

## **Regular Pickens County Council Meeting**

February 6, 2017

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 31, 2017.

### 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 6, 2017 to order and welcomed those in attendance. Councilman Trey Whitehurst further led the Invocation and Pledge of Allegiance.

### **PUBLIC FORUM:**

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

1. Pree Hamilton: Ms. Hamilton appeared to discuss the Humane Society. She thanked the old and the new council for their assistance, and further stated she is looking forward to working with the new council.
2. Travis Cash: Mr. Cash appeared to discuss his concerns with the jail, in regards to overcrowding, and recommended to stop the thirty day bench warrant utilizing weekend time and community service. Mr. Cash further stated his friend was incarcerated without a bed for four days and did not receive her medication.
3. Krista Just: Ms. Just appeared to request the Council to consider adding a part-time youth position on council. She stated the youth involvement on council would be beneficial, allowing the contribution of new ideas as well as creative thoughts. Ms. Just further stated the youth should have a vote, as they are the future of Pickens County.
4. Junius Smith: Mr. Smith appeared to discuss the over collection of taxes in Pickens County and a document referencing the state laws he has mentioned. He stated there have been expenditures approved without being budgeted. Mr. Smith stated he is not against the jail; the money belongs to the people, and therefore the people should decide. Lastly, he mentioned there were over 1,000 people with delinquent taxes in a two year period.
5. Johnnelle Raines: Ms. Raines appeared to discuss the concerns of the Conservatives of the Upstate relative to their understanding of the Council listening to unelected, paid planners for the purpose of

economic development. She stated according to the Alliance Pickens website, they are and she quoted, "Alliance Pickens is a public/private economic development organization whose primary mission is to attract, retain and increase the number of jobs and increase the tax base in Pickens County". Her opinion is the job of increasing the County's jobs and tax base is the responsibility of the County council, not unelected persons that the citizens cannot hold accountable. Ms. Raines asked the Council to consider the matters in which addressed she addressed.

6. Joshua Morgan: Mr. Morgan appeared to recognize the Council's efforts and approach at the retreat on January 14<sup>th</sup>. He stated he would like more information regarding the coal ash issue and encouraged the Council to provide an update to the public, with the understanding that information may be limited due to pending litigation.
7. Troy Rosier: Mr. Rosier appeared to discuss encroachment permits, in Pickens County, on road right of ways. He is an engineer, of thirty-five years, that works with the rural water districts and several of the municipalities in the County. Mr. Rosier requested the County go back to granting encroachment permits for public utilities along county maintained roads, whether through a deeded right of way or a prescriptive right of way. He discussed the following incident: Six Mile Water District is working on a \$6 million infrastructure improvement project that consists of 14 miles of pipeline and 40 plus fire hydrants. The cost for the pipe is approximately \$4 million dollars with an annual cost increase of 7.1-7.4%, based on the last ten years average. He mentioned the project has been on hold for over a year with approximately \$300,000 'wasted' due to the annual increase. The money has to be paid back to the Department of Agriculture through a loan grant process and the loan is paid by the taxpayers through the customer base. The customer's bill goes up and they're already being taxed for the same road to put the water line on that they can't put a water line on. Mr. Rosier thinks the system needs to be changed in a timely manner and recommended to re-grant the permits like Greenville County, Anderson County, and SCDOT.
8. Margaret Thompson: Ms. Thompson appeared to discuss the potential revamping of the animal control system in Pickens County. She stated that hopefully revamping would lead to becoming an adoption, no-kill shelter. Ms. Thompson recommended combining the Humane Society and the Animal Control under one roof to work united, saving money over time. She further recommended that Animal Control officers should have the authority to charge people for violations. Ms. Thompson lastly discussed the proposed gas tax, mentioned at the ACOG meeting, and recommended Pickens County to repair their roads, removing the State from the process.
9. Steve Haynie: Mr. Haynie appeared to discuss the proposed traffic circle on 183 and Jameson Road, with a proposed cost of \$2,260,000. He stated this project is a big waste of money when you can add two more stop signs with flashing warning lights. Mr. Haynie stated he was told the state has to handle the project in this manner due to the federal funding process. He requested Council to refuse road projects, like the one referenced.
  - Councilman Trey Whitehurst stated this is not a county road; this is state legislators spending the taxpayer's dollars.
10. Abby Baker: Ms. Baker appeared, on behalf of the Holly Springs Center Board of Directors, to discuss a proposal to repurpose the Holly Springs School building. The non-profit organization, the Holly Springs Center, was formed after the closing of the Holly Springs School with the intent to repurpose the school building back into a focal point for the Holly Springs community and beyond. Ms. Baker stated the board would like to gain access to the building by the summer of 2017 and immediately offer classes, workshops, gatherings and camps for all ages. She stated the Center's income will derive from fees, rentals, admissions, grants, and donations. Ms. Baker provided a copy of the referenced plan to County Council.

**APPROVAL OF MINUTES:**

Motion was made by Councilman Carl Hudson and seconded by Vice Chairman Trey Whitehurst to approve the following minutes as presented: December 30, 2016-Special Called; January 4, 2017-Organizational Meeting; January 14, 2017 Retreat-Special Called.

- Councilman Trey Whitehurst stated his concern with voting on all of the minutes collectively, as this full council was not present for all of the meetings. Chairman Roy Costner moved to allow a vote and any council member not comfortable could abstain from the vote.
- Motion carried (5-1), with Councilman Wes Hendricks abstaining from the vote, to approve the minutes as presented.

**ADMINISTRATOR’S REPORT:**

Mr. Wilson updated Council on the following items:

**Appreciation Dinner for Pinnacle Mountain Fire and Hurricane Matthew:** Mr. Wilson announced an appreciation dinner for the first responders and volunteers that assisted during Hurricane Matthew and the Pinnacle Mountain Fire. He stated, these dedicated men and women stepped up in a time of need and we, as a County, appreciate their efforts. The dinner will be held on February 9, 2017 at 6:00 p.m. at Pickens First Baptist Church to recognize each of them for their service to the community. Mr. Wilson extended an invitation to the Council.

**Update on Pinnacle Mountain Fire:** Mr. Wilson announced the total cost to Pickens County for the Pinnacle Mountain Fire was \$161,065; with FEMA reimbursing 75% of that cost, the remaining cost is \$40,266. The Governor recommended, in her released budget, funding for *Impact to Emergency Management* which includes *Public Assistance Share* for the Pinnacle Mountain Fire. Mr. Wilson encouraged Council to reach out to the delegation to actively seek to keep this funding in place during budget deliberations. He stated he has drafted a letter to the delegation and the Governor expressing the County’s support for this funding.

**Traveling Trash Bash:** Mr. Wilson announced the Beautification Committee and staff will begin the 16<sup>th</sup> Annual Traveling Trash Bash. This program will go to every elementary school in Pickens County to educate the students of the importance of environmental functions and the impacts for the County. The program is scheduled for Friday, February 10<sup>th</sup> through Friday, March 3<sup>rd</sup>. Mr. Wilson provided a copy of the schedule to Council and invited them to attend if possible.

**COUNCIL CORRESPONDENCE:**

Chairman Roy Costner opened the floor for any correspondence.

**New Jail Groundbreaking Ceremony:** Chairman Roy Costner announced the groundbreaking ceremony for the new jail on February 24<sup>th</sup> at 2:00 p.m.

**Key to the County Presentation to Clemson:** Chairman Roy Costner announced Pickens County will present a Key to the County to the National Champions, with the date still to be determined.

**MOTION PERIOD AND NEW BUSINESS:**

Chairman Roy Costner opened the floor for any motions or new business:

- Councilman Trey Whitehurst stated he would like to make a point of order. Councilman Whitehurst addressed the County Attorney, Ken Roper, and stated “In the past council, you had advised us that we were not to have anything added to our agendas, by state law, and you cited a particular case involved in that.”

- Ken Roper responded that it depends on the nature of the meeting; the rules are different for special called versus regular called meeting, and therefore would be a case by case basis.
- Councilman Trey Whitehurst stated that this was not what the County Attorney previously advised; further stating he was advised that items could not be added to the agenda for the meetings that had occurred.
    - Ken Roper asked for clarification on the question
  - Councilman Trey Whitehurst elaborated he was trying to get to a point here, that he had been advised that he could not add items to an agenda because of public notice and FOIA requirements. Councilman Whitehurst further mentioned the State has been very particular about that and the County Attorney has made that point to the council.
    - Ken Roper responded that was correct when you are talking about meetings that are called for a special purpose. He further stated a special called meeting should not have any agenda items added, whereas a regular meeting has motion period and new business listed on the agenda.
  - Councilman Trey Whitehurst stated a special called meeting has a purpose, so you would not add to that agenda.
    - Ken Roper replied that was correct. In a regular called meeting, you can add items to the agenda during motion period and new business; however, you should try to avoid adding any item that is final action.
  - Councilman Trey Whitehurst stated the County Attorney told the former council, during meetings, they were not allowed to add anything to the agenda per state law, citing a court case. Councilman Whitehurst asked the County Attorney if that was correct.
    - Ken Roper stated he is unaware of the comment the councilman is referring to.
  - Councilman Trey Whitehurst further asked the County Attorney if the council can add items to an agenda.
    - Ken Roper responded, certainly.
  - Councilman Trey Whitehurst asked Councilman Carl Hudson if he was advised on how to suspend the rules during the organization meeting of council. He further stated that the council suspended their rules, but you cannot suspend state law. He cited portions of the State Law Section-30-4-80, that you cannot add any items to the agenda; it only may be added to the agenda by a two-thirds vote of the members present and voting, and upon a finding by the by the body that an emergency or an exigent circumstance if the item is not added to the agenda. Councilman Whitehurst reiterated that is the state law. Councilman Trey Whitehurst addressed the County Attorney, "Now you just told me that you didn't tell us we could do that, but now you said we could do that".
    - Ken Roper responded that he does not follow Councilman Whitehurst's logic.
  - Councilman Trey Whitehurst read the portions of the State Law Section-30-4-80 again. He further asked if they discussed an emergency, or if they had voted on an emergency. Councilman Whitehurst stated that his point to the council is that we are now in jeopardy of a FOIA lawsuit because of the legal advice that we were provided, and he is very concerned about much of the legal advice they have been receiving. He stated: there was a \$500,000 contract signed by a member of the staff that the council did not vote on; the County has had a sex scandal in the last few years; the council had a bond issue that was requested to be looked into that the council never heard anything from; and now there is MRR coming into the County and their statement that members of staff, or someone at the County, was aware of MRR coming. Councilman Whitehurst stated he was voicing his concerns about these things and the legal advice we are receiving.
    - He further stated that the County has now opened themselves up is his point of order. He went on to state another point of order of a meeting in which there were two

executive sessions that occurred, going on to question the reason for the two executive sessions.

-Ken Roper responded there is a list of reasons that allow public bodies to go into executive session.

- Councilman Trey Whitehurst stated the reasons have to be legal, contractual or personnel.  
-Ken Roper responded there is also discussion of security issues; there is a longer list.

- Councilman Trey Whitehurst stated part of the motion to convene into executive session at a previous meeting was to investigate the ethics of some of the things this Council has done with recreation money. He stated he was disappointed that this has been made a big deal out of and how this matter has evolved; as nothing like that has occurred. He further stated the body went into executive session to discuss this.

-Ken Roper responded this matter was a personnel issue and there was also legal advice provided at that time.

- Councilman Trey Whitehurst responded the legality provided in your report, there was no law broken.

-Ken Roper stated legalities can cover things other than laws being broken; it can also deal with ethical concerns.

- Councilman Trey Whitehurst questioned the report consisting of a “maybe, a possibility or a thought’ because what was just learned about the legal interpretation as it is. He stated he thinks they should err on the side of letting the public know what is going on because there are items in the report that may also open the council up to a lawsuit. Councilman Whitehurst reiterated that he has many concerns and he is just voicing them as a point of order. Further mentioning, that would mean the motion made at the meeting was an illegal motion and not valid; and that will have to be researched by either the State Bar Association or a Council of Governments. He stated from what he is reading in the law, that what he just read, that this was the situation and it should be reversed back on what is was before

-Ken Roper stated he would certainly provide Councilman Trey Whitehurst with his best legal advice on every issue that comes before this council; he will apply that law, and the facts to that law, as best he can. Mr. Roper stated he would give his best advice, and would continue to do that; he certainly wanted to do what he could to protect this council and give the council the best service he could.

- Councilman Trey Whitehurst stated that reviewing the law would be helpful.

-Ken Roper responded that he reviews the law frequently and it might be helpful to discuss this at a later time also.

- Chairman Roy Costner stated, as he understands it, during the motion period and new business new items can be added to an agenda during a regular meeting.

- Councilman Trey Whitehurst stated making a motion is not adding to the agenda. He mentioned the agenda has to be posted.

- Chairman Roy Costner responded a motion can be made to add an item to the agenda in a regular meeting when you have the majority of the council that votes on it. He stated in a special called meeting, it is different. The Chairman stated this is how he understands it.

- Councilman Trey Whitehurst responded “If you would like to read the law, you can”.

- Chairman Roy Costner stated the legal matters can be discussed at a later time.

- Vice Chairman Chris Bowers moved to direct the staff to develop a report, to include history, related to road right of way usage and encroachment permits in regards to utilities and infrastructure expansion in Pickens County. He requested this item be sent to the Committee of the Whole and receive a report at the next committee meeting.

- Motion was seconded by Councilman Ensley Feemster.

- During discussion, Councilman Trey Whitehurst stated that what is being discussed is the water right of way and adding these pipelines. He clarified there are several different types of right of ways; that in many cases the landowner owns the land all the way up to the center of the road. He stated the County does not own that land; and therefore, the County cannot give away a right of way that it does not own. Councilman Whitehurst stated the water companies should go talk to each one of the property owners to obtain right of ways the proper way. He stated the County is being asked to go take that land from the property owner which could lead to a lawsuit that would fall on this council. Councilman Whitehurst stated the council cannot give right of ways to land it does not own and he has explained this many times over and it is the law. He further stated an investigation can be opened regarding this matter and this particular case with Six Mile has gone on for quite some time. Councilman Whitehurst reiterated if the council approves the right of way, the council is opening themselves up to a lawsuit.
- Vice Chairman Chris Bowers stated for the record, he just wants to be briefed on the history. He stated he believes this issue affects more than forty people throughout the County and there are multiple utilities having similar issues. He further mentioned the State Delegation addressed this over the past several years and he just wants to be fully apprised.
- Motion carried unanimously to direct staff, as referenced, and to send ‘road right of way usage and encroachment permits in regards to utilities and infrastructure expansion in Pickens County’ to the Committee of the Whole.

**CONSIDERATION TO APPROVE RESOLUTION NO. 2017-02 TO EXPRESS THE INTENTION OF THE COUNTY COUNCIL OF PICKENS COUNTY, SOUTH CAROLINA TO BE REIMBURSED FOR CERTAIN COSTS WITH THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS.**

- Motion was made by Vice Chairman Chris Bowers and seconded by Councilman Ensley Feemster.
  - During discussion, Chairman Roy Costner clarified this is related to the Pumpkintown Fire District and the approval of this resolution will allow the County to reimburse the land purchase, and other expenses related to the Fire Substation for the bond we are considering under agenda item no. 8.
  - Councilman Trey Whitehurst asked the County Administrator if the Pumpkintown Fire District was utilizing their funds to pay for this.
    - Gerald Wilson responded that Pumpkintown had a referendum last year to raise their fees for the following items: build or purchase a new station on Highway 8; purchase fire engine(s); purchase firefighting gear; upgrade some items at the main station; purchase a brush truck and an ATV; purchase a new vehicle; and a new station on Highway 11. Mr. Wilson stated the referendum did pass.
  - Councilman Trey Whitehurst asked why they are reimbursing.
    - Gerald Wilson responded the station of Highway 8 that the council approved back in November, was purchased by the County. The Fire District will complete the bond to pay the County back.
  - Councilman Trey Whitehurst asked if the Fire District was paying the County back for the land as well and if this process is consistent with what the County has been doing for other fire stations.
    - Gerald Wilson responded yes to both. He further clarified the County had disbursed the funds for the \$130,000 and the district would need to reimburse the County. He further stated the other items mentioned are: \$175,000 for a new station of Highway 11; \$65,000

for station upgrades; \$20,000 for firefighter gear; \$75,000 for a used fire engine; \$12,000 for miscellaneous equipment for the new station(s).

- Councilman Trey Whitehurst stopped the County Administrator and stated he needed further clarification of the reimbursement.

-Gerald Wilson responded that all the fire district has purchased to date is the fire station in the amount of \$130,000. He further stated this bond would provide the district with the funds to purchase the referenced items. Mr. Wilson clarified this resolution outlines the timeframe for the reimbursements and is part of the bond.

- Councilman Trey Whitehurst asked for clarification that this is consistent to what has been done in the past; and that this money will come out of the district's fees.

-Gerald Wilson confirmed both statements and clarified the money would come out of the district's fees over a fifteen year period.

- Motion carried unanimously to approve Resolution No. 2017-02 as presented.

**FIRST READING OF ORDINANCE NO. 531 TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000) GENERAL OBLIGATION BOND, SERIES 2017 (PUMPKINTOWN FIRE DISTRICT) OF PICKENS COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO.**

- Motion was made by Councilman Trey Whitehurst and seconded by Councilman Wes Hendricks.
  - During discussion, Chairman Roy Costner clarified this is related to the Pumpkintown Fire District and approval of this ordinance will allow the County to issue the bond for the renovation expansion of the Pumpkintown Fire Station for the Pumpkintown Community.
  - Councilman Trey Whitehurst asked the County Administrator to confirm this is the same request as the before mentioned.
    - Gerald Wilson responded yes.
- Motion carried unanimously to constitute first reading of Ordinance No. 531 as presented.

**FIRST READING IN TITLE ONLY OF AN ORDINANCE TO CREATE A 501C3 FOR THE LIBERTY CIVIC AUDITORIUM.**

- Motion was made by Chairman Roy Costner and seconded by Vice Chairman Chris Bowers.
  - During discussion, Chairman Roy Costner clarified there has been a first reading to create a non-profit organization for the Hagood Mill and for the Pickens County Museum. He stated the intent of this ordinance is to create the same non-profit for the Liberty Civic Auditorium so there would be an advisory, fundraising board as well.
- Motion carried unanimously to constitute first reading in title only of the ordinance as presented.

**FIRST READING OF ORDINANCE NO. 533 AMENDING CHAPTER FOUR OF THE PICKENS COUNTY CODE OF ORDINANCES RELATING TO ANIMAL CONTROL SO AS TO FURTHER SAFEGUARD CITIZENS AND ANIMALS WITHIN THE COUNTY.**

- Motion was made by Vice Chairman Chris Bowers and seconded by Councilman Wes Hendricks.
  - During discussion, Chairman Roy Costner clarified this is a first reading and the purpose of this ordinance is to establish a pilot program that allows the County to adopt out animals. The amendments also include technical changes that are more practical and efficient for animal control officers.
  - Councilman Wes Hendricks stated the proposed ordinance needs more discussion before adoption. He further stated concerns with the unlawful acts and public nuisances, as there could be two neighbors complaining with no validity to their claim. Councilman Hendricks stated he would like to ensure there is a concerted effort to rejoin animals with their respective owners if the animal has a tag or microchip.

- Councilman Trey Whitehurst stated he agreed with Councilman Hendricks. He stated his concerns with an animal control officer being a county constable, as this is a state position that requires certain certifications and licensing, that has the authority of law. Councilman Whitehurst stated he has no concerns with have a first reading, but would like to discuss what training would the officers have and what authority would they have over individual citizens.
- Vice Chairman Chris Bowers stated you have to give the officers “teeth” to perform their job; you have to find a safe way to do that. He further stated concerns with section 4-9 ‘Does not tender payment’ not being clearing addressed.
- Motion carried unanimously to constitute first reading of Ordinance No. 533.

**SECOND READING OF ORDINANCE NO. 527 DEVELOPING A MULTI-COUNTY INDUSTRIAL AND BUSINESS PARK WITH OCONEE COUNTY; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT GOVERNING THE MULTI-COUNTY INDUSTRIAL PARK; AUTHORIZING THE INCLUSION OF CERTAIN REAL PROPERTY LOCATED IN OCONEE COUNTY IN THE MULTI-COUNTY INDUSTRIAL PARK; AND OTHER RELATED MATTERS.**

- Motion was made by Councilman Trey Whitehurst and seconded by Vice Chairman Chris Bowers.
  - During discussion, Chairman Roy Costner clarified the operation of this industrial park costs the Pickens County taxpayers nothing, but does provide small revenue.
- Motion carried unanimously to constitute second reading of Ordinance No. 527 as presented.

**SECOND READING OF ORDINANCE NO. 526 ESTABLISHING CONDITIONS AND PROCEDURES FOR THE DECLARATION OF A STATE OF EMERGENCY WITHIN PICKENS COUNTY AND FOR THE OPERATION OF COUNTY GOVERNMENT SUBSEQUENT THERETO.**

- Motion was made by Vice Chairman Chris Bowers and seconded by Councilman Wes Hendricks.
  - During discussion, Chairman Roy Costner clarified this ordinance would streamline our procedures in an emergency occurs, allowing the Chair, Vice Chair, or Administrator to declare a State of Emergency if the council cannot meet in time.
  - Councilman Trey Whitehurst asked the Administrator if the proposed plan (ordinance) was modeled after another county.
    - Gerald Wilson stated they modeled the plan of Dorchester County with a few modifications that relate to locations and called on the County Attorney to add comment.
    - Ken Roper reiterated there were modifications to locations, but also included job titles, etc.
  - Councilman Trey Whitehurst clarified for the public that the County needs a plan in place to act quickly in the event of an emergency. He stated he would like to add the following members to the operations group: Duke Energy; CatBus; Norfolk Southern Railway; and Clemson University. Councilman Whitehurst asked the staff about a previous requested survey of the companies in the County that carry hazardous materials and to also determine what facilities had what chemicals. He also mentioned we need the same information for business coming into the County.
    - Ken Roper responded he would defer to Emergency Management on that matter.
    - Gerald Wilson stated he would obtain this information and provide to the council.
  - Councilman Trey Whitehurst referenced an executive group and asked for clarification of who votes on the ordinance. He stated it appears that the executive group votes on the ordinance. Councilman Trey Whitehurst stated the plan needs to include clear instructions for the council in the event of an emergency.
- Councilman Trey Whitehurst moved to amend the motion to refer the item to the Committee of the Whole for further discussion. Motion was seconded by Councilman Ensley Feemster and unanimously passed.

- Councilman Carl Hudson stated a lot of the information is already available at the EOC.
- Vice Chairman Chris Bowers stated, under the operational group members, if the referenced members were added, the list would go on and on. He stated there needs to be a way to create a not all-encompassing list that can be added to.
- Motion carried unanimously, as amended, to refer to the Committee of the Whole.

**THIRD READING OF ORDINANCE NO. 524 FOR THE COUNTY OF PICKENS, SOUTH CAROLINA ESTABLISHING STANDARDS AND PERMITTING PROCEDURES FOR CERTAIN OUTDOOR SPECIAL EVENTS BEING HELD ON PUBLIC ROADWAYS IN THE UNINCORPORATED AREAS OF THE COUNTY.**

- Motion made by Councilman Wes Hendricks and seconded by Councilman Ensley Feemster.
  - During discussion, Councilman Wes Hendricks stated he would like to discuss this in Committee so the full council is fully apprised before a vote is taken.
- Councilman Wes Hendricks moved to amend the motion to refer this item to the Committee of the Whole. Motion was seconded by Councilman Ensley Feemster and unanimously passed. The third reading did not occur.
  - Councilman Trey Whitehurst stated former council member, Tom Ponder, would be glad to come speak to the council regarding this ordinance

**CONSIDERATION TO APPROVE A REQUEST FROM THE SHADY GROVE FIRE DISTRICT TO HIRE THREE FIREFIGHTERS PRIOR TO THE NEW FISCAL YEAR AND TO FUND THOSE POSITIONS FROM THE DISTRICT'S FUND BALANCE WITH AN ESTIMATED COST OF \$60,000.**

- Motion was made by Councilman Trey Whitehurst and seconded by Vice Chairman Chris Bowers.
  - During discussion, Chairman Roy Costner clarified this has been approved by the Shady Grove District and the expense would disburse from the district's funds.
  - Councilman Trey Whitehurst reiterated the expense would come from the fire district's funds and not from the taxpayers.
- Motion carried unanimously to approve the request as presented.

**CONSIDERATION TO APPROVE A REQUEST FROM THE CROSSWELL FIRE DISTRICT TO TRANSFER \$6,315.36 FROM THE DISTRICT'S RESERVE TO THEIR LINE, 4290-REPAIR TO VEHICLES, TO COVER THE UNANTICIPATED EXPENSES ASSOCIATED WITH THE REPAIR OF THEIR FIRE ENGINE.**

- Motion was made by Councilman Carl Hudson and seconded by Vice Chairman Chris Bowers.
  - During discussion, Councilman Trey Whitehurst asked for clarification of the request.
    - Gerald Wilson stated the district had an issue with an engine in their pumper trucks and the expense will come from the district's funds.
- Motion carried unanimously to approve the request as presented.

**CONSIDERATION TO APPROVE A REQUEST FROM THE DACUSVILLE FIRE DISTRICT TO TRANSFER \$30,000 FROM THE DISTRICT'S RESERVE TO THEIR GENERAL BUDGET FUND TO COVER THE UNANTICIPATED EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF STATION 2.**

- Motion was made by Councilman Wes Hendricks and seconded by Councilman Carl Hudson.
  - During discussion, Chairman Roy Costner asked the County Administrator to confirm the expense would come from the district's funds.
    - Gerald Wilson confirmed.
- Motion carried unanimously to approve the request as presented.

## **CONSENT AGENDA:**

### Committee of the Whole:

- a) Proposed Sewer Plan and Availability Fee
  - b) Building Codes
  - c) Develop Emergency Procedures
  - d) Compensation Study (Elected Officials)
  - e) Jail Project
  - f) Jail Fees with Municipalities
  - g) Holly Springs Community Center
  - h) Liberty Civic Auditorium Branding and 501c3
  - i) Pickens County Museum 501c3
  - j) Hagood Mill 501c3 and Grant for Pole Shed
  - k) Upstate Alliance
  - l) County Finances
  - m) Review of Fire Board and Districts (Countywide)
  - n) Hwy. 153 Extension Proposal
  - o) Emergency Procedure Ordinance No. 526 (as added in previous amendment)
  - p) Outdoor Special Events Ordinance No. 524
- Motion was made by Councilman Trey Whitehurst, seconded by Vice Chairman Chris Bowers and unanimously passed 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 Councilman Ensley Feemster, seconded by Councilman Wes Hendricks and unanimously passed to convene in executive session for the stated purposes after a five minute recess.

### Review of Executive Session Items from 01/14/2017 Meeting:

#### *Legal Issues-Section 30-4-70 (a) (2)*

*-MRR Pickens LLC*

*-Civil Cases*

*-Jail*

#### *Economic Development 30-4-70 (a) (5)*

*-Project Northern Light*

*-Project United*

*-Multi-County Park with Oconee County*

#### *Contractual/Legal 30-4-70 (a) (2)*

*-Recreation Funds and Related Contracts*

### Economic Development-30-4-70 (a) (5)

- Economic Development Grant

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

- Board and Commission Vacancies (84):
  1. Accommodations Tax (ATAX)
  2. Appalachian Council of Gov. (ACOG)
  3. Assessment and Appeals
  4. Beautification Committee

5. Bethlehem Roanoke Water
6. Cultural Commission
7. Economic Development Alliance
8. Fire District Board - Central
9. Fire District Board - Crosswell
10. Fire District Board - Dacusville
11. Fire District Board - Easley
12. Fire District Board - Holly Springs
13. Fire District Board - Liberty
14. Fire District Board - Pickens
15. Fire District Board - Pumpkintown
16. Fire District Board - Rocky Bottom
17. Fire District Board - Shady Grove
18. Fire District Board - Six Mile
19. Fire District Board - Vineyards
20. GPATS
21. Library Board of Directors
22. Pickens County Grievance Committee
23. Pickens, Oconee, Anderson Mental Health
24. Planning Commission
25. Public Service Commission
26. Sedgewood Tax District
27. Southside Rural Water
28. Water Authority
29. WORKLINK
30. Zoning and Appeals

**PUBLIC SESSION RECONVENED:**

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

**ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:**

Review of Executive Session Items from 01/14/2017 Meeting: **-No Action**

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

*-MRR Pickens LLC*

*-Civil Cases*

*-Jail*

*Economic Development 30-4-70 (a) (5)*

*-Project Northern Light*

*-Project United*

*-Multi-County Park with Oconee County*

*Contractual/Legal 30-4-70 (a) (2)*

*-Recreation Funds and Related Contracts*

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

- Economic Development Grant **-No Action**

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

- Board and Commission Vacancies (84): **-Action as follows :**

Chairman Roy Costner called on the Clerk to read the appointments requested by Council. The Clerk advised of the following recommendations for appointment to the respective boards or commissions:

- a) Accommodations Tax (ATAX) –**No Appointments**
- b) Appalachian Council of Gov. (ACOG)
  - Chairman Roy Costner (council represented seat)
  - Councilman Ensley Feemster (council represented seat)
- c) Assessment and Appeals:
  - Robert Pilgrim
- d) Beautification Committee
  - Charles Gill
- e) Bethlehem Roanoke Water
  - Parker Haskett
  - John McKenzie
- f) Cultural Commission– **No Appointments**
- g) Economic Development Alliance:
  - Jeromy Arnett
  - Danny Ard
  - Jim Kaplan
  - Chairman Roy Costner (council represented seat)
  - Vice Chairman Chris Bowers (council represented seat)
- h) Fire District Board – Central
  - Ed Durham
  - Hueston Merck
- i) Fire District Board – Crosswell
  - Alvin Duncan
  - Tim Cobb
- j) Fire District Board – Dacusville
  - Lee Perkins
- k) Fire District Board – Easley
  - William ‘Billy’ Grant
  - Shannon Ducker
- l) Fire District Board - Holly Springs
  - Mitchell Cassell
  - Austin Cater
- m) Fire District Board – Liberty
  - Brian Finley
  - Keith Culbreath
- n) Fire District Board – Pickens
  - Keith Davidson
  - Peter Peters
- o) Fire District Board – Pumpkintown
  - Denise Blecke
- p) Fire District Board - Rocky Bottom
  - Frank Masters
  - Edward ‘Tony’ Kelley
- q) Fire District Board - Shady Grove
  - Edward Teagle
  - Grady Abercrombie

- r) Fire District Board - Six Mile
  - Gary Ross
- s) Fire District Board – Vineyards
  - Jim Miller
  - Ralph ‘Rocky’ Odman
- t) GPATS
  - Chairman Roy Costner
  - Councilman Carl Hudson
- u) Library Board of Directors
  - Robert Hollandsworth
- v) Pickens County Grievance Committee
  - Creed Hashe
  - Nancy Breazeale
- w) Pickens, Oconee, Anderson Mental Health
  - Hope Threadgill
  - Robert Nash
  - Ethel Pettigrew
- x) Planning Commission– **No Appointments**
- y) Public Service Commission
  - Jennifer Wood (to serve another full term)
  - Paul West (to serve another full term)
- z) Sedgewood Tax District– **No Appointments**
- aa) Southside Rural Water
  - Mark Albertson
  - Tommy King
- bb) Water Authority– **No Appointments**
- cc) WORKLINK– **No Appointments**
- dd) Zoning and Appeals
  - Allen Lohmann
  - Patricia Watkins
  - Richard Shirley

- Chairman Roy Costner moved to approve the board and commission appointments as stated by the Clerk to Council. Motion was seconded by Councilman Wes Hendricks and unanimously passed.

**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 10:53 p.m.

Respectively Submitted:

Approved:

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Crystal A. Alexander, Clerk to Council

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Roy B. Costner, III, Chairman of County Council