

Regular Pickens County Council Meeting

June 5, 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 June 1, 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 June 5, 2017 to order and welcomed those in attendance. Councilman Wes Hendricks 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 announced an upcoming golf tournament fundraiser on August 5th and requested that the County provide a match donation to support their efforts. Ms. Hamilton requested that Council keep the Humane Society in mind when passing the final county budget that represents 30% of their budget.
2. Randy Williams: Mr. Williams appeared to discuss the new animal shelter and his previous experience at the Humane Society. He stated that he was impressed with the new animal shelter that he recently toured. He further described the facility and the pet adoption process in his opinion. Mr. Williams stated that he had a negative experience at the Humane Society when he previously adopted a dog for his mother. He further discussed his experience and stated that the dog was in poor condition requiring veterinarian care.
3. Kathleen Campbell: Ms. Campbell appeared and stated that she did not have an agenda, but rather came to learn. She stated that she wants to be active in the county; however, there are times when she leaves the meetings frustrated due to a lack of understanding. Ms. Campbell stated that she would like to pray as this is the only thing that she knows to do. She further led a prayer.
4. Abby Baker: Ms. Baker appeared to discuss the Holly Springs Center, their business and marketing plan, and the proposed budget that was submitted to Council. She thanked Council for their time and consideration.

5. Patricia Watkins: Ms. Watkins appeared to discuss Pharmakeia in the jail, the vote of council for the jail drug program, and the funding of the Tri-County Technical College Student Success Center. She further stated that the Council “gave away taxpayer funds that would have cushioned a new jail cost”. Ms. Watkins lastly advised of her resignation from the Zoning and Appeals board.
6. Rick Spencer: Mr. Spencer appeared to discuss the proposed fire fee increase for the Dacusville Fire District, which he stated was a 50% increase. He stated that several of the expenses that drove the increase were one-time costs and some of the expenses were legitimate expenses. Mr. Spencer asked that Council carefully consider increasing the fire fee for mostly expenses that are one-time costs. He stated that his concern was that the fire fee would not go back down in the future.

APPROVAL OF MINUTES:

Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Chris Bowers and unanimously passed to approve the minutes of May 1, 2017 as presented.

ADMINISTRATOR’S REPORT:

Mr. Wilson updated Council on the following items:

Duke Energy Water Grant: Mr. Wilson introduced Emily DeRoberts, from Duke Energy, and Wes Hulsey, from Hulsey, McCormick and Wallace to speak about the grant that was recently awarded to Pickens County.

Emily DeRoberts clarified that Duke Energy established the Water Resources Fund in 2014. The purpose of the grant is to enhance the environment, ensure that habitats for wildlife are protected, increase public access to waterways, and to increase citizen awareness about their roles in protecting water resources. Ms. DeRoberts stated that she and Wes Hulsey determined that the Twelve Mile Creek project would be a good candidate for the grant. Ms. DeRoberts stated that Mr. Hulsey’s company wrote a nice grant on behalf of Pickens County; and as a result, Duke Energy awarded \$100,000 to Pickens County to assist with the Twelve Mile Creek Park.

Wes Hulsey stated that his company had the opportunity to present the overall project for the Cateechee Beach and Madden Bridge parks in March of 2016. He stated that the parks are currently under design; and the on-site pre-bid at Cateechee Beach Park is scheduled for the morning of June 6, 2017. Mr. Hulsey stated that there have been some permitting issues and the Madden Bridge Park pre-bid would be scheduled at a later date. He stated that they are excited to receive funding from Duke Energy and the Natural Resource Trustee Council. Mr. Hulsey announced that this project would be fully funded with grant and settlement dollars and will not be a burden on the taxpayers. He lastly stated that his firm is thrilled about the project moving forward.

Eclipse Event: Mr. Wilson introduced Jay Pitts, the County Tourism Director, to speak about an upcoming event.

Mr. Pitts announced that he is planning an event on August 21, 2017 for the eclipse. He stated that he is searching for venues that are centrally located with parking and power for vendors. Mr. Pitts clarified that his vision is to have a festival type atmosphere. He advised that he also plans to live stream the NASA coverage, possibly on a LED wall. Mr. Pitts stated that he has been in contact with several municipalities to determine what their plans are to ensure this is a full-county event. He stated that at this time he has narrowed the venue down to Ponderosa Park or Downtown Pickens. After much discussion,

Mr. Pitts clarified that he will partner with the two municipalities to develop a complete plan for the event.

Councilman Wes Hendricks stated that he would like to commend Mr. Pitts on his efforts. Councilman Hendricks stated that he hoped that they strongly consider Pickens for this event. He stated that there are only certain places in the world to view the eclipse and he has heard people will travel here from all over. Councilman Hendricks asked Mr. Pitts what his marketing plan was to reach people all over the world.

-Mr. Pitts responded that they are working on a marketing and advertising strategy, but the event would be publicized on social media and on eclipse coalition websites. He clarified his goal is to ensure people know that Pickens County will host a viewing event.

Chairman Roy Costner stated that he also wanted to thank Mr. Pitts for his efforts. He stated that this is a once in a lifetime opportunity event. Chairman Costner further stated that he would like to commend Mr. Pitts on including other municipalities and schools in a countywide event.

Proposed Property Rights Resolution: Mr. Wilson advised the Council that he would like to provide an update on the property rights resolution proposed by the Conservatives of the Upstate group. He further introduced the County Attorney, Ken Roper, to brief the Council on the legal issues if the proposed resolution were to be approved.

Mr. Roper stated that he would like to publicly clarify why he has previously advised Council not to pass the proposed resolution. He stated that the underlying idea behind the resolution, that this Council supports private property rights, is a good and valid purpose. Mr. Roper stated that he thinks that this Council has expressed publicly their strong beliefs in private property rights, as has previous councils.

He stated that there are provisions in the document that would violate not only the county ordinance, but also state law. Mr. Roper further stated that one provision would violate the United States Constitution. He referenced a provision that states the county will allow private property owners to opt out of any regulations that they do not agree with. He clarified that this would be an Equal Protection violation, as the county has to treat all of its citizens equally in the way that the law is applied to them. Mr. Roper stated another concern in the proposed resolution is that the county would have to obtain permission from the public before applying for a grant.

Mr. Roper stated that there are provisions that will not allow implementation of conservation easements or the trade bargaining of development rights. He stated the document would not allow private property owners to decide how they want to conserve their own property. He stated that if the proposed resolution passed, a property owner would be prohibited from putting their own property in a conservation easement. Mr. Roper stated that it would not allow a business to decide if they wanted to sign a development agreement with the county, which is perfectly allowable under state law, so that the business would have predictable zoning rights throughout the tenancy of its building process. He stated that would be infringing on private property rights.

Mr. Roper stated that there were other examples that he could provide, but in the interest of time he would not. He stated that since this policy position is something that the Council feels strongly about, under their direction, he would coordinate with parties to develop a resolution that would more correctly reflect the wishes of the Council and state law.

Mr. Wilson stated that this concludes his report.

COMMITTEE REPORTS: May 15, 2017 - Committee of the Whole

Chairman Roy Costner provided the following report for the Committee of the Whole meeting that was held on May 15, 2017:

The Committee of the Whole met in the Main Conference Room on Monday, May 15, 2017 at 6:00 p.m. All members of the committee were in attendance, with the exception of Councilman Wes Hendricks, with Chairman Roy Costner presiding.

Speeding Concerns –Old Six Mile Road – Log Item No. 67:

- Chairman Roy Costner advised that the Committee would discuss the Old Six Mile Road issue first in consideration of the people that were in attendance.
- Gerald Wilson advised that the Council has received supporting documentation that includes a petition from the homeowners on Old Six Mile Road for a speed bump. He stated that there is currently a policy or procedure that prohibits the placement of a speed bump on a connector road, like Old Six Mile. Mr. Wilson stated a speed bump could increase the liability to the County due to the high volume of traffic on the referenced road. He provided an overview of the related speed assessment and advised that this assessment was previously provided to Council.
- Scott Snape, a resident on Old Six Mile Rd., addressed the Committee and the Administrator in regards to his concerns of speeding. He stated that the rumble strips (inverted speed bump) that were installed were not effective and he sent a video shortly after 5:00 today. Mr. Snape requested the Council to install speed humps to resolve this issue for his neighborhood, and advised that he has received 100% of homeowner signatures supporting the petition. *(The Clerk will send the referenced video to members of Council)*
- Mr. Wilson reiterated that the County did install rumble strips today in attempt to help remedy this issue. He clarified that this is similar to the rumble strips on the sides of the road. He further stated that DOT does not recognize and discourages “Children at Play” signs; however, the County could donate them to the homeowners. Mr. Wilson further advised that liability claims may increase with the placement of a speed hump in regards to car alignments. He stated the Risk Manager has determined that this may be seen as an obstruction placed in the road that could damage property.

- Brian Curry, a resident on Old Six Mile Rd., addressed the Committee and the Administrator in regards to his concerns of speeding. He stated that the referenced road is more than a cut-through road; motorist that visit Issaqueena Trail use Old Six Mile Rd. Mr. Curry stated that more action is needed than just an increased presence of law enforcement.

- Councilman Trey Whitehurst asked the Administrator the speed limit on the road.
- Mr. Wilson responded that the speed limit is 35 MPH on the road from end to end, and the road is considered residential.
- Councilman Trey Whitehurst asked if the staff could install “Road Bump Sign’ to mitigate the liability risk.
- Mr. Wilson responded that the staff is not allowed to place a speed bump or hump on a connector road per the previous referenced policy or procedure. He clarified that Council would need to change the process that is currently in place.

- Chief Deputy, Creed Hashe, stated that the County can partner with the State to increase enforcement in the area and profile speeding peaks.

- ❖ After more discussion, the Committee directed staff to research and experiment with different options to include the installation of signage. The Committee has asked for an update and possible resolution at the next council meeting.

Council Action on Log No. 67:

- During discussion, Gerald Wilson advised Council that staff had modified the inverted speed bumps, or rumble strips, since the committee meeting. He stated that this effort seemed to slow vehicles down, but he planned to meet with Mr. Snape on June 6th to review in more detail. Mr. Wilson stated there were future plans to install speed bumps if the rumble strips were not effective.
- No action was taken by Council

Request to Accept Cribbs Way into the County Minimum Maintenance System – Log Item No. 62:

- Gerald Wilson provided an overview of the county maintenance system process to the members of the Committee. He also advised that no. 4 on the documentation provided to the Committee was incorrect, that Cribbs Way does meet the criteria. Mr. Wilson stated that their recommendation is to tar and gravel the road.
- ❖ Committee recommends accepting Cribbs Way under the county minimum maintenance system

Council Action on Log No. 62:

- Motion to accept Cribbs Way under the minimum maintenance system carried unanimously.

Spring Break Rowing 2017 – Venue for Event (Visit Clemson/Tourism) – Log Item No. 68

- Chairman Roy Costner called on Kade Herrick, from Visit Clemson, to provide more information regarding the type of venue needed for his rowing event.
- Mr. Herrick clarified that the event would require a large parking area on the water.
- ❖ Committee directed staff to reach out to Duke Energy to look for venue options and report back to Council.

Council Action on Log No. 68:

- No action was taken by Council

Road right of way usage and encroachment permits in regards to utilities and infrastructure expansion in Pickens County – Log Item No. 58

- Chairman Roy Costner advised that the Committee would discuss the road right of way matter ahead of ATAX in consideration of the utility representatives that were present.
- Gerald Wilson advised that Ken Roper would provide an overview of the issue, and then representatives from a couple of utility companies would also speak to the issue.
- Mr. Roper clarified that the current policy will not allow staff to grant encroachment permits on roads that the county does not have deeded easements. He further provided a summary of what was discussed at the previous [Committee of the Whole](#) meeting in April, to include the proposed language change to the county permit recommended by the attorneys of Six Mile Water.
- Members from the utility companies spoke regarding their experience with the County’s policy for granting permits.
- A representative from Fort Hill Natural Gas stated that they had not seen the proposed language and will not abide by it.
- ❖ Committee directed staff to coordinate with the utility companies and work on the language to include in a blanket application. The Committee would like a draft copy of the application by the June 5th council meeting.

Council Action on Log No. 58:

- During discussion, Ken Roper advised that he met with the utility company stakeholders on June 6, 2017, as directed by the Administrator and Council. He stated that the group developed proposed language to be considered as an addition to the front page of the encroachment permit. Mr. Roper read the proposed language as follows: “It is distinctly understood that this permit does not in any way grant or release any rights lawfully possessed by the abutting property owners. Pickens County in no way warrants herein the extent or scope of its right-of-ways or easements for the Applicant’s intended use. Any such rights necessary shall be secured from said abutting property owners by the Applicant.”

Mr. Roper stated that the language being added to the front page of the application should help to prohibit any misunderstanding by the public. He clarified that the Council would need to approve the proposed language and the revised application before it can be implemented.

- Motion to approve the revised permit application, as presented by staff, was made by Vice Chairman Chris Bowers and seconded by Councilman Carl Hudson.

➤ During discussion, Councilman Wes Hendricks asked Mr. Roper if the proposed application would allow someone to cut through another property owner's land to get to another property.

-Mr. Roper responded that this permit will only allow an individual/entity to work in or on the shoulder of a county road. He further clarified that this permit would not allow someone to go through someone else's property; the permit would only pertain to the property that is within the county prescriptive or deeded right-of-way.

Councilman Trey Whitehurst stated that after much discussion in the committee meeting, his position is that the utility companies should be responsible to discuss their request with the property owner to obtain proper approval. He further stated that "I don't think we have the right to give away something that we don't own".

Councilman Carl Hudson stated that he does not believe the county would be giving anything away. He stated that the utility companies would still perform their due diligence with the property owners.

Vice Chairman Chris Bowers stated that prescriptive right-of-ways are not standard in regards to the number of feet; whereas deeded right-of-ways are clearly defined. He clarified that the matter being discussed is prescriptive right-of-ways and not deeded right-of-ways. He stated that if a deeded right-of-way is one foot, it is one foot. Vice Chairman Bowers stated that the county is responsible to maintain the ditch and it is the county's right-of-way.

- After much discussion, the motion carried (4-1-1) to approve the [revised Application for Encroachment Permit](#). Councilman Trey Whitehurst opposed and Councilman Wes Hendricks abstained from the vote. Councilman Hendricks stated that he abstained due to his absence at the referenced committee meeting.

Holly Springs Community Center – Log Item No. 49:

- Chairman Roy Costner advised that the Committee would discuss the Holly Spring Center ahead of ATAX in consideration of the people that were in attendance.
- Chairman Roy Costner clarified that the previous request of \$58,000 from the Holly Springs Center included funds to help with the director position. The Administrator clarified that the use of local accommodations tax for personnel costs may be prohibitive.
- After discussion, the Holly Springs Center would like to request funding from the local accommodations tax for their School of the Mountain Arts program that, in Betty McDaniel's opinion, would promote tourism for Pickens County. It was further clarified that the money would be used as seed money for the referenced program.

❖ Committee directed staff to obtain a copy of the tourism/marketing plan for the School of Mountain Arts prior to the next council meeting. The council will take the plan into consideration for funding from the local accommodations tax.

Council Action on Log No. 49:

- Motion to allocate \$32,230 from the local accommodations tax fund to Holly Springs Center, for program supplies and technology/equipment, was made by Chairman Roy Costner, seconded by Councilman Ensley Feemster and unanimously passed.

Accommodations Tax Recommendations for 2017 – Log Item No. 65:

- Gerald Wilson provided an overview of the ATAX process to the members of the Committee. He called on Dale Powell to review the current allocation recommendations from the ATAX Committee.
 - Mr. Powell discussed the recommendations made from the ATAX Committee.
 - After much discussion, Chairman Roy Costner moved to recommend the following to full Council. Motion was seconded by Councilman Carl Hudson and carried (4-1), with Vice Chairman Chris Bowers opposed.
- ❖ Committee recommends allocating the 30% state accommodations tax funds, from fiscal year 2016 and 2017, to the County Tourism Board to further allocate to the Hagood Mill, the Performing Arts Center (*formerly known as the Liberty Civic Auditorium*), and the Museum 501c3 organizations as the Tourism Director deems appropriate. The funds will be used as seed money to promote tourism.

Council Action on Log No. 65:

- Motion to allocate the 30% state accommodations tax funds, from fiscal year 2016 and 2017, to the County Tourism Board to further allocate to the Hagood Mill, the Performing Arts Center (formerly the Liberty Civic Auditorium), and the Museum 501c3 organizations per the recommendation of the Tourism Director. The funds will be used as seed money to promote tourism passed unanimously.
- ❖ Recommendation from Committee to direct Staff and/or the ATAX Board as follows: obtain follow-up forms from organizations that received funding in 2016; change the process to require follow-up forms before recommending future funding; improve the marketing plan to better publicize the ATAX funding opportunity and increase applicants moving forward; reopen the ATAX application window to allow more organizations to apply for a period between now and when the board meets prior to the June 5th Council meeting; prepare a new recommendation that includes the consideration of any previous and new applications received; prepare a bullet point summary of why the board made their recommendation for each applicant; provide the revised ATAX funding recommendation and bullet point summary to Council prior to the June 5th meeting.

Council Action on Log No. 65:

- During discussion, Gerald Wilson introduced ATAX committee member, Dean Andrews and Dale Powell to update Council on the new recommendations from the ATAX Committee.

Mr. Andrews presented Council with the [ATAX Committee's report](#). Mr. Powell announced the ATAX Committee is scheduled to meet on June 19th to discuss the remainder of the requests.

Mr. Andrews stated that the application for the Clemson Chamber of Commerce Rowing Event was not received within the extended deadline and therefore will not be considered for funding this year. He stated that the ATAX Committee has recommended funding for the following: The Senior League Baseball World Series in the amount of \$25,000.00; Dacusville Heritage Association – Dacusville Farm Days in the amount of \$1,000.00; The Pickens Rotary – Ride to the Rock in the amount of \$750.00. Mr. Andrews clarified that the referenced organizations required more immediate attention due to the timing of their event and that all of the other events would be considered at the next ATAX Committee meeting.

Chairman Roy Costner clarified that the Council Committee challenged the ATAX Committee to obtain a proof of performance for any organization that has received funding in the past, to also include a bullet-point summary of the purpose of their event or project. Chairman Costner stated that the additional information would ensure that the funds are being used to “put heads in beds”. He also stated for clarification purposes that the ATAX Committee focused on time-sensitive events and will discuss the other events at their next meeting. Chairman Costner requested that the ATAX Committee brief Council on the bullet-point summary.

Mr. Powell provided an overview of the summary presented to Council for the events that have been recommended for funding.

Councilman Trey Whitehurst asked for clarification of “regional qualifying participants” as it relates to the Senior League Baseball World Series.

-Vice Chairman Chris Bowers clarified that the team that may be affected is the East. He stated that a few years ago a team from Greenville played on the East team. Vice Chairman Bowers stated that the Senior League Series age group is younger than the Big League Series age group was and parents will travel more.

-Councilman Wes Hendricks also responded that the parents will travel more with the Senior League than with the Big League Series.

-Mr. Andrews stated that ESPN will be covering and televising the final game live.

Chairman Roy Costner asked the ATAX Committee when they would present their final recommendations for funding.

-Mr. Andrews responded that the remaining requests would be discussed at the June 19th ATAX Committee meeting.

Councilman Trey Whitehurst stated that he would like the ATAX Committee to hold the applicants that receive funding accountable to provide detail of how the funds were disbursed and how many hotel rooms were generated as a part of their event. He clarified that he would like this information to be added to the follow-up form for 2018 and for any applicants that apply next year to provide this information in order to be considered for future funding.

-Mr. Powell responded that the ATAX Committee had discussed this process at the recent meeting. They agreed if an applicant has received prior funding and does not provide the follow-up form, they will not be considered for additional funding.

- Motion was made by Vice Chairman Chris Bowers to approve the recommendation from the ATAX Committee that was presented during their report to fund the following:
 - The Pickens Rotary - Ride to the Rock: \$750.00
 - Senior League Baseball World Series: \$25,000.00
 - Dacusville Heritage Association - Dacusville Farm Days: \$1,000.00Total ATAX Allocation Approved: \$26,750.00
- Motion was seconded by Councilman Wes Hendricks and unanimously passed.

Building Codes – Log Item No. 44

- No Action Taken by Committee

Outdoor Special Events Ordinance No. 524 – Log Item No. 57

- No Action Taken by Committee

Liberty Civic Auditorium Branding and 501c3 – Log Item No. 50

- No Action Taken by Committee

Pickens County Museum 501c3 – Log Item No. 51

- No Action Taken by Committee

Hagood Mill 501c3 and Grant for Pole Shed – Log Item No. 52

- No Action Taken by Committee

Tourism Board – Log Item No. 63

- No Action Taken by Committee

<<END OF COMMITTEE REPORT>>

COUNCIL CORRESPONDENCE:

Chairman Roy Costner announced the following:

- Council will hold a Committee of the Whole meeting on Monday, June 19th at 6:00 p.m. in the main conference room of this building
- Council will take a recess in July
- The regular called council meetings in August and September have been moved to accommodate the annual conference and the Labor Day holiday. The meetings will be held at 6:30 p.m. in the main conference room as follows:
 - Monday, August 14, 2017
 - Monday, September 11, 2017
- Chairman Roy Costner announced that he would be hosting a town hall meeting on June 6th at 6:30 p.m. at the Performing Arts Center (formerly the Liberty Civic Auditorium). This is a great opportunity for residents to meet their representatives, ask questions and get involved.

Councilman Wes Hendricks announced that he is hosting a community meeting, regarding the proposed 254 unit subdivision on the side of Glassy Mountain, on June 8, 2017 at 6:30 p.m. in the Council auditorium.

MOTION PERIOD AND NEW BUSINESS:

No items were discussed.

CONSIDERATION TO ACCEPT PERSIMMON LANE INTO THE COUNTY ROAD MINIMUM MAINTENANCE SYSTEM:

- Motion to accept Persimmon Lane into the county road minimum maintenance system was made by Councilman Carl Hudson, seconded by Vice Chairman Chris Bowers and unanimously passed.

RESOLUTION NO. 2017-10 MEMORIALIZING THE CROSSING OF SILVER CREEK ROAD OVER CAMP CREEK IN HONOR OF LOGAN DALE EVANS:

Chairman Roy Costner clarified that this resolution would memorialize the crossing of Silver Creek Road over Camp Creek in honor of Logan Dale Evans. The passing of this resolution would designate that crossing as “Logan’s Crossing”. Chairman Costner stated “I understand that Ms. Ball, Logan’s mom, is present tonight. Ms. Ball, on behalf of Council, I would like to extend our deepest condolences for your loss. As you make your way to the podium, I would like to take a moment of silence to celebrate the life of Logan. “

After the moment of silence, Ms. Ball stated her appreciation of Mr. Gerald Wilson for his efforts to help bring attention to this project. She stated that Mr. Wilson went above and beyond to help accomplish the goal that she and her family set out to achieve three years ago. Ms. Ball spoke about the memorable life of Logan and how his heroic efforts on that day saved the lives of three others.

Councilman Trey Whitehurst stated that in light of the tragedy and hearing the story of Logan, it is great that this crossing will protect thousands of people that will cross the river. Councilman Whitehurst read the proposed resolution.

- Motion was made by Councilman Ensley Feemster, seconded by Councilman Carl Hudson and unanimously passed to approve Resolution 2017-10 as presented.

RESOLUTION NO. 2017-11 AUTHORIZING THE FORMATION OF AN ADVISORY BOARD FOR EMERGENCY SERVICES IN PICKENS COUNTY AND MATTERS RELATED THERETO:

- Motion by Councilman Carl Hudson and seconded by Vice Chairman Chris Bowers.
 - During discussion, Councilman Trey Whitehurst asked for clarification as to why this board would be set up to make recommendations to the administrator and not to council.

- Gerald Wilson responded that this board would work under the same structure as all boards and commissions.
- Ken Roper clarified that the administrator would serve as a point of contact between the council and the people that serve on a board or commission or that are employed by Pickens County.
- Chairman Roy Costner moved to amend the resolution to state that the board will make recommendations to the council through the administrator and/or his or her designee. Motion was seconded by Councilman Trey Whitehurst and unanimously passed.
- Motion carried (6-0) to approve Resolution 2017-11, as amended.

FIRST READING IN TITLE ONLY OF AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING TWENTY-FIVE MILLION DOLLARS (\$25,000,000) GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS, SERIES 2017 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 to constitute first reading in title only was made by Vice Chairman Chris Bowers and seconded by Councilman Carl Hudson.
 - During discussion, Councilman Trey Whitehurst stated that this action may include the refinancing of certain bonds that would save the County approximately \$1 million dollars. He stated that he is in favor of the refinancing of the bond(s), but he is not in favor of bonding the entire amount of the jail. Councilman Whitehurst stated that he would abstain from the vote if needed.
 - Ralph Guarino, the Finance Director, clarified that he had been working with the financial advisor and the bond attorney for options to fund the jail with a GO bond. He stated that they also reviewed the County's current debt and determined that it would be a good time to refinance some of the other debt, which could result in a cost savings of approximately \$1 million. Mr. Guarino stated that this was discussed in a budget work session and the Council could amend their motion to include the refinance amount.
 - Councilman Trey Whitehurst asked Mr. Guarino if including the refinance amount in the same bond as the jail is more cost effective than issuing a separate bond.
 - Mr. Guarino responded that it would be more expensive to issue a separate bond.
- Chairman Roy Costner moved to amend the amount of the bond, from not exceeding \$25 million to not exceeding \$32 million, to allow for the refund of other debit obligations which are expected to result in a savings for the County. If the savings are not realized, the additional money will not be borrowed. Motion was seconded by Vice Chairman Chris Bowers and carried (5-1), with Councilman Trey Whitehurst abstaining from the vote.
 - Ralph Guarino stated for clarification purposes, that there is another proposed bond in the amount of \$1.5 million for reoccurring capital that will be separate from this bond. He stated the first reading of this bond is proposed for August.
- Motion carried to constitute first reading in title only of the Ordinance (5-1), as amended. Councilman Trey Whitehurst abstained from the vote.

FIRST READING IN TITLE ONLY AN ORDINANCE AUTHORIZING (1) ONE OR MORE INCENTIVE AGREEMENTS BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA (THE "COUNTY") AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT EXODUS AND ONE OR MORE EXISTING OR TO-BE-FORMED OR ACQUIRED SUBSIDIARIES, OR AFFILIATED OR RELATED ENTITIES PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED PAYMENTS IN LIEU TAXES WITH RESPECT TO CERTAIN FACILITIES IN THE COUNTY; (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO

THE COMPANY AND THE PROJECT, IF REQUESTED; AND (3) OTHER MATTERS RELATING THERETO:

- Motion to constitute first reading in title only was made by Councilman Ensley Feemster, seconded by Councilman Wes Hendricks and unanimously passed.

THIRD READING OF ORDINANCE NO. 536 TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH OCONEE COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY 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:

- Motion to constitute third reading of Ordinance 536 was made by Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson and unanimously passed.

THIRD READING OF ORDINANCE NO. 537 TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH OCONEE COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY 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:

- Motion to constitute third reading of Ordinance 537 was made by Councilman Trey Whitehurst, seconded by Councilman Ensley Feemster and unanimously passed.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 538 TO PROVIDE FOR THE LEVY OF TAXES IN PICKENS COUNTY FOR ORDINARY COUNTY PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, AND ENDING JUNE 30, 2018, AND TO DIRECT EXPENDITURE THEREOF:

Chairman Roy Costner opened the public hearing for comments regarding Ordinance 538. The speakers were as follows:

- 1) Gerald Wilson: Mr. Wilson called on Ralph Guarino, the Finance Director, to discuss the possible budget amendments discussed at the previous budget work sessions.

Mr. Guarino discussed the following possible amendments for Council to consider for the FY 2018 Budget:

- Increase Six Mile Revenue by \$32,000 (Town of Six Mile revenue left out of budget recommendation)
- Decrease recommended fire fee for Town of Six Mile in residential homes from \$40 to \$35
- Add one firefighter to Springs Fire District (money was appropriated but job slot was not added)
- Tri-County Technical College – increase budget by \$220,383 for debt payment on Student Success Center (funds will come from fund balance)
- Increase Recreation Fund allocation by \$100,000 (revenue will come from renegotiated contract with Low Country billing)
- Library Compensation Study
- Add 7 positions full time and 6 part time positions for Liberty Fire Department
- Increase Fire Fees for Liberty Fire District

- Election Position – neutral if eliminate consulting and contractual
 - Grinder - \$575,000
 - 2 – Telecommunication Specialist Positions - \$94,954.72
 - 4 – Deputies - \$417,954.36
 - EMS Fees
 - Add \$30,000 for vehicle replacement for Sheriff’s Office
 - Tourism Events Capital - \$147,000 from Local Accommodation Fee
- 2) Steve Haynie: Mr. Haynie requested that the Council amend the budget to remove the fund allocation for the Tri-County Technical College Student Success Center. Mr. Haynie stated that this is the responsibility of the state and not the county.
- 3) Dan Winchester: Mr. Winchester stated that he is a member of the Pickens County Taxpayers Association that has been operating for approximately twenty years. He stated their concerns with the money that is being added to the responsibility and burden of the taxpayers of Pickens County. He requested a list from the County that includes expenses, revenues, etc. Mr. Winchester questioned the amount of millage increase the budgetary items will add to the taxpayers.
- Gerald Wilson responded that all of the proposed budget amendments can be funded with no millage increase to Pickens County residents.
- Mr. Winchester asked for the amount of the total budget for this year and last year.
- Ralph Guarino responded that last year’s budget was \$60,942,992 and this year’s budget is \$62,902,993, not including the amendments that Council may consider.

Mr. Winchester stated that the Association does not have any issues with adding additional resources for law enforcement and improving law enforcement for the County. He stated that they are concerned with the swapping of funds and bonding the jail, when the funds were already set aside by the previous council. Mr. Winchester stated that he would like the specific details of what the Council’s plans are for funding the jail, to include how many mills may be added to the Pickens County taxpayers. He clarified that he supports a new jail, but their concerns are how the jail will be funded. After more discussion, Mr. Winchester stated that he would like to request a meeting with the Finance Director to discuss this matter further.

There being no more speakers, Chairman Roy Costner declared the public hearing closed.

- Motion to constitute third reading of Ordinance 538 was made by Vice Chairman Chris Bowers and seconded by Councilman Wes Hendricks.
 - Councilman Trey Whitehurst moved to amend the FY 2018 Budget as follows:
 - Increase Six Mile revenue by \$32,000, as the Town of Six Mile revenue was left out of their budget recommendation
 - Decrease recommended fire fee for Town of Six Mile in residential homes from \$40 to \$35
 - Add one firefighter to the Springs Fire District, as money was appropriated but job slot was not added
 - Motion to amend was seconded by Councilman Ensley Feemster and carried (6-0).
- Chairman Roy Costner moved to amend the FY 2018 Budget as follows:
 - Increase the budget by \$220,383 for debt payment on Student Success Center with funds coming from the fund balance for Tri-County Technical College
 - During discussion, Councilman Wes Hendricks stated that the funds being allocated to the Student Success Center will provide a return on investment through the County’s youth.

- Motion to amend was seconded by Vice Chairman Chris Bowers and carried (5-1), with Councilman Trey Whitehurst opposed.

- Vice Chairman Chris Bowers moved to amend the FY 2018 Budget as follows:
 - Increase the recreation fund allocation by \$100,000 with the revenues coming from a renegotiated contract with Low Country billing
 - Implement the Library compensation study, approximately \$151,000, without any increase to millage
 - During discussion, Chairman Roy Costner asked Ralph Guarino to provide an update on how the compensation study could be implemented by reallocating funds already presented in the budget.
 - Mr. Guarino stated that the Library had increased their proposed budget by \$99,000. He stated that Council can revert back to the previous budgeted amount and allocate those funds towards the pay increases. Mr. Guarino stated that through attrition approximately \$30,000 could be allocated towards the pay increases as well. He further stated that the numbers used to calculate the millage can vary daily, but the County could probably up the collection rate between the three items to account for the difference of the \$151,000 it would take to implement the compensation study.

- Motion to amend was seconded by Councilman Ensley Feemster and carried (6-0).
 - Chairman Roy Costner requested an update on the Liberty Fire Department budget request.
 - Scott Smith, the Director of Emergency Services, advised Council that he has not been able to meet with the ISO representative to date. He stated there is a meeting scheduled for June 7th. Mr. Smith stated that the ISO representative has communicated via email that he cannot provide a definitive report of ISO impact, as this would require an actual survey. He stated that the last survey was performed approximately five years ago and improvements have been made since that time, which includes the countywide automatic aid group.

- Chairman Roy Costner stated that the Liberty Fire District Board had recommended a \$156 fire fee, which is a \$56 increase for people that reside outside of the city limits and \$156 for people that reside inside the city limits. He asked Mr. Smith for staff's recommendation.
 - Mr. Smith responded that this request has been conscientiously discussed with a focus to attend to the city residents and taxpayers, while preserving the services that are offered. He clarified that various options have been reviewed and the best solution presented was to reduce staff and implement a \$120 fire fee. Mr. Smith stated that the staffing model recommended would better align with other county maintained fire districts.
 - Chairman Roy Costner asked for confirmation that the \$120 fire fee would allow the same level of services offered today and the ISO rating would not be impacted, until the County is advised differently from the ISO representative.
 - Mr. Smith responded that this would result in a shift of manpower, relying heavily on volunteers to cover a centrally located station.
 - Chairman Roy Costner asked for clarification that all three stations would be maintained.
 - Ralph Guarino, the Finance Director, responded that under the \$120 fire fee, the two unincorporated stations would be manned with a fire chief, but the county would seek volunteers to man the City of Liberty station.
 - Gerald Wilson clarified that the current recommendation from staff is to approve the \$120 fire fee and if the ISO representative advises that the rating will go up, the recommendation would be leveraging reserve funds to continue at the current staffing level at the city station.

- After much discussion, Chairman Roy Costner moved to amend the FY 2018 Budget as follows:

- Increase fire fees for Liberty Fire District to \$120.00 and move to the staffing model, as recommended by staff, to align with the countywide model
- Motion was seconded by Councilman Ensley Feemster and carried (6-0).
- Councilman Trey Whitehurst moved to amend the FY 2018 Budget as follows:
 - One-time expense of \$575,000 from the capital reserve fund to purchase a grinder
- Motion was seconded by Vice Chairman Chris Bowers and carried (6-0).
- Vice Chairman Chris Bowers moved to amend the FY 2018 Budget as follows:
 - Add an election position that will be neutral if the department eliminates consulting and contractual expense
- Motion was seconded by Councilman Trey Whitehurst and carried (6-0).
- Vice Chairman Chris Bowers moved to amend the FY 2018 Budget as follows:
 - Add two telecommunication specialist positions to the Sheriff's office with a cost of \$94,954.72
 - Add four deputy positions to the Sheriff's Office with a cost of \$417,954.36.
- Motion was seconded by Councilman Carl Hudson.
 - During discussion, Vice Chairman Chris Bowers asked for clarification if the four deputy positions are the 4 school resource officers (SROs) that were discussed, or if the SRO would be in addition to the four listed.
 - Ralph Guarino stated that his understanding was that there were a total of 10 positions discussed during the budget work sessions that include: two telecommunication specialists; four deputies; and SROs that the School District would pay for.
 - Councilman Trey Whitehurst asked for confirmation that the School District is paying for the entire cost of the resource officers.
 - Mr. Guarino responded that the School District is paying for the salaries. He stated that one item discussed was if there is a need for the SROs to have four new vehicles or could they use existing vehicles turned over from road patrol. Mr. Guarino stated that the Sheriff did request a least one new vehicle for the SROs. He stated that the School District would not provide a reimbursement for vehicles.
 - Councilman Trey Whitehurst asked if the County had four vehicles available that have been turned over from road patrol.
 - Sheriff Rick Clark responded that the Sheriff's Office would have four vehicles available at the end of this cycle, but the condition of the vehicles is undetermined. He mentioned the cars are turned out at approximately 150,000 miles; however, by the time the cars are actually replaced the miles are upward of 160,000-170,000.
 - Councilman Trey Whitehurst stated that the County is considering almost \$500,000 for the Sheriff's Office and he questioned where those funds would come from. He questioned the amount received from the proposed EMS fee increase.
 - Mr. Guarino responded that the costs for the Sheriff's office would be covered by the EMS fee increase, if approved.
- Vice Chairman Chris Bowers moved to amend the motion to include the four school resource officers, which the School District would reimburse the salaries, and to fund the four vehicles for the deputies out of capital reserves. Councilman Carl Hudson seconded this motion. After more discussion, the motion carries (6-0).
- Chairman Roy Costner moved to amend the FY 2018 Budget as follows:
 - Accept EMS Fees as recommended by the staff
 - Add \$30,000 for vehicle replacement for the Sheriff's Office
 - Add tourism events capital in the amount of \$147,000 from local accommodation tax fees

- Motion was seconded by Vice Chairman Chris Bowers and carried (6-0).
- Motion that this constitutes third reading of Ordinance 538 carried (6-0), as amended.

PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 539 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, 2016 AND ENDING JUNE 30, 2017:

Chairman Roy Costner opened the public hearing for comments regarding Ordinance 539. The speakers were as follows:

- 1) Gerald Wilson: Mr. Wilson called on Ralph Guarino, the Finance Director, to discuss one amendment for consideration.

Mr. Guarino advised Council that there is one request for the Coroner’s office to fund additional autopsies in the amount of \$30,000.

- 2) Chairman Roy Costner: Chairman Costner stated that he wanted to take a moment to recognize the County Finance Department for their significant accomplishment in receiving the Government Finance Officers Association Certificate of Achievement for Excellence in Finance Reporting. Chairman Costner asked the Finance Director, Ralph Guarino, to come forward. He presented the plaque to Mr. Guarino and thanked him and his staff on behalf of Council and the County.

Mr. Guarino accepted the plaque, thanked Council and recognized his staff in the Finance department for their tremendous and diligent efforts.

There being no more speakers, Chairman Roy Costner declared the public hearing closed.

- Vice Chairman Chris Bowers moved to constitute third reading of Ordinance 539. Motion was seconded by Councilman Wes Hendricks.
 - Councilman Trey Whitehurst moved to amend the FY 2017 budget to approve \$30,000 for autopsies for the Coroner’s office. Motion was seconded by Councilman Ensley Feemster and carried (6-0).
- Motion to constitute third reading of Ordinance 539 carried (6-0), as amended.

CONSENT AGENDA:

No consent agenda items were discussed.

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 unanimously passed to convene in executive session for the stated purposes after a five minute recess.

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

- Board and Commission Vacancies (35):
 - a) Accommodations Tax (ATAX)
 - b) Assessment and Appeals
 - c) Beautification Committee

- d) Cultural Commission
- e) Easley Central Water
- f) Fire District Board - Dacusville
- g) Fire District Board - Pickens
- h) Fire District Board - Pumpkintown
- i) Fire District Board - Six Mile
- j) Pickens, Oconee, Anderson Mental Health
- k) Planning Commission
- l) Public Service Commission
- m) Recreation Funding Advisory Board
- n) Sedgewood Tax District
- o) Water Authority

PUBLIC SESSION RECONVENED:

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

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

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

- Board and Commission Vacancies (35):
 - a) Accommodations Tax (ATAX) –**No Action**
 - b) Assessment and Appeals –**No Action**
 - c) Beautification Committee –**No Action**
 - d) Cultural Commission –**Action as follows:**
 - Councilman Wes Hendricks moved to appoint the following to serve on the Cultural Commission (Tourism). Motion was seconded by Chairman Roy Costner and unanimously passed.
 - (1) Daniel Brazinski
 - e) Easley Central Water –**No Action**
 - f) Fire District Board – Dacusville –**Action as follows:**
 - Councilman Carl Hudson moved to appoint the following to serve on the Dacusville Fire Board. Motion was seconded by Vice Chairman Chris Bowers and unanimously passed.
 - (1) Thomas David Turner
 - g) Fire District Board – Pickens –**No Action**
 - h) Fire District Board – Pumpkintown –**No Action**
 - i) Fire District Board – Six Mile –**No Action**
 - j) Pickens, Oconee, Anderson Mental Health –**No Action**
 - k) Planning Commission –**Action as follows:**
 - Vice Chairman Chris Bowers moved to appoint the following to serve on the Planning Commission. Motion was seconded by Councilman Trey Whitehurst and unanimously passed.
 - (1) Brandon Harbin
 - Councilman Carl Hudson moved to appoint the following to serve on the Planning Commission. Motion was seconded by Vice Chairman Chris Bowers and unanimously passed.
 - (2) Charles Michael Watson
 - l) Public Service Commission –**No Action**
 - m) Recreation Funding Advisory Board –**Action as follows:**
 - Councilman Trey Whitehurst moved to appoint the following to serve on the Recreation Advisory Board. Motion was seconded by Chairman Roy Costner and unanimously passed.

- (1) Roger Scott Snape
- n) Sedgewood Tax District –**Action as follows:**
 - Councilman Carl Hudson moved to appoint the following to serve on the Sedgewood Tax District Board. Motion was seconded by Vice Chairman Chris Bowers and unanimously passed.
 - (1) Harry Dean Douglas
- o) Water Authority –**Action as follows:**
 - Councilman Carl Hudson moved to appoint the following to serve on the Water Authority Board. Motion was seconded by Vice Chairman Chris Bowers and unanimously passed.
 - (1) Harry Wilson

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 unanimously passed. Pickens County Council stood adjourned at 9:36 p.m.

Respectively Submitted:

Approved:

Crystal A. Alexander, Clerk to Council

Roy B. Costner, III, Chairman of County Council