expensive. He asked for support from the community to help in the fundraising efforts.

CONSIDERATION OF A PROCLAMATION DECLARING 2018 AS OF THE OFFICIAL SESQUICENTENNIAL YEAR OF PICKENS COUNTY:

- Motion was made by Councilman Wes Hendricks and seconded by Vice Chairman Chris Bowers.
 - >During discussion, Chairman Roy Costner announced that the County is planning a county-wide clean-up effort on March 23rd. He stated that members of county staff will participate in this effort; he encouraged the municipalities and legislative delegation to participate as well.

Chairman Costner stated that if the 122,000 residents in Pickens County pick up five things, we can clean Pickens County up.

- Motion carried unanimously to approve the Proclamation as presented.

FIRST READING IN TITLE ONLY OF AN ORDINANCE ESTABLISHING REGULATIONS RELATED TO THE PROPER CARE OF ANIMALS, AND OTHER MATTERS RELATED THERETO:

- Motion was made by Councilman Ensley Feemster and seconded by Vice Chairman Chris Bowers.
>During discussion, Councilman Wes Hendricks stated that he'd like to thank everyone that attended the meeting and expressed their concerns, especially the hunters from District 3. He stated that just because a dog is on a chain does not mean it is mistreated. Councilman Hendricks stated that he has seen situations where a dog in a kennel or a dog in a house has been mistreated. He stated that he has received several calls from District 3 constituents that are against the proposed tethering ordinance. He further stated that he has received correspondence from a few constituents in favor of the ordinance. Councilman Hendricks stated that he wants what is best for the animals, but does not want to intrude on people's rights.

Councilman Trey Whitehurst stated that he was surprised that this item was listed on the agenda. He stated that this has not been discussed and no input from staff has been provided. Councilman Whitehurst stated that he has a disagreement on council in regards to how certain things are done. He stated that when an ordinance is proposed in name only, we are voting on something that is non-existent. He further stated that he understands this starts a process and the item is sent to committee; but it should start in committee. Councilman Whitehurst stated that he plans to vote against this as first reading in title only, because the procedure needs to be fully exposed and not rushed through the system.

Chairman Roy Costner stated that a vote for first reading has not occurred. He stated that he hopes that a motion is made to send it to committee. Chairman Costner stated that his goal was to start the discussion and hear from the constituents.

Vice Chairman Chris Bowers stated that like Councilman Hendricks, he has spoken with several constituents regarding this matter. He stated that he thinks that everyone has common ground and opinions; it is all about taking care of animals, period. Vice Chairman Bowers stated that it is not a tethering issue or a shelter issue, it is a total issue. He advised that the state has some legislation in process, and he does not want to pass something that may be automatically trumped by what the state does.

- Vice Chairman Chris Bowers moved to refer the proposed Ordinance to the Committee of the Whole. He stated that this would allow everyone time to obtain more information, reach out to the delegation to determine where their legislation stands, and gather some of the community members to develop an ordinance that is common sense and enforceable. Motion was seconded by Councilman Ensley Feemster.
>During discussion, Councilman Carl Hudson stated that the Sheriff's Office has received comments over the past week about their office pushing this issue. Councilman Hudson stated that the Sheriff's Office is not pushing this issue; they have no control over what ordinances the County Council adopts. He clarified that the Sheriff's Office only enforces the ordinances. Councilman Hudson reiterated that issues with any adoption of an ordinance should be directed to County Council.
- After more discussion, the motion to refer the proposed Ordinance to the Committee of the Whole carried unanimously.

THIRD READING OF ORDINANCE NO. 534 AMENDING CHAPTER EIGHT OF THE PICKENS COUNTY CODE OF ORDINANCES RELATING TO BUILDING CODES SO AS TO FURTHER SAFEGUARD CITIZENS WITHIN THE COUNTY:

- Motion was made by Vice Chairman Chris Bowers and seconded by Councilman Carl Hudson.

>During discussion, Councilman Trey Whitehurst stated that when this matter was previously discussed between him and the Administrator, Mr. Wilson stated that basically the ordinance part of this was being taken out and would be in the budget. He asked the Administrator, Gerald Wilson, if that was correct.

-Mr. Wilson confirmed that the fees were included in the budget.

Councilman Whitehurst further asked if the penalties were in the budget.

-Mr. Wilson stated that he would need to defer to Chris Brink, the Director of Community Development, to address this question.

Councilman Whitehurst asked Mr. Brink to confirm that the Building Codes are a set of instructions; the ordinance dictates how to implement those instructions.

-Mr. Brink stated that the Building Codes includes an administrative section that dictates how to enforce the particular code.

Councilman Trey Whitehurst asked if council was aware that a \$500 per day penalty is being reenacted. After more discussion, he stated that basically they've taken the building instructions and said that is the code. He asked how this will be enforced.

-Ken Roper, the County Attorney, stated what changes while all of the other items are in committee, is nothing. He clarified that the existing ordinance stays in place.

Councilman Trey Whitehurst stated that the existing ordinance was struck out.

-Mr. Roper stated that was done because of council's motion; it just takes out what is currently in consideration of council.

Councilman Trey Whitehurst asked for clarification that the document before them is the ordinance.

-Mr. Roper responded yes, in those relevant sections. He stated that only sections being considered for third reading are listed on the referenced document.

After more discussion, Chairman Roy Costner stated that as he understands it, the fees and all of the other sections would remain the same as it has been in the past, until which time it is addressed and changes are made by council. He stated that all that is being done with the proposed ordinance is adopting the language that is mandated by the state.

Vice Chairman Chris Bowers asked if the fees, fines and penalties are mentioned in the previous code, section 8.1 and section 8.2.

-Mr. Roper stated that the fees would be included in the budget, instead of in the individual ordinance. He clarified that the referenced fees are currently included in the budget.

After more discussion, Vice Chairman Chris Bowers stated that if he is not mistaken, the council has discussed this in great detail. He stated that the last action taken was to simplify the ordinance to only include the state mandated codes. He stated that the referenced document reflects exactly that.

Councilman Trey Whitehurst stated that he is still concerned that there are still codes in place.

-Ken Roper stated for the record, "Our existing Ordinance, the parts that are not addressed, other than 8.1 and 8.2 are not impacted by your actions tonight."

- Motion to constitute third reading of Ordinance 534 carried unanimously.

CONSENT AGENDA:

- a) Senior Center – Committee of the Whole
- b) Recreation Funding Recommendations – Committee of the Whole
- c) Sponsorship to name of one of the new Airport hangars, currently being constructed, after the late Dakota Jacks – Planning Commission (*as added in Motion Period and New Business*)
 - Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Wes Hendricks and carried unanimously to approve the consent agenda as presented.

EXECUTIVE SESSION: S.C. Code of Laws, Section 30-4-70 (a)

Chairman Roy Costner called for a motion to convene into Executive Session as defined by S.C. Code of Laws, Section 30-4-70 (a). Chairman Roy Costner further stated that each issue would be discussed as the Law provides.

- Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster and carried unanimously to convene in executive session for the stated purposes after a five minute recess.

Contractual Issues - Section 30-4-70 (a) (2)

- Update on Madden Bridge Road Park
- Update on Georges Creek Regional Sewer

Legal Issues – Section 30-4-70 (a) (2)

- Legal Briefing – Pending Litigation with MRR (*as added in Motion Period and New Business*)

Personnel - Section 30-4-70 (a) (1)

- Personnel Issue - Pumpkintown Fire Board
- Personnel Issue - Magistrate Compensation

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

- Board and Commission Vacancies (81):
 - a) Accommodations Tax (ATAX)
 - b) Appalachian Council of Gov. (ACOG)
 - c) Assessment and Appeals
 - d) Beautification Committee
 - e) Cultural Commission
 - f) Economic Development Alliance
 - g) Emergency Services Advisory Board
 - h) Fire District Board - Central
 - i) Fire District Board - Crosswell
 - j) Fire District Board - Dacusville
 - k) Fire District Board - Easley
 - l) Fire District Board - Holly Springs
 - m) Fire District Board - Liberty
 - n) Fire District Board - Pickens
 - o) Fire District Board - Pumpkintown
 - p) Fire District Board - Rocky Bottom

- q) Fire District Board - Shady Grove
- r) Fire District Board - Six Mile
- s) Fire District Board - Springs
- t) GPATS
- u) Pickens County Grievance Committee
- v) Pickens, Oconee, Anderson Mental Health
- w) Public Service Commission
- x) Tourism Board
- y) WORKLINK
- z) Zoning and Appeals
- aa) *Hagood Mill Non-Profit Corporation Board
- bb) *Performing Arts Center Non-Profit Corporation Board
- cc) *Pickens County Museum Non-Profit Corporation Board

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

Chairman Roy Costner called the Public Session back to Order and advised the following:

Contractual Issues - Section 30-4-70 (a) (2)

- Update on Madden Bridge Road Park – **Action as follows:**
 - Councilman Trey Whitehurst moved to expend \$415,158.93 out of the reserve fund to complete the Madden Bridge project on Madden Bridge Rd. He stated as a part of his motion, the funds are to be reimbursed back to the reserve fund from the \$500,000 ARC grant, which the County should receive in the next couple of months. Motion was seconded by Councilman Ensley Feemster and carried unanimously.
- Update on Georges Creek Regional Sewer – **No Action**

Personnel - Section 30-4-70 (a) (1)

- Personnel Issue - Pumpkintown Fire Board – **Action as follows:**
 - Councilman Wes Hendricks moved to remove Denise Blecke from the Pumpkintown Fire Board for conduct that reflects negatively on Pickens County as a whole. He clarified that this action is made pursuant to council policy from Resolution No. 2016-17. Motion was seconded by Councilman Carl Hudson and carried unanimously.
- Personnel Issue - Magistrate Compensation – **Action as follows:**
 - Chairman Roy Costner moved to approve the magistrate compensation, as recommended by Human Resources in executive session. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.

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

- Board and Commission Vacancies (81):
 - a) Accommodations Tax (ATAX) – **Action as follows:**
 - Councilman Carl Hudson moved to appoint Kathryn Davenport to the ATAX Committee. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.
 - b) Appalachian Council of Gov. (ACOG)
 - c) Assessment and Appeals – **No Action**
 - d) Beautification Committee – **No Action**
 - e) Cultural Commission – **No Action**
 - f) Economic Development Alliance – **No Action**
 - g) Emergency Services Advisory Board – **No Action**

- h) Fire District Board – Central – **No Action**
- i) Fire District Board – Crosswell – **No Action**
- j) Fire District Board – Dacusville – **No Action**
- k) Fire District Board – Easley – **Action as follows:**
 - Vice Chairman Chris Bowers moved to reappoint J.B. Kelley to the Easley Fire District Board. Motion was seconded by Councilman Carl Hudson and carried unanimously.
- l) Fire District Board – Holly Springs – **No Action**
- m) Fire District Board – Liberty – **No Action**
- n) Fire District Board – Pickens – **No Action**
- o) Fire District Board – Pumpkintown – **No Action**
- p) Fire District Board – Rocky Bottom – **No Action**
- q) Fire District Board – Shady Grove – **No Action**
- r) Fire District Board – Six Mile – **No Action**
- s) Fire District Board – Springs – **Action as follows:**
 - Councilman Trey Whitehurst moved to appoint the following to the Springs Fire District:
 - (1) Debbie Hungarland
 - (2) Joan Parsons
 - Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.
- t) GPATS – **No Action**
- u) Pickens County Grievance Committee – **No Action**
- v) Pickens, Oconee, Anderson Mental Health – **Action as follows:**
 - Vice Chairman Chris Bowers moved to nominate Chris Jones to serve on the AOP Mental Health Board. Motion was seconded by Councilman Ensley Feemster and carried unanimously.
- w) Public Service Commission – **No Action**
- x) Tourism Board – **No Action**
- y) WORKLINK – **No Action**
- z) Zoning and Appeals – **No Action**
- aa) *Hagood Mill Non-Profit Corporation Board – **Action as follows:**
 - Vice Chairman Chris Bowers moved to appoint Robert Sams to the Hagood Mill Non-Profit Board. Motion was seconded by Councilman Carl Hudson and carried unanimously.
- bb) *Performing Arts Center Non-Profit Corporation Board – **No Action**
- cc) *Pickens County Museum Non-Profit Corporation Board – **No Action**

ADJOURN:

Hearing no further Council business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Councilman Wes Hendricks, seconded by Councilman Carl Hudson and unanimously passed. Pickens County Council stood adjourned at 9:28 p.m.

Respectively Submitted:

Approved:

Crystal A. Alexander, Clerk to Council

Roy B. Costner, III, Chairman of County Council