

Regular Pickens County Council Meeting

August 14, 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 August 11, 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 August 14, 2017 to order and welcomed those in attendance. Councilman Trey Whitehurst further led the Invocation and the Boy Scouts Troop 51 led the Pledge of Allegiance.

PUBLIC FORUM:

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

1. Pree Hamilton: Ms. Hamilton appeared to discuss the Humane Society. She thanked the County for their contributions, but stated their continued need of financial support.
2. Johnnelle Raines: Ms. Raines appeared to discuss the following: an article in the paper regarding Pickens United; County debt; over collection of taxes; tax increases, the proposed property rights resolution recommended by the Conservatives of the Upstate group, etc.

APPROVAL OF MINUTES:

Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Chris Bowers and carried (5-1) to approve the minutes for the June 5, 2017, July 26, 2017– Special Called and August 7, 2017–Special Called meetings, as presented. Councilman Trey Whitehurst abstained, as he was not present at all three of the referenced meetings.

ADMINISTRATOR'S REPORT:

County Administrator, Gerald Wilson advised Council of the following:

National Association of Counties (NACo): Mr. Wilson announced that the County has rejoined the National Association of Counties to benefit from the local government resources, better coordination with other counties, various educational opportunities, and state and federal policy updates that this membership will provide. Mr. Wilson stated that he would provide a copy of the membership packet to Council.

Update on the Jail Project: Mr. Wilson advised that the plans for the jail project have been finalized and the construction bids are scheduled to be released on August 20, 2017. He stated that the bids should be back for Council's review by September 14, 2017.

Upcoming Events: Mr. Wilson introduced Jay Pitts, the Tourism and Marketing Director, to announce upcoming events in Pickens County.

▪ Pickens County Performing Arts Center Dream Big Showcase and Ribbon Cutting:

Mr. Pitts announced that this event would take place on Thursday, August 17 and invited everyone to attend the show. He announced that the event was fully funded through donations and additional funds were raised to donate to the Children's Miracle Network through the Miss America Organization's partnership. Mr. Pitts clarified that the funds would benefit the Children's Hospital in Greenville.

▪ Eclipse Over Pickens County:

Mr. Pitts announced that the County partnered with Southern Wesleyan University for the Eclipse Over Pickens County event that is expected to draw a record crowd of approximately 6,500 people. He announced that there would be a Kid's Zone with water slides and educational activities, as well as music entertainment for adults. Mr. Pitts stated that they would provide approximately 10,000 bottles of water and 6,500 pairs of glasses to people attending the event. He invited everyone to attend.

>Councilman Wes Hendricks stated that this free event would benefit the County economically, now and hopefully in the future.

Introduction of Community Relations Director: Mr. Wilson introduced Ms. Sharon Johnson, the new Community Relations Director for the County. He read Ms. Johnson's biography referenced below:

Sharon Johnson is a Television Personality and business owner of the Public Relations Agency, SJohnPR. She is also a university professor with expertise in Mass Communication and Public Speaking courses. You may remember seeing Sharon anchoring the news on the NBC, CBS and Fox news Affiliates or reporting throughout the community during the past 15 years in North and South Carolina television Markets.

Sharon is a graduate of North Carolina A&T State University and also earned her Master's Degree from Seton Hall University. Ms. Johnson is an award nominated journalist with several recognitions in her field and in the community.

Sharon is from a small town in Eastern North Carolina called Selma and has lived and worked throughout both North and South Carolina. Sharon is the proud mother of two beautiful and talented children, Faron and Ramsey Cureton.

COMMITTEE REPORTS: June 19, 2017 – Committee of the Whole

Chairman Roy Costner provided the following report for the Committee of the Whole meeting that was held on June 19, 2017:

The Committee of the Whole met in the Main Conference Room on Monday, June 19, 2017 at 6:00 p.m. All members of the committee were in attendance with Chairman Roy Costner presiding.

COMMITTEE OF THE WHOLE:

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

- Chris Brink, the Director of the Community Development Department, briefed the Committee on the proposed outdoor events ordinance. He stated that recent changes were made on pages 3 and 4 of the ordinance, under the direction of Chief Deputy Creed Hashe.
(A copy of the proposed [Ordinance No. 524](#), that included the referenced changes, was provided to the members of the committee.)
- Mr. Brink clarified that “tours” would be defined as a non-competitive group of fifty or more participants.
- Vice Chairman Chris Bowers questioned the use of private security for such events.
-Chief Deputy Hashe responded that the Sheriff’s Office is the only entity that can handle the referenced events, as this is related to county roadways.
- Councilman Carl Hudson questioned the use of paint on roadways and stated his concern of the roads appearing trashy.
-Mr. Brink responded that the Department of Transportation is not concerned with the use of paint on the roads as long as the paint is not a competing color.
- Motion was made by Councilman Trey Whitehurst, seconded by Chairman Roy Costner and unanimously passed to recommend amending the ordinance to include language in section 3.0 that the responsible department is Community Development.
- Vice Chairman Chris Bowers directed the staff to rearrange language in section 2.1 to better define roadways.
- Chairman Roy Costner asked for clarification of how the county would educate the public and staff of this change in procedure.
- Chief Deputy Hashe responded that the Sheriff’s Office should be contacted regarding referenced events and they will educate the requestor of the new ordinance and procedure.
- Councilman Wes Hendricks asked if this ordinance needs to be limited to bicycle races and marathons. He further asked what happens if a future event occurs that is not clearly defined.
-Councilman Trey Whitehurst responded that he would recommend keeping the events as listed in the ordinance and an amendment can be made for other types of events in the future, if needed.
- Councilman Wes Hendricks asked the staff if this ordinance would discourage people from coming to Pickens County.
-Gerald Wilson responded that he did not think so, that other counties and cities have a similar ordinance.
- Chairman Roy Costner asked the staff how much “red-tape” this would add to a person that wanted to hold a referenced event.
-Mr. Brink responded that it would be an extra step for them.
-Chief Deputy Hashe responded that the issue will be people applying deep into the 45 day window.
- After much more discussion, Chairman Roy Costner called for a vote.
- Chairman Roy Costner moved to recommend third reading of the ordinance, as amended. Motion was seconded by Councilman Carl Hudson and unanimously passed.
- ❖ Committee recommended third reading of Ordinance 524 as amended, to include language in section 3.0 that Community Development would be the responsible department and to rearrange language in section 2.1 to better define roadways.

Council Action on Log No. 57:

Proposed Ordinance:

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

- Motion to constitute third reading of Ordinance 524, as amended and recommended by the Committee, failed (3-3), with Vice Chairman Chris Bowers, Councilman Ensley Feemster and Councilman Wes Hendricks opposed.

Proposed Sewer Plan and Availability Fee – Log No. 43

- Chairman Roy Costner announced that the Committee would discuss item no. 43 to better accommodate the guest that is present.

- Brian OKelley presented a high-level overview of the proposed 10-Year Sewer Plan and provided the members of the committee with the following documents: [Public Service Commission 10-Year Plan Summary](#) and [Latest Developments PSC 10-YR Plan \(June 19, 2017\)](#).
 - Mr. OKelley discussed the latest developments outlined in the document provided to the Committee. He stated that the new development would delay the 10-Year Plan by 15 years.
 - During much discussion, the Committee directed the Administrator to have Wes Hulsey and Brian OKelley present at the next Committee of the Whole meeting in August.
- ❖ No Action Taken by Committee

Personnel-Compensation Study (Library) – Log No. 61

- Motion was made by Chairman Roy Costner, seconded by Vice Chairman Chris Bowers and unanimously passed to remove item no. 61 from the log.
- ❖ Committee recommended removing No.61 from the log.

Council Action on Log No. 61:

- Motion to remove item, Personnel-Compensation Study (Library), from the log carried unanimously.

Building Codes – Log No. 44

- Chris Brink briefed the Committee on the proposed building code ordinance to include the eight mandatory codes and the three discretionary codes. He stated that the fee schedule has also been included in the proposed ordinance. Mr. Brink clarified that the state requires the county to enforce the mandatory codes.
- Vice Chairman Chris Bowers asked Mr. Brink why the county has to adopt the codes if the state requires the county to enforce the codes anyway. He also asked how the county has not adopted the building codes for twelve years.
 - Mr. Brink responded that the state requires the county to adopt the mandatory building codes in the county code. Mr. Brink responded that the state has encouraged the county to adopt the codes, but there is no penalty for not doing so.
- Councilman Wes Hendricks asked Mr. Brink if every pool in the county would be inspected under the proposed ordinance.
 - Mr. Brink responded that if the ordinance passes, only new requests would be inspected. He also stated that this does not pertain to above ground pool and above ground spas.
- Councilman Wes Hendricks stated that the property maintenance would seem to be a “touchy subject” with property owners, if the county tells them what they can or cannot do on their property.
 - Mr. Brink responded that 95% of the complaints his department receives is related to trash, furniture or junk on a property. During discussion, he clarified that Building Codes receives approximately 300-400 complaints a year, with several of the complaints relating to the same property.
 - Councilman Trey Whitehurst asked if we have an ordinance in place for the items that he referenced.
 - Mr. Brink responded that the ordinance in place is for household garbage.
 - Chairman Roy Costner stated that without a code in place, there is no way to enforce it.
 - Councilman Wes Hendricks stated his concern of neighbors complaining on neighbors because they are not cordial with one another.
 - Chairman Roy Costner responded that a complaint is different than enforcement.
 - Mr. Brink stated that the Building Codes department is very professional when enforcing codes currently and would follow the same procedure with any new codes that are adopted in the future.
- Councilman Carl Hudson stated that some of the codes are misdemeanors that are punishable by fines. He asked Mr. Brink how the fines and punishment would change in the new ordinance.
 - Mr. Brink responded that the punishment and fines would not change from what is currently in the county code.
- Councilman Carl Hudson stated that he is concerned that the code enforcers may begin to nitpick.

- Councilman Trey Whitehurst stated that he understands that the county has to accept “mandatory codes”; however, he will not approve a discretionary code until he has read it.
 - Chairman Roy Costner directed members of staff to provide the discretionary code detail to all members of council.
 - Vice Chairman Chris Bowers asked if Pickens is the only county that has not adopted the new building codes.
 - Mr. Brink stated that Anderson County was in a similar situation.
 - After much discussion, a motion was made by Vice Chairman Chris Bowers, seconded by Chairman Roy Costner and unanimously passed to recommend 1st reading of the Building Codes Ordinance and send back to the Committee of the Whole.
- ❖ Committee recommended first reading of Ordinance No. 534, amending building codes, to be referred back to the Committee of the Whole.

Council Action on Log No. 44:

Proposed Ordinance:

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

- During discussion, Councilman Trey Whitehurst stated that he had questions in regards to Section 8.2. He stated that he wants to discuss how to address possible contradictions between different codes. Councilman Whitehurst also questioned the language that future revisions would automatically become part of the County’s code. He stated that the council has a responsibility to vote on every item that may affect their citizens. Councilman Whitehurst asked the County Attorney, Ken Roper, if it is possible to stipulate that.
 - Mr. Roper responded that it is possible, but he would recommend discussing this matter further in a committee meeting.

Councilman Trey Whitehurst asked the Administrator if the \$10.00 fee for a contract on a resident’s own home would still be effective. He also referenced a new fee schedule.

-Gerald Wilson further introduced Chris Brink to address this question.

-Chris Brink, the Community Development Director, stated that the \$10.00 recording fee would still be effective. Mr. Brink stated that the fee schedule was not changing; it was being moved to a different location in the document.

Councilman Trey Whitehurst questioned the definition of “garbage” in Section 8-4-4. He also questioned the change of “housing official” to “official” in Section 8-72. Councilman Whitehurst questioned Section 8-76 - Hearings; findings by hearing officer and clarified that these matters can be discussed further in the committee meeting.

Vice Chairman Chris Bowers questioned the automatic rollover and further asked Chris Brink if the current building codes have been in place more than twelve years.

-Chris Brink responded that the International Building Code had been around since 2000.

After much more discussion, the Chairman called for a vote.

- Motion to constitute first reading of Ordinance 534, amending building codes, to be referred back to the Committee of the Whole carried unanimously.

Teen Canteen Conveyance to the City of Pickens – Ordinance No. 518 – Log No. 64

- Mr. Wilson advised that the City of Pickens does not want to lease any part of the property, including the parking lot. He clarified that the City does not want to invest that much into property that they do not own. Mr. Wilson stated that if the Council decided to keep the property, he recommends that the building be torn

down. Mr. Wilson stated that the county could tear the building down, but could not abate the asbestos which is estimated to cost \$40,000.

- Councilman Trey Whitehurst stated that the reason that the Council was giving the City the building and leasing them the parking lot was to be consistent with what has been done in other districts in the past.
- Councilman Carl Hudson stated that he does not agree with that blanket plan and that the decision should be based on the merit of the plan for the respective property.
- After much discussion, the Committee requested that the City of Pickens present their plan for the referenced property at the Committee of the Whole meeting in August.
- Chairman Roy Costner stated that there is a sense of urgency to tear down the building and spend \$40,000 to abate the asbestos, if the Council decides to keep the property.

❖ No Action Taken by Committee

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 unanimously passed. The Committee of the Whole stood adjourned at 8:05 p.m.

<<END OF COMMITTEE REPORT>>

COUNCIL CORRESPONDENCE:

Chairman Roy Costner announced the following correspondence:

- Council will hold a Special Called meeting tomorrow, August 15, 2017 at 11:30 a.m. at the Alliance Pickens facility.
- Council will hold a Committee of the Whole meeting on Monday, August 21, 2017 at 6:00 p.m. in the Main Conference room of the Administration facility.
- As a reminder, the September regular called meeting was moved to Monday, September 11, 2017 to accommodate the holiday.
- The Dream Big Showcase and Grand Opening of the Performing Arts Center, formerly known as the Liberty Civic Auditorium, will be held on Thursday, August 17, 2017. The event will begin at 7:00 PM with the Ribbon Cutting Ceremony, followed by the Dream Big Showcase.
- Pickens County has partnered with Southern Wesleyan University and the Town of Central for Eclipse Over Pickens County, a free event for the entire family. The event will be held on Monday, August 21, 2017 at the Gilbert Track and Field Complex in Central.

Councilman Wes Hendricks announced that four Pickens County residents are currently taking their cadet oath at The Citadel. He extended his congratulations and wished the future leaders of our society the best of luck. The cadets are Jack Long, Seth Thomas Faulkner, Cole Stewart and Lillian Hendricks.

MOTION PERIOD AND NEW BUSINESS:

- Chairman Roy Costner moved to pull “Property Rights Resolution Proposed by Conservatives of the Upstate – Committee of the Whole” from the Consent agenda for action. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.
>Chairman Roy Costner stated that this item would be discussed after agenda item 16.
- Councilman Trey Whitehurst moved to add the Outdoor Special Events Ordinance, formerly Ordinance 524, to the Committee of the Whole. Motion was seconded by Councilman Carl Hudson and carried unanimously.

CONSIDERATION TO APPROVE A REQUEST FROM THE DACUSVILLE FIRE DISTRICT BOARD TO TRANSFER UP TO \$100,000.00 FROM THE DACUSVILLE FIRE DEPARTMENT'S RESERVE FUND TO THEIR OPERATING ACCOUNT TO PURCHASE A FIRE ENGINE AND EQUIPMENT:

Chairman Roy Costner clarified that the Dacusville Fire District Board recently requested to withdraw the referenced fund transfer request. He clarified that Mr. Sam Childers, of the Dacusville Fire District Board, advised that the Board is still considering their options. No action was taken by Council.

CONSIDERATION TO APPROVE A REQUEST TO CARRY FORWARD THE REMAINING FUNDS FOR PENDING SPECIAL PROJECTS FROM FISCAL YEAR 2016-2017:

- Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Chris Bowers and carried unanimously to approve the request to carry forward the remaining funds for pending projects, as presented.

RESOLUTION NO. 2017-12 AUTHORIZING THE REIMBURSEMENT TO PICKENS COUNTY OF EXPENSES RELATED TO THE DEVELOPMENT, OPERATION AND MAINTENANCE OF MULTI-COUNTY PARKS FROM THE FEES IN LIEU OF AD VALOREM TAXES THAT ARE GENERATED WITHIN SUCH MULTI-COUNTY PARKS; AND OTHER MATTERS RELATED THERETO:

- Motion was made by Councilman Carl Hudson and seconded by Councilman Ensley Feemster.
 - During discussion, Councilman Trey Whitehurst asked for confirmation that this is the same resolution that was adopted a couple of years ago to reimburse the County.
 - Ralph Guarino, the Finance Director, stated that was correct.
- Motion carried unanimously to approve Resolution 2017-12, as presented.

RESOLUTION NO. 2017-14 TO EXPRESS THE INTENTION OF THE COUNTY COUNCIL OF PICKENS COUNTY, TO CAUSE PICKENS COUNTY, SOUTH CAROLINA TO BE REIMBURSED WITH THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS:

- Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster.
 - During discussion, Councilman Trey Whitehurst asked for confirmation that the County was taking a bond out for capital expenditures and any funds previously disbursed will reimburse back to the bond. He also asked for confirmation that this is consistent with the procedure that has been followed in the past.
 - Gerald Wilson responded that is correct and called on Ralph Guarino to clarify further.
 - Ralph Guarino stated that this is how the budget was formulated; it will not result in a millage increase, as the money was already included in the existing millage. He clarified that each year when capital needs arise, that the County will issue a one year bond to be paid when the taxes are received. He stated this year the need was approximately \$1.4-\$1.5 million. Mr. Guarino stated that the referenced expenditures were outlined in the budget.
- Motion carried unanimously to approve Resolution 2017-14, as presented.

RESOLUTION NO. 2017-15 TO DESIGNATE THAT APRIL 2017 WAS FAIR HOUSING MONTH IN PICKENS COUNTY:

- Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster.
 - During discussion, Ken Roper clarified that this resolution is to comply with the South Carolina Fair Housing Law and will allow the County to apply for future Community Development Block Grants (CDBG) handled through ACOG.
- Motion carried unanimously to approve Resolution 2017-15, as presented.

FIRST READING OF ORDINANCE NO. 542 TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) GENERAL OBLIGATION NOTE, SERIES 2017D OF PICKENS COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO:

- Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Ensley Feemster and carried unanimously to constitute first reading of Ordinance 542.

SECOND READING OF ORDINANCE NO. 544 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 PICKENS COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED BY A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS “PROJECT EXODUS” OR ITS ASSIGNEE, 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 ALLOCATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX; AND MATTERS RELATED THERETO:

- Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson and carried unanimously to constitute second reading of Ordinance 542.

SECOND READING OF ORDINANCE NO. 545 AUTHORIZING (1) THE EXECUTION AND DELIVERY OF AN AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT EXODUS, ACTING FOR ITSELF, ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY SHALL PROVIDE A REIMBURSEMENT TO THE COMPANY OF CERTAIN INCURRED COSTS (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; AND (3) OTHER MATTERS RELATING THERETO:

- Chairman Roy Costner made a motion to postpone the second reading of Ordinance 544, as the Council is waiting on additional documentation for this item. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.

PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 540 TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING THIRTY-TWO MILLION DOLLARS (\$32,000,000) 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:

Chairman Roy Costner opened the public hearing for comment regarding Ordinance 540. The Chairman called on the following to speak:

- 1) Dan Winchester: Mr. Winchester stated that he is the Director of the Pickens County Taxpayers Association. He stated that the Taxpayers Association is concerned with the proposed action and they'd previously met with the County Finance Director and Administrator. Mr. Winchester asked the following: how will the \$32 million be disbursed; when will the funds be disbursed; how many mills this will cost; and how many years will this be a burden on the taxpayers. Mr. Winchester stated that this amount is higher than he thought they'd discussed in the meeting with the County

Finance Director and Administrator approximately a month ago. He asked why this amount had changed and what is the county planning to spend money for.

-Chairman Roy Costner advised that these questions would be answered during discussion following the public hearing. The Chairman did state that he would clarify that the bond amount includes refinancing some of the current bonds that may net to approximately \$1 million in savings for the taxpayers.

Mr. Winchester stated that he wanted his questions answered, as the people of Pickens County would have to pay off the referenced bonds. He stated that as a body that can tax people of Pickens County, the Council needed to consider this very carefully. Mr. Winchester stated that the Taxpayers Association wanted to Pickens County to grow, but he wanted the tax burden to be evenly distributed and not excessive. He stated, according to his estimates, 45% of taxpayers drive outside of the county for their job, which equates to more travel expenses and possibly child care expenses for those citizens.

- 2) Johnnelle Raines: Ms. Raines stated that she shared the same concerns that Mr. Winchester discussed.

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

- Motion was made by Councilman Ensley Feemster and seconded by Councilman Wes Hendricks.
 - During discussion, Ralph Guarino stated that initially the Council had first reading of the Ordinance for up to \$25 million for the jail project. He stated that as the Administrator pointed out in his report, they do not know what the final number for the jail project will be. Mr. Guarino clarified that if the jail project cost \$20 million, then the bond will be issued for \$20 million and not \$25 million. He stated that subsequently the financial advisor prepared an assessment of the existing debt and determined there was a potential cost savings relative to the debt for the Public Service Commission, which is in the unincorporated area of the county; the existing debt with ReWa that is countywide; and another debt that is countywide. Mr. Guarino clarified that Council amended the Ordinance to authorize up to \$32 million, based on the recommendation from staff, to allow for the refund of the referenced existing debts at a lower interest rate which may result in a cost savings of approximately \$1 million. He clarified that some of the cost savings would be countywide and some will be for the unincorporated areas that work with the Public Service Commission on sewer.

Mr. Guarino stated that the bonds could not be issued and put out for notice until approximately 60 days after the third and final reading of the Ordinance. He clarified that the intent would be to finalize the process and close by the end of the year.

Mr. Guarino stated that the County would rely on the advice from the financial advisor, in regards to the terms of the bond, to make an informed decision. He clarified that he would anticipate a 20-30 year term. He clarified that he would not be able to provide an interest rate at this time, as the rates will be dependent upon the market at that time.

Mr. Guarino stated that he could not determine the millage rate until he confirms the term of the bond. He stated that in previous Committee of the Whole meetings, a 3 to 4 mill increase was discussed to be added on in the fall of 2018. He clarified that no millage would be added on this fall relative to this bond.

Councilman Trey Whitehurst asked Ralph Guarino for clarification on how the savings of the \$7.5 million refinancing would need to be allocated.

-Ralph Guarino responded that the majority of the debt that would be refinanced is for the Public Service Commission and would affect the citizens in the unincorporated areas of the county that deal with the Public Service Commission. He clarified that the referenced portion of the savings would be allocated to the Public Service Commission operating account.

After more discussion, Councilman Trey Whitehurst stated that he would be voting against the proposed Ordinance. He clarified that he is in favor of refinancing to reduce interest costs on existing debt, but he does not support bonding the entire amount of the jail.

Lawrence Flynn, the bond attorney, clarified the \$32 million is a cap and if the interest rates move between now and December, such that it does not make good financial sense to refund the outstanding bonds, those bonds will not be affected. He stated that the amount would not be more than \$32 million and depending on the bids for the jail, you could issue a certain amount for the jail facilities themselves. He reiterated that if the refinancing is not a good option, no action would be taken on those existing bonds. Mr. Flynn stated that based on the interest rates today, the finance advisor projected a cost savings of approximately \$1 million, with the possibility that projection could increase or decrease dependent upon the market. He stated that through the terms of this Ordinance, authorization will be provided with delegation to the County Administrator; however, the marketplace will dictate all of the factors in regards to how the bonds are restructured.

- Motion carried (5-1), with Councilman Trey Whitehurst opposed, to constitute second reading of Ordinance 540.

PROPERTY RIGHTS RESOLUTION PROPOSED BY CONSERVATIVES OF THE UPSTATE *(as moved from item "a" on the Consent Agenda for immediate action during Motion Period):*

- Chairman Roy Costner stated that they were scheduled to send the referenced document to committee for further study, but since he thinks that they all agree that private property rights are very important, and are protected by both the State and US Constitution, he moved to dispense with any further consideration of that document, and instead immediately vote to affirm this council's commitment to protecting private property rights as outlined and defined in both state and federal law. Motion was seconded by Vice Chairman Chris Bowers.

➤ During discussion, Councilman Trey Whitehurst asked for clarification as to why this action was proposed.

-Chairman Roy Costner asked that the County Attorney, Ken Roper, provide clarification of his assessment and recommendation of the proposed resolution presented by the Conservatives of the Upstate.

Mr. Roper stated that upon review of the second proposed resolution presented by the Conservatives of the Upstate, there was some language that was good, but some language that was still concerning. He clarified that the thought from the Chairman's motion was that instead of going back to the presenter to discuss further, they all agree with the Conservatives of the Upstate in the fact that they are asserting that private property rights are very important and outlined in state law and the United States Constitution. Mr. Roper further clarified that it appears the motion was to dispense with the proposed resolution and affirm this council's commitment to protecting private property rights as outlined and defined in both state and federal law.

Councilman Trey Whitehurst asked for clarification that this motion is stating that they agree with the State and US Constitution.

-Chairman Roy Costner responded that this motion is affirming council's commitment to protecting private property rights as outlined and defined in both state and federal law.

Councilman Wes Hendricks asked for clarification of the impact and obligations from this proposed action.

-Chairman Roy Costner responded that this affirms that we would follow state and federal law.

-Ken Roper stated that it will have no effect in terms of binding law for the council. He clarified that it is like any other resolution; it provides the way the council orients itself by holding private property rights in the regard that they are outlined in state and federal law.

Vice Chairman Chris Bowers stated that it is evident that private property rights are a concern of all members of council. He stated that he shares in some of the same concerns that Councilman Trey Whitehurst expressed relative to building codes. Councilman Bowers clarified that it is his understanding that this action is just formally stating that this is the way that council feels and now it is their actions that will support that, as it is nothing more than a resolution.

After much more discussion by Council, Chairman Roy Costner called for a vote.

- Motion carried unanimously to dispense with any further consideration of the document (presented by the Conservatives of the Upstate), and instead immediately vote to affirm this council's commitment to protecting private property rights as outlined and defined in both state and federal law

CONSENT AGENDA:

- b) Mark Woods Strings Program – Committee of the Whole
- c) Update from the Pickens County Water Authority - Committee of the Whole
- d) Mile Creek Master Plan – Committee of the Whole
- e) Outdoor Special Events Ordinance- Committee of the Whole (*as added in Motion Period*)
- Motion to approve the consent agenda as presented was made by Councilman Ensley Feemster, Councilman Wes Hendricks and unanimously passed.

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.

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

- Easley TIF (*tax increment financing*)
- Proposed Economic Development Incentive – School District of Pickens County

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

- Board and Commission Vacancies (63):
 - a) Accommodations Tax (ATAX)
 - b) Assessment and Appeals
 - c) Beautification Committee
 - d) Cultural Commission
 - e) Easley Central Water
 - f) Emergency Services Advisory Board
 - g) Fire District Board - Liberty
 - h) Fire District Board - Pickens

- i) Fire District Board - Pumpkintown
- j) Fire District Board - Six Mile
- k) Fire District Board - Springs
- l) Library Board of Directors
- m) Pickens, Oconee, Anderson Mental Health
- n) Planning Commission
- o) Public Service Commission
- p) Recreation Funding Advisory Board
- q) Sedgewood Tax District
- r) Water Authority
- s) Zoning and Appeals
- t) *Hagood Mill Non-Profit Corporation Board
- u) *Performing Arts Center Non-Profit Corporation Board
- v) *Pickens County Museum Non-Profit Corporation Board

PUBLIC SESSION RECONVENED:

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

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

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

- Easley TIF (*tax increment financing*) – **No Action**
- Proposed Economic Development Incentive – School District of Pickens County – **Action as follows:**
 - Chairman Roy Costner moved to advertise and hire a position for Economic Development, in cooperation with Pickens County Schools, to start a pilot program for existing Industrial Workforce Development Manager. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.

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

- Board and Commission Vacancies (63):
 - a) Accommodations Tax (ATAX) – **No Action**
 - b) Assessment and Appeals – **No Action**
 - c) Beautification Committee – **No Action**
 - d) Cultural Commission – **No Action**
 - e) Easley Central Water – **Action as Follows:**
 - Motion was made by Chairman Roy Costner to nominate the following to the Board:
 - (1) Alvie Daniel Boone
 - (2) George N. Bryant
 - (3) Rebecca G. Platts
 - Motion was seconded by Vice Chairman Chris Bowers and carried unanimously.
 - f) Emergency Services Advisory Board – **Action as Follows:**
 - Motion to appoint Richard Kenneth McPeters to the Board was made by Councilman Wes Hendricks, seconded by Vice Chairman Chris Bowers and carried unanimously.
 - g) Fire District Board – Liberty – **No Action**
 - h) Fire District Board – Pickens – **No Action**

- i) Fire District Board – Pumpkintown – **No Action**
- j) Fire District Board - Six Mile – **No Action**
- k) Fire District Board – Springs – **No Action**
- l) Library Board of Directors – **Action as Follows:**
 - Motion was made by Vice Chairman Chris Bowers to appoint the following to the Board:
 - (1) Chris Ducker
 - (2) Dennis Latham
 - (3) Susan Childers
 - (4) William Seel
 - Motion was seconded by Councilman Ensley Feemster and carried unanimously.
- m) Pickens, Oconee, Anderson Mental Health – **No Action**
- n) Planning Commission – **Action as Follows:**
 - Motion to reappoint Bob W. Young to the Board was made by Councilman Carl Hudson, seconded by Vice Chairman Chris Bowers and carried unanimously.
- o) Public Service Commission – **No Action**
- p) Recreation Funding Advisory Board – **Action as Follows:**
 - Motion to appoint Crystal Nicole Hemphill to the Board was made by Vice Chairman Chris Bowers, seconded by Chairman Roy Costner and carried unanimously.
 - Motion to appoint Patrick L. Warren to the Board was made by Councilman Ensley Feemster, seconded by Councilman Trey Whitehurst and carried unanimously.
- q) Sedgewood Tax District – **Action as Follows:**
 - Motion to appoint Michael Beeco to the Board was made by Councilman Carl Hudson, seconded by Vice Chairman Chris Bowers and carried unanimously.
- r) Water Authority – **No Action**
- s) Zoning and Appeals – **No Action**
- t) *Hagood Mill Non-Profit Corporation Board – **No Action**
- u) *Performing Arts Center Non-Profit Corporation Board
 - Motion was made by Councilman Trey Whitehurst to appoint the following to the Board:
 - (1) Kim Valentin
 - (2) Lisa McWherter
 - (3) Sheila D. Crawford
 - Motion was seconded by Chairman Roy Costner and carried unanimously.
 - Motion was made by Chairman Roy Costner to appoint the following to the Board:
 - (1) Michael Sheriff
 - (2) Sherry Thrift Bradshaw
 - Motion was seconded by Councilman Trey Whitehurst and carried unanimously.
- v) *Pickens County Museum Non-Profit Corporation Board
 - Motion to appoint Marion Lawson to the Board was made by Councilman Wes Hendricks, seconded by Vice Chairman Chris Bowers and carried unanimously.

ADJOURN:

Hearing no further Council business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Councilman Wes Hendricks, seconded by Councilman Carl Hudson and unanimously passed. Pickens County Council stood adjourned at 10:05 p.m.

Respectively Submitted:

Approved:

Crystal A. Alexander, Clerk to Council

Roy B. Costner, III, Chairman of County Council

DRAFT