

## **Regular Pickens County Council Meeting**

June 4, 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 members of council and local news media on May 25, 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  
Lisa Bryant, Interim Clerk to Council

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

Chairman Roy Costner called the meeting of June 4, 2018 to order and welcomed those in attendance. Councilman Wes Hendricks 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. The Clerk called the following speaker:

1. Kade Herrick: Mr. Herrick appeared to give an update on the rowing season. He stated that there were approximately 1300 athletes. The economic impact was near 2.3 million dollars. Thirty-one teams came into the county bringing family and friends. It was estimated that 4,000 hotel rooms were utilized. Working with U.S. Rowing, the Youth Cup Event was hosted where 800 athletes raced on Lake Hartwell over Easter weekend. That event generated \$330,000. In the last four years, the sport has grown from having approximately 700 athletes to 1,300. Ohio State came to town for ten days, with an economic impact of nearly \$100,000. Mr. Herrick stated that additional jon boats, a dock and an adjustable starting line dock has recently been purchased. The recreation funding allowed the purchase of the chip timing system that is now in place. Puppies & Patriots, a 5K run in Clemson that the University hosted, was the first event held on Memorial Day weekend. The Clemson aquatic team is using the system as well as some other groups throughout the year. Mr. Herrick is currently working with a group to attempt to create a Pickens County Race Series where there will be a race held in each of the six city/district areas. The teams would need to participate in all six events to win the overall title. They worked with the City of Easley to co-host the National Christian College Baseball World Series. Nearly 1,000 hotel rooms just in Clemson were used for that event. Councilman Whitehurst asked for clarification of the use of ATAX funding aside from the capital expenses of purchasing docks, etc. Mr. Herrick clarified that funding has also been used for advertising/promoting Pickens County attractions: Clemson, Sassafras Mountain, Hagood Mill. They are currently working with Lake Hartwell Country to promote Pickens County roadways for scenic motorcycle riding.

## **APPROVAL OF MINUTES:**

Chairman Roy Costner called for a motion to approve the following minutes as presented:

- May 7, 2018
- Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and carried unanimously to approve the referenced minutes.

## **ADMINISTRATOR'S REPORT:**

The County Administrator, Gerald Wilson, provided the following report:

Recognition of Crystal Alexander: Mr. Wilson stated that this was Mrs. Alexander's last day with Pickens County. He shared that he appreciates all that she has done and asked her to step forward. Chairman Roy Costner and members of council presented Mrs. Alexander with a Certificate of Appreciation for all that she has accomplished in her service as Clerk to Pickens County Council. Council and Administration thanked Mrs. Alexander for her infallible service and wished her the very best.

Agenda item #7: Mr. Wilson requested that a legal update be added to item #7 and discussed in Executive Session.

Sesquicentennial Celebration: Mr. Wilson called Jay Pitts to the podium to explain the 150<sup>th</sup> timeline of events. Mr. Pitts began with reminding everyone that Pickens County began the celebration on March 22 and 23 with the Litter Blitz campaign which will continue throughout the year with the Five on Friday initiative. Another clean up event will possibly be scheduled in the fall of the year.

Mr. Pitts then spoke on the fact that Mark Woods came in April promoting music education at nine elementary schools in Pickens County. It was estimated that 1,100-1,200 students participated in the program. Mr. Woods then performed in concert for the students and teachers at the Pickens County Performing Arts center with approximately 500 people in attendance. The program was a huge success and more than 1600 students have been already been recruited for April 2019.

Mr. Pitts shared that he has had community presence at each festival promoting the sesquicentennial celebration. He's had booths and tables at the Clemson Music Festival, the Railroad Festival, the Azalea Festival, the Issaqueena Festival and the Liberty Festival giving away items such as hats, lapel pins, decals and tote bags to raise awareness of the celebration. More than 200 Pickens County 150<sup>th</sup> year T-shirts have been sold.

The opening of the time capsule is being planned on October 5<sup>th</sup> at the courthouse, as there is speculation amongst the Historical Society that is the actual founding day of Pickens County. The city's restaurants will be solicited to participate in the celebration by offering themed menus and décor. An aspiration is that the streets of downtown Pickens could be closed off after the Friday night high school football games conclude so that there can be a 5<sup>th</sup> quarter block party with a band and festivities.

Saturday morning, October 6<sup>th</sup>, will be the Founder's Day Celebration. A committee is being formed and there are a lot of different ideas such as a 5k run, 1 mile walk, possibly a Pickens Got Talent event, and a headliner for the evening activities. 150 individuals are being sought as volunteers to compete in a barbeque cook off, furnishing food for the festival. Plans are being made to include arts, vendors, outdoor games, hot air balloon rides, carnival rides and fireworks. Challenging aspirations involve going through the decades and to include activities that can be presented on a main stage such as period clothing, reenactments, vintage retro vendors, classic cars and old fashioned games. Some ideas and activities from the 100<sup>th</sup> year celebration may be brought into the 150<sup>th</sup> year celebration also.

Mr. Pitts then shared that Pickens County will honor our 7,000 Veterans in November. A Veteran's parade and dinner will be planned for Saturday, November 10<sup>th</sup>. In addition, a Patriotic matinee will be shown at the Performing Arts Center on Sunday, November 11<sup>th</sup> which is Veteran's Day. The hope is that this tradition will continue every year to show our heartfelt appreciation to our Veterans.

A Christmas Market/Festival is being planned for the month of December at Hagood Mill. School children will be brought in during the week for activities. The aspiration is to bring in not only Pickens County residents, but residents of surrounding counties as well. There are plans to invite certain celebrities to join in the festivities. The new Heritage Center will be transformed into an ice skating rink for the winter season. Abundant activities to celebrate the month of December such as carriage rides, a live nativity scene, lighted trees, carolers singing, visits with Santa, parades, etc. will be put into action.

The finale will be in April 2019 with Mark Wood coming in for an entire week. The target is to have 2,000 students participate at the Little John Coliseum so that Pickens County will have the largest student orchestra and choir in the country.

Mr. Pitts is attempting to bring in famous celebrities for each event that would be willing to donate their time and talent in the name of education to the community. He inquired as to whether anyone knew how to get a copy of the script of the play performed at the 100<sup>th</sup> year celebration. He would like to orchestrate a reenactment if possible. Councilman Hendricks stated that he may be able to provide the contact information for Betty Dalton, one of the performers in the play.

**COMMITTEE REPORT:** Committee of the Whole – May 21, 2018

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

**COMMITTEE OF COUNCIL AS A WHOLE REPORT**

**Council Members:**

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  
Mike Hayes, Risk Manager  
Sheriff Rick Clark  
Creed Hashe, Chief Deputy  
Michael Clark, Roads and Bridges Director  
Clay Baldwin, Engineer

**Guests in Attendance:**

Wes Hulsey, *Hulsey, McCormick & Wallace*  
Steve Barbian, *Hulsey, McCormick & Wallace*  
Hal Morris, *Hulsey, McCormick & Wallace*  
Stephen Steese, *City of Easley*  
Phillip Mishoe, *Town of Central*

The Committee of the Whole met in the Main Conference Room, at the Pickens County Administration Facility, on Monday, May 21, 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. Councilman Ensley Feemster led the Invocation and Pledge of Allegiance.

**COMMITTEE OF THE WHOLE:**

Chairman Roy Costner elected to discuss Log No. 66, Road Maintenance Fees, first.

Road Maintenance Fees – Log No. 66

Clay Baldwin provided the members of the Committee with the following information

Pavement Condition Survey and Paving Alternatives. He stated that the previous study, or survey, was performed in 2007.

- After more discussion, Mr. Baldwin advised that staff recommends to approve funding for a pavement condition survey. He stated that a survey on all roads, city and county, would have an approximate cost of \$240,000.00; a survey on county roads only would have an approximate cost of \$180,000.00. He stated that the CTC would fund \$90,000.00 of the survey cost.
- Gerald Wilson advised that the current Road User Fee is \$20.00 per vehicle; the \$20.00 goes into an account that can only be used for paving of county and municipality roadways. He stated that currently the County maintains and manages county and municipal roads with the referenced funds. Mr. Wilson advised that the strategy has been to pave the worst first. He advised that the question was asked if the County should disburse funds back to the municipalities to maintain their own roads.
- Mr. Wilson advised that Rick Cotton, of the City of Clemson, stated that the City of Clemson is in favor of Council considering providing the funding back to the municipalities to maintain their own roadways.
- Phillip Mishoe, of the Town of Central, stated that he has discussed this with his council and they cannot make a decision until the County does. He stated that, at minimum, the Town of Central would like to maintain the roads that the Town owns.
- Stephen Steese, of the City of Easley, stated that the City of Easley would like to control better in regards to paving. He stated that it would be dependent upon the numbers and the timeframe.
- Councilman Carl Hudson stated that he had been advised that the County received complaints from constituents back when the cities and municipalities were receiving the funding. He further stated that those constituents were told by the city or municipality to contact the county with their complaint.

After much more discussion, Vice Chairman Chris Bowers moved to recommend approving the expenditure of funds for a pavement condition survey for all roads, to include city roads. Motion was seconded by Councilman Carl Hudson and carried unanimously.

Committee recommends approving the expenditure for a pavement condition survey of all roads, to include city and municipality roads.

Public Transportation Survey – Log No. 98

- Vice Chairman Chris Bowers stated that he has frequently seen needs assessments that reflect an opportunity for improvement in regards to public transportation in Pickens County. He stated that he has not seen that this has been addressed, other than stating there is a need. Vice Chairman Bowers stated that he would like to see what a public transportation system in Pickens County could or would look like, along with cost estimates. He advised that there should be resources to assist in these efforts (i.e., GPATS, SCAC, NACo, ACOG, etc.).
- Councilman Wes Hendricks stated that he had researched transportation options for Tri-County Tech and Clemson students in the past; the estimated costs were very expensive. He stated that public transportation is needed in Pickens County.
- Vice Chairman Chris Bowers advised that the County may qualify to purchase up to two buses with grants; however, he is not certain if that would be the best option for the County, as an evaluation has

not been completed.

- Chairman Roy Costner asked Gerald Wilson to discuss this matter with ACOG and Keith Brockington, of GPATS, in regards to what already exists and what funding through grants may be available to help reduce costs.
- After more discussion, Vice Chairman Chris Bowers stated that he just wanted to start the conversation and research options.
  - No action taken by Committee

#### Discuss Employee Engagement Survey – Log No. 100

- Vice Chairman Chris Bowers stated that he would like to determine what it would take to implement an engagement survey. He stated that some of the feedback the County would receive may identify opportunities for improvement that were unrealized.
- Councilman Wes Hendricks stated that his employer uses Survey Monkey, which is a free service.
- Chairman Roy Costner stated that he agrees with Councilman Bowers. He stated that this would provide an opportunity to receive feedback.
- Councilman Trey Whitehurst stated that he would encourage Councilman Bowers to assist in these efforts since he has experience in the engagement surveys.
- Gerald Wilson advised that staff would research the engagement survey and report back to Council.
  - No action taken by Committee

#### Review of Madden Bridge Project (Twelve Mile Rd.) – Log No. 99

- Wes Hulsey, of Hulsey, McCormick & Wallace, stated that they had discussed putting a hold on Madden Bridge Project since the April council meeting. He clarified that was because his firm received bids on behalf of the County; the total combined project cost between Cateechee Beach and the Madden Bridge Project exceeds the approximate \$1.5 million in funding that the County is receiving from the Natural Resource Trustee Council. Mr. Hulsey advised that his firm has applied for ARC Grant funding on behalf of the County. He stated that the attempts to date have not been successful, primarily because of the number of projects that are being applied for; there are more projects than funding available. Mr. Hulsey stated that since the meeting with the Natural Resource Trustee Council in May of 2015, the Twelve Mile arm of Lake Hartwell has silted up substantially.

After more discussion, Chairman Roy Costner called for a motion to convene in Executive Session to discuss property as it relates to an alternative design for Madden Bridge Road Park. Motion was made by Councilman Wes Hendricks, seconded by Councilman Carl Hudson and carried unanimously.

Chairman Roy Costner called the meeting back to order. Chairman Costner moved to recommend moving forward with the alternate plan, option A, for the Madden Bridge Road Park using existing funds. Motion was seconded by Councilman Ensley Feemster and carried unanimously.

- Committee recommends moving forward with the alternate plan, option A, for the Madden Bridge Road Park using existing funds

#### **ADJOURN:**

Hearing no further Committee business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson and carried unanimously. The Committee of the Whole stood adjourned at 8:00p.m.

<<END OF COMMITTEE REPORT>>

- Motion was made by Chairman Roy Costner and carried unanimously to move forward with the alternate plan, option A, for the Madden Bridge Road Park using existing funds.

#### **COUNCIL CORRESPONDENCE:**

Chairman Roy Costner announced the following:

- Council will take a recess in July.
- The Committee of the Whole will meet on Monday, August 13 at 6:00 p.m. and on Monday, August 27 at 6:00 p.m. in the Main Conference Room of the Administration Facility.
- County Council will meet on Monday August 20 at 6:30 p.m. and on September 10 at 6:30 p.m.

Chairman Roy Costner called for other council correspondence. There was none.

#### **MOTION PERIOD AND NEW BUSINESS:**

Chairman Roy Costner opened the floor for any new business.

- Councilman Trey Whitehurst made a motion to add the legal update to Executive Session per the request of the Administrator. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.

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

#### **CONSIDERATION OF RESOLUTION NO. 2018-12 AUTHORIZING THE ADOPTION OF THE PICKENS COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.**

Chairman Roy Costner stated that the adoption of the updated and revised plan is critical for active and effective hazard mitigation planning and is required as a condition for future grant funding of mitigation projects.

- Motion was made by Councilman Wes Hendricks and seconded by Councilman Ensley Feemster. Motion carried unanimously.

#### **THIRD READING OF ORDINANCE NO. 551 TO AMEND SECTION 36-176 OF THE PICKENS COUNTY CODE OF ORDINANCES SO AS TO FURTHER DEFINE THE ALLOWABLE TIME LIMIT FOR SPECIAL TAX ASSESSMENTS FOR REHABILITATED HISTORIC PROPERTIES, AND MATTERS RELATED THERETO.**

Chairman Roy Costner stated that this is the final reading of the proposed Ordinance that will amend Ordinance 467 to change the allowable time limit from “20 years” to “up to 20 years.”

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

#### **PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 552 TO PROVIDE FOR THE LEVY OF TAXES IN PICKENS COUNTY FOR ORDINARY COUNTY PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2018, AND ENDING JUNE 30, 2019, AND TO DIRECT EXPENDITURE THEREOF.**

Chairman Costner opened the public hearing for comments regarding Ordinance 552. Hearing no comments, Chairman Roy Costner declared the public hearing closed.

Chairman Roy Costner stated that based on Council’s hard work and dedication to the taxpayers, a comprehensive amendment to the budget anticipates no tax increase for the upcoming years.

- Motion was made by Councilman Ensley Feemster and seconded by Council Carl Hudson to give Ordinance 552 its third and final reading.

Chairman Roy Costner motioned for reading the budget amendments, then making second motion for each amendment individually after discussion. He stated that whereas the budget was first written for a tax increase for capital improvements of 3.3 mils to fund the bond financing the construction of the new Pickens County detention center along with a corresponding tax increase in general funds operations of 1.3 mils for a total tax increase of 4.6 mils; whereas Pickens County has met in work sessions Monday, April 9 and Monday, April 23; whereas Pickens County Council held second reading on Monday, May 7; whereas Pickens County met again in work session on Monday, May 14 to consider the budget to second reading; whereas, as a result of these readings and work sessions, certain amendments were developed that would result in no net tax increase as a result of the FY2017-2018 budget.

- Chairman Roy Costner asked for motion to amend on third reading as follows:
  - I. Merge the Pickens County Prison/Stockade personnel with the Sheriff's office staff, to allow 14 current positions at the Stockade to replace 14 of the new detention officer positions needed for the operation of the new detention center
  - II. Eliminate the issuance and sale of upcoming 1.5 million dollar jail obligation note for the purchase of capital items and replace with funds currently in the capital reserve.
  - III. Eliminate the payout of bank time liability.
  - IV. Reduce property, liability and worker's compensation insurance by 80,000 dollars for a premium reduction due to risk of voidance and/or underwriting re-evaluation.
  - V. Eliminate 990 dollars for Sister City International membership.
  - VI. Add one legal secretary position for the Solicitor's Office. Budget impact will be neutral due to the Solicitor using savings from the salary of two retiring employees. Any expense of the legal secretary position not covered will be reimbursed by the Solicitor's Office.
  - VII. Fund a new paralegal position and a portion of an attorney position for the Public Defender's Office for 68,200 dollars.
  - VIII. Fund a part-time administrative assistant position at the Coroner's Office for 19,055 dollars to be offset by adding reasonable fees for services charged by neighboring counties.
  - IX. Add funding for recreation in the amount of 300,000 dollars to be off-set by the one time savings of the proposed elimination of bank time payout.
  - X. Add 3,000 dollars for the anticipated overtime at the Sheriff's Office 911 Call Center.
  - XI. Increase funding for the medical contract for the Sheriff's Office by 16,862 dollars.
  - XII. Establish a new schedule of fees for Building Codes services to increase by 43,000 dollars as outlined in the 2018 ICC evaluation table.
  - XIII. Add two school resource officer positions to the School District of Pickens County, reimbursing the County for the expense thereof.
- Motion on this amendment was made by Vice Chairman Chris Bowers and seconded by Councilman Ensley Feemster.

**Discussion:**

- Motion was made by Councilman Wes Hendricks to discuss each item individually, seconded by Councilman Ensley Feemster and carried unanimously.
- I. Merge the Pickens County Prison/Stockade personnel with the Sheriff's office staff, to allow 14 current positions at the Stockade to replace 14 of the new detention officer positions needed for the operation of the new detention center.
    - a. It was stated that the Sheriff is willing to merge. No further discussion.

- II. Eliminate the issuance and sale of upcoming 1.5 million dollar jail obligation note for the purchase of capital items and replace with funds currently in the capital reserve.
  - a. Councilman Trey Whitehurst stated that what has essentially happened is that more was spent than was taken in. So now the savings account will be used to make it all work. Chairman Roy Costner replied that it is a savings when the bond is issued for 1.5 million dollars. It is a cost to the taxpayer of approximately 40,000 dollars with attorney's fees, etc. Ralph Guarino entered the discussion to confirm. Mr. Guarino stated that this was done two years ago when this started with a changeover. The capital was taken out of capital reserve and using the bond that was issued at the time, using it for the architectural fees for the jail. There was 3.2 million dollars at the beginning of the fiscal year. 575,000 dollars was taken out of the capital reserve for a grinder. Then Council approved 110, 000 to be taken out for the purchase of a compactor. There was 2.4 million at the end of the fiscal year. If 1.5 million is taken out, that will leave 904,000 dollars for the following 2020 budget year, or for another unexpected capital expenditure that may arise in 2019. Mr. Guarino reiterated that this has been done in the past and this savings has built up over time from when this program was started back in 2005. These funds could be drawn on to give some relief to the taxpayers for one year. People have mentioned in the past about the high fund balance. This gives the taxpayer an indirect tax break by not having to adjust the mil by 3mils. The funds could be taken from capital reserve. Councilman Trey Whitehurst used the analogy of buying a new car with payments and then making the payments out of a savings account. Mr. Guarino answered that it depends; some people pay cash for vehicles, depending on how much savings they have. He then clarified that drawing the funds from the capital reserve would provide some relief. Councilman Trey Whitehurst stated that this has been done in the past, yet there are still tax revenue problems. Mr. Guarino agreed that this action is not a long term solution; it provides relief to the taxpayer for one year due to the fund balance. Vice Chairman Chris Bowers entered the discussion, stating that the options are raising taxes by 3.2mils or not funding the jail, which can't really be an option. He stated that personally his thought process is that he is optimistic regarding all of the growth and expansion that there are several things coming online to hit the tax books, the reassessment, etc. Vice Chairman Chris Bowers is hopeful that rather than increasing taxes, the size of the tax base is increased. He would like to focus on the permits for new structures being built and trends of growth in the economy.
- III. Eliminate the payout of bank time liability.
  - a. No discussion.
- IV. Reduce property, liability and worker's compensation insurance by 80,000 dollars for a premium reduction due to risk of voidance and/or underwriting re-evaluation.
  - a. No discussion.
- V. Eliminate 990 dollars for Sister City International membership.
  - a. No discussion.
- VI. Add one legal secretary position for the Solicitor's Office. Budget impact will be neutral due to the Solicitor using savings from the salary of two retiring employees. Any expense of the legal secretary position not covered will be reimbursed by the Solicitor's Office.
  - a. No discussion.
- VII. Fund a new paralegal position and a portion of an attorney position for the Public Defender's Office for 68,200 dollars.
  - a. Councilman Wes Hendricks stated that he has done a lot of research on this item. He has spoken with others in Columbia on the criteria for deciding court time for counties. There were six factors with input from the Solicitor and an Administrative Judge for the circuit:

1. Case load and data
  2. Current use of allotted court time
  3. Staffing within the offices of Clerk of Court
  4. Share Solicitor and Public Defender
  5. Availability of judges
  6. Available court space
- b. There is a shortage of court reporters across the state. Court time is lost due to the lack of court reporters. Councilman Wes Hendricks stated that this is a tough budget year for Pickens County. With being short on court reporters, it doesn't matter what positions are added; court cannot be held without a court reporter. Greenville County has hired two Public Defenders with office space at the courthouse. Pickens County does not have enough space or manpower to handle the current caseload. It would cost the County money to create more office space. Councilman Wes Hendricks stated that with it being a tight budget this year and with the shortage of court reporters assigned by the State, he does not recommend funding this item. However, he stated that he would support the decision of Council as a group.
- o Motion was made by Councilman Wes Hendricks to remove this item from the budget, seconded by Councilman Ensley Feemster to open item for discussion.

> During discussion, Councilman Ensley Feemster questioned whether adding the positions would put enough pressure on the state to provide more court reporters. Councilman Wes Hendricks answered that in his opinion it would not work this year. He suggested revisiting this item next year; waiting to see how it works for Greenville County having already hired two additional Public Defenders. Chairman Roy Costner joined the conversation stating that the paralegal is the person that gathers all of the information needed but that he understands Councilman Wes Hendricks thoughts if there is not enough court reporters. Chairman Roy Costner asked for clarification regarding the discussion in the Committee of the Whole meeting where those folks <at the courthouse> were performing tests and adding weeks in order to get things pushed through the system and were successful. Vice Chairman Chris Bowers confirmed that is the way he remembered it. The Public Defender's Office felt certain that if they could better prepare for their cases, they could present more cases. Vice Chairman Chris Bowers suggested that with the new jail space becoming available, it will provide opportunity for meetings to occur with clients; the Solicitor's Office is adding staff, so if the Public Defender's office is allowed more staff, the crisis of filling the jail because court cases cannot be held can be avoided. Vice Chairman Chris Bowers stated that while nothing can be done regarding the court reporters, the other surrounding aspects can be addressed and prepared. Councilman Wes Hendricks stated that while Solicitors address every case, Public Defenders do not because some people hire private attorneys; another issue in surrounding areas is that some of the Public Defenders have fallen ill or been sent for further training. Councilman Trey Whitehurst joined the discussion stating that the amount of people that come with an attorney is very small. The Public Defender handles an estimate of 90-95% of defendants. He stated that the State approves and funds the attorneys, so that if the County does not provide them with the help to do their job, that money is wasted. By adding one more paralegal, the County is given three more attorneys. It was stated that there is approximately ten Solicitors, compared to two Public Defenders. Sheriff Clark joined the conversation with the analogy of <the system> being a three legged stool: Law Enforcement Department, Solicitor's Office and Public Defender's Office. He stated that the Solicitor's Office has been upgraded over the past few years; although the Public Defender's Office does a great job, it needs help. Sheriff Clark stated that Vice Chairman Bowers is correct in his assessment that getting defendants court processed and sending them to Columbia or seeing them in the County jail over and over. He stated that the Public Defender has been the leg of the stool that wobbles a bit, just because they've never had the funding needed. He stated that there are some great judges in the district that will hold court for pleas when asked. However, to get to the plea, 90% have to go through the Public Defender. So the Public Defender's Office will be the hold

up if they do not get the support they need. It will end up costing the County in the long run. Sheriff Clark added that the State is going to recording systems. He has only seen that in our courthouse one time, in a civil trial. It hasn't gotten to us as bad as Columbia or Charleston. They're scrambling to make things work. There was some testing going on two months ago, getting over the hump of the technology problem. Councilman Carl Hudson inquired as to what is the possibility of having three attorneys and there's more court time. He stated that he understood that some judges would come in to take pleas, but court time is needed to hold jury trials. He asked if another week of court was needed during the month, could that happen. Sheriff Clark answered that there has been a push to add more but there may be a circuit, having more in the circuit. He stated that if everything was in place and ready, there would be a lot more efficiency. Councilman Carl Hudson stated that if the defense attorney tried to play hard ball and say there should be a plea bargain because there's no court time, he wanted the ability to be able to say there is court time. Sheriff Clark reiterated that what is holding us back is the lack of Public Defenders.

- Chairman Roy Costner called for a vote on pulling the funding of 68,200 dollars for a new paralegal position and a portion of an attorney position for the Public Defender's Office from the budget.
  - Motion failed (1-5), with Councilman Wes Hendricks in favor.

- VIII. Fund a part-time administrative assistant position at the Coroner's Office for 19,055 dollars to be offset by adding reasonable fees for services charged by neighboring counties.
  - a. Councilman Carl Hudson spoke for clarification that it was decided that these fees will cover this position. Chairman Roy Costner stated that was correct. Administrator Gerald Wilson added that a list of these fees was sent to Council last week.
- IX. Add funding for recreation in the amount of 300,000 dollars to be off-set by the one time savings of the proposed elimination of bank time payout.
  - a. No discussion.
- X. Add 3,000 dollars for the anticipated overtime at the Sheriff's Office 911 Call Center.
  - a. No discussion.
- XI. Increase funding for the medical contract for the Sheriff's Office by 16,862 dollars.
  - a. No discussion.
- XII. Establish a new schedule of fees for Building Codes services to increase by 43,000 dollars as outlined in the 2018 ICC evaluation table.
  - a. No discussion.
- XIII. Add two school resource officer positions to the School District of Pickens County, reimbursing the County for the expense thereof.
  - a. No discussion.

- Chairman Roy Costner stated that there has been a motion and a second. Councilman Trey Whitehurst asked for clarification that this is for the amendment. Chairman Roy Costner answered that this is for the amendment and asked if there is any further discussion. Councilman Trey Whitehurst stated again that he feels that the problem is that more has been spent than has been taken in. He stated that he will politely vote against the amendment.
- Chairman Roy Costner called for a vote on the amendments to the budget.
  - Motion carried (5-1), with Councilman Trey Whitehurst opposed.
- Chairman Roy Costner stated that there is one additional item not included in the comprehensive budget adjustment that is still under consideration: The addition of two new fire trucks for the Vineyards Fire Department for 1,280,000 dollars that will be paid from the issuance of a GO Bond paid by the Vineyards Fire District.
  - Motion was made by Chairman Roy Costner to enter this item as an amendment, seconded by Councilman Wes Hendricks.

- Chairman Roy Costner called for discussion.
- Councilman Wes Hendricks stated that he was in favor of letting them buy the trucks because they have the money and means and it will benefit them and other fire districts. It was clarified that this action is for recommending to add this item as a second amendment, not a consensus to issue the GO Bond. The GO Bond process would still be required.
  - Motion failed with a 3-3 tie. Tie goes to not issuing the bond.
- Chairman Roy Costner asked for any further discussion of the third reading of the budget amendment. Seeing none, Chairman Roy Costner called for a vote on third reading of the budget amendment.
  - Motion carried unanimously.

**PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 553 TO PROVIDE FOR ADOPTION OF A BUDGET AMENDMENT CONTAINING ESTIMATES OF REVENUE AND EXPENDITURE CHANGES FOR PICKENS COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018.**

Chairman Roy Costner stated that this is the final reading of Ordinance to amend the fiscal year 2017/2018 budget. The purpose of this amendment is to justify the budget July 1, 2017-June 30, 2018 for revenues and expenditures unanticipated at the time of adoption of the current budget. Chairman Roy Costner opened the public hearing and asked for discussion. Hearing none, the public hearing was closed. Chairman Roy Costner called for a motion to constitute third reading of Ordinance 553.

- Motion was made by Councilman Trey Whitehurst, seconded by Councilman Ensley Feemster and carried unanimously.

**PUBLIC HEARING AND THIRD READING AN ORDINANCE 555 TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH OCONEE COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED BY CASTO OCONEE, LLC AND CLEMSON FAMILY INVESTORS, LLC OR THEIR RESPECTIVE ASSIGNEES AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS 1976, SECTION 4-1-170 ET SEQ., AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH OCONEE COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX; AND MATTERS RELATED THERETO.**

Chairman Roy Costner opened the public hearing and asked for discussion. Seeing none, the public hearing was closed. Chairman Roy Costner asked for a motion and a second to constitute third reading of Ordinance 555.

- Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Chris Bowers and carried unanimously.

**CONSENT AGENDA:**

No items listed.

**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.

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

Legal Issue – Section 30-4-70 (a) (2)

- Update on Potential Opioid Lawsuit

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

- Potential Economic Development Opportunities

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

- Board and Commission Vacancies (81):
  - a) Accommodations Tax (ATAX)
  - b) Alcohol and Drug/Behavioral Health
  - c) Appalachian Council of Gov. (ACOG)
  - d) Assessment and Appeals
  - e) Beautification Committee
  - f) Cultural Commission
  - g) Economic Development Alliance
  - h) Fire District Board - Central
  - i) Fire District Board - Crosswell
  - j) Fire District Board - Dacusville
  - k) Fire District Board - Easley
  - l) Fire District Board - Liberty
  - m) Fire District Board - Pickens
  - n) Fire District Board - Pumpkintown
  - o) Fire District Board - Rocky Bottom
  - p) Fire District Board - Shady Grove
  - q) Fire District Board - Six Mile
  - r) Library Board of Directors
  - s) Pickens County Grievance Committee
  - t) Planning Commission
  - u) Public Service Commission
  - v) Tourism Board
  - w) Zoning and Appeals
  - x) \*Hagood Mill Non-Profit Corporation Board
  - y) \*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:

Chairman Roy Costner asked that Lisa Bryant be appointed as Clerk to Council for this meeting only by unanimous consent. Motion carried.

Legal Issue – Section 30-4-70 (a) (2)

- Update on Potential Opioid Lawsuit – **Action as follows:**
- Chairman Roy Costner called for a motion to authorize Ken Roper to approve a mediation settlement between SPC vs. Floyd in Pickens County.
  - Motion made by Vice Chairman Chris Bowers and seconded by Councilman Carl Hudson. Motion carried 6-0.

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

- Potential Economic Development Opportunities – **Action as follows:**
- Chairman Roy Costner called for a motion for the Administrator to proceed with up to 22,000 dollars for research and economic development.
  - Motion made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson. Motion carried.

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

- Board and Commission Vacancies (81):
  - z) Accommodations Tax (ATAX)- **No Action**
  - aa) Alcohol and Drug/Behavioral Health - **Action as follows:**
    - Vice Chairman Chris Bowers moved to re-appoint Ernie Dandeneau, Bart Turner and Tobias Vogel to the Alcohol and Drug/Behavioral Health Board. Motion seconded by Councilman Wes Hendricks and carried unanimously.
  - bb) Appalachian Council of Gov. (ACOG) – **No Action**
  - cc) Assessment and Appeals – **Action as follows:**
    - Vice Chairman Chris Bowers moved to appoint Kelsey Harbin to the Assessment and Appeals Board. Motion was seconded by Councilman Ensley Feemster and carried unanimously.
  - dd) Beautification Committee - **Action as follows:**
    - Councilman Ensley Feemster moved to appoint Charley McConnell to the Beautification Committee. Motion seconded by Councilman Wes Hendricks and carried unanimously.
  - ee) Cultural Commission – **No Action**
  - ff) Economic Development Alliance - **Action as follows:**
    - Vice Chairman Chris Bowers moved to appoint Pamela Cobb to the Alliance Pickens Board. Motion was seconded by Councilman Ensley Feemster and carried unanimously.
  - gg) Fire District Board – Central – **No Action**
  - hh) Fire District Board – Crosswell – **No Action**
  - ii) Fire District Board – Dacusville – **No Action**
  - jj) Fire District Board – Easley – **No Action**
  - kk) Fire District Board – Liberty – **No Action**
  - ll) Fire District Board – Pickens – **No Action**
  - mm) Fire District Board – Pumpkintown – **No Action**
  - nn) Fire District Board - Rocky Bottom – **No Action**
  - oo) Fire District Board - Shady Grove – **No Action**
  - pp) Fire District Board - Six Mile – **No Action**
  - qq) Library Board of Directors – **No Action**
  - rr) Pickens County Grievance Committee – **No Action**
  - ss) Planning Commission – **No Action**
  - tt) Public Service Commission – **No Action**
  - uu) Tourism Board – **No Action**
  - vv) Zoning and Appeals – **No Action**

- ww) \*Hagood Mill Non-Profit Corporation Board - **Action as follows:**
- o Councilman Wes Hendricks moved to appoint Amanda Page and Laura White to the Hagood Mill Non-Profit Corporation Board. Motion was seconded by Councilman Ensley Feemster and carried unanimously.
  - xx) \*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 Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson and carried unanimously. Pickens County Council stood adjourned at 9:06 p.m.

Respectively Submitted:

Approved:

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Lisa Bryant, Interim Clerk to Council

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Roy B. Costner, III, Chairman of County Council