

Regular Pickens County Council Meeting

February 4, 2019

6:35 PM

County Council met in regular session, in the Auditorium of the County Administration Facility, with Chairman Roy Costner presiding. Agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on January 31, 2019.

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

Meagan Bradford, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the meeting of February 4, 2019 to order and welcomed those in attendance. Councilman Trey Whitehurst led the Invocation, Scout Troop 51 of Pickens led the Pledge of Allegiance, and Southern Wesleyan University Student Haley Wilson sang the National Anthem.

PUBLIC FORUM:

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

1. Johnnelle Raines: Johnnelle Raines stated our neighboring progressive county of Greenville has a situation. She stated Drag Queen Story Hour has reserved a room in the tax supported public library to read to underage children and they claim they are promoting tolerance and want to be positive role models to young children. She asked how is promoting deviant behavior to impressionable minds a positive thing? Ms. Raines stated she is sure many people do not want their tax dollars being used to contribute to the delinquency of minors and she knows we can't do anything about what goes on in Greenville, but Council can do something about preventing this abomination from taking place here in Pickens County. She stated it will require changing the policy in place for reserving rooms at the library for private meetings. Ms. Raines stated she does not know how legally it needs to be worded as she is not a lawyer, but she stated surely our lawyer Ken Roper can help with this. Ms. Raines stated that many say "live and let live. Why worry about what other people are doing to children? Just don't take your child to the library on that day." She stated the point is this is just the stepping stone to get this deviant behavior lifestyle a means to be able to go into our public schools. She stated they will claim they are promoting tolerance and diversity and are offering a role model that children should consider as a career. Ms. Raines stated this has already happened and these Drag Queen Story Hours began in California and are now all over our country confusing underage children. She stated this is wrong and is an abomination to God. She asked Council to visit the website at www.greenvillesisters.org, and their parent organization www.sisters.org, which are supporting this event. She stated these deviants say they will be providing "protection" at the protest scheduled in Simpsonville by GOP Politics and the Greenville Tea Party. Ms. Raines stated dress

up as NUNS and their motto on their page states “Go and sin some more.” She stated most of these Drag Queens who are reading to children perform on a regular basis at Club South 29 in Spartanburg and dance around like strippers to get dollar bills from the customers. She stated they refuse to use their REAL name so you can't run a criminal background check. Ms. Raines stated these are not appropriate role models for young children and frankly any parent who takes their child to these events should be investigated by DSS. She asked Council to please do anything they can do legally to prevent these Drag Queen Story Hours from happening in our public libraries and prevent them access to underage children in our public schools.

APPROVAL OF MINUTES:

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

- January 14, 2019
 - January 24, 2019-Council Work Session/Retreat
 - January 28, 2019-Special-Called Meeting
- Motion was made by Councilman Carl Hudson, seconded by Councilman Ensley Feemster, and the motion was carried to approve the above minutes.

ADMINISTRATOR’S REPORT:

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

Mr. Wilson stated he would like update Council on the bids for Madden Bridge Park Project. He stated the lowest bid was Belk Construction, with a bid of \$214,814.00. He stated the bids are within the scope of the approved budget. Mr. Wilson stated Pickens County Staff, as well as Hulseley McCormick & Wallace Engineers recommend moving forward with the lowest bidder on the project. He stated there is a copy of all three bids at Council’s seats.

Mr. Wilson stated he would like to ask Council to consider adding a Contractual Item to Executive Session, which is an update on Central Rural Fire Contract.

Mr. Wilson stated Esther Wagner with Palmetto Pride would like to address and thank Council for their support.

- Ms. Wagner thanked Council for having her and appreciates the job they do addressing litter in South Carolina. She stated she would like to tell Council about the new program they have. She stated last 4th of July through Veteran’s Day; they did the Palmetto Patriot Challenge and challenged everyone to pick up 21 miles of litter in their community in honor of our military. She stated that Council and Pickens County Employees did this in one day last year at the Litter Blitz. Ms. Wagner introduced Scott Morgan, Enforcement Program Manager with Palmetto Pride, and stated he would like to present Council an award.
- Scott Morgan stated he started a small business called The Rugged American Flag Company, where they use recycle and reclaimed wood to make signs. He stated when he came up with this idea; he wanted citizens to clean up South Carolina. He stated 21 is a significant number in the military and that is why they chose 21 miles. He presented a half US Flag, half South Carolina Flag to Pickens County for all their hard work.

CONSIDERATION OF A RESOLUTION CONGRATULATING THE YOUNG APPALACHIAN MUSICIANS (YAMS) PROGRAM AND ITS SUPPORTING ORGANIZATION, PRESERVING OUR SOUTHERN APPALACHIAN MUSIC (POSAM), FOR CONTINUED SUCCESS AS EVIDENCED BY THEIR TENTH ANNIVERSARY EVENT KNOWN AS THE WINTER BLUEGRASS JUBILEE.

Chairman Roy Costner asked for a motion to constitute this resolution. Motion was made by Councilman Wes Hendricks, and seconded by Vice Chairman Chris Bowers. Chairman Costner asked if there was any discussion. Seeing no discussion, motion carried unanimously (6-0).

Chairman Roy Costner read the resolution as follows:

A RESOLUTION CONGRATULATING THE YOUNG APPALACHIAN MUSICIANS (YAMS) PROGRAM AND ITS SUPPORTING ORGANIZATION, PRESERVING OUR SOUTHERN APPALACHIAN MUSIC (POSAM), FOR CONTINUED SUCCESS AS EVIDENCED BY THEIR TENTH ANNIVERSARY EVENT KNOWN AS THE WINTER BLUEGRASS JUBILEE.

WHEREAS, Pickens County is the home of the Young Appalachian Musicians (YAM) program for school age youth, which provides musical instruction and encourages appreciation of the heritage of our traditional Southern Appalachian music; and

WHEREAS, under the leadership of Director Better McDaniel, the YAM Program has grown to include over three hundred 3rd-8th grade students enrolled in after-school programs at 12 schools/sites in Pickens County; and

WHEREAS, the YAM program is supported by the Preserving Our Southern Appalachian Music (POSAM), who's mission is to create meaningful opportunities for people of all ages to participate and perpetuate the old time music, bluegrass music and dance traditions of the Southern Appalachians; and

WHEREAS, on January 26, 2019 at Pickens High School, POSAM held its Tenth Annual Winter Bluegrass Jubilee, which featured performances by local musicians, YAM participants, the Sweet Potato Pie Kids string band, as well as alumni and friends of the YAM Program;

WHEREAS, Pickens County recognizes the hard work and continued success of the students, volunteers, and organizers of the YAM Program, POSAM, and the Winter Bluegrass Jubilee;

NOW THEREFORE, be it resolved that Pickens County Council, in recognition of outstanding achievement that brings honor to our county as well as recognition of our shared cultural musical heritage, does hereby congratulate the Young Appalachian Musicians and the POSAM Organization on celebrating its tenth annual Winter Bluegrass Jubilee and for continuing to be cultural ambassadors for our community.

CONSIDERATION OF A RESOLUTION HONORING THE CLEMSON UNIVERSITY FIGHTING TIGERS FOR WINNING THE 2018 COLLEGE FOOTBALL NATIONAL CHAMPIONSHIP.

Chairman Roy Costner asked for a motion to constitute this resolution. Motion was made by Councilman Trey Whitehurst, and seconded by Councilman Carl Hudson. Chairman Costner asked if there was any discussion. Seeing no discussion, motion carried unanimously (6-0).

Chairman Roy Costner read the resolution as follows:

A RESOLUTION HONORING THE CLEMSON UNIVERSITY FIGHTING TIGERS FOR WINNING THE 2018 COLLEGE FOOTBALL NATIONAL CHAMPIONSHIP.

WHEREAS, Since for Clemson University to have its home in Pickens County is a great source of pride for the County and its citizens; and

WHEREAS, Throughout the 2018 NCAA college football season, an ever present example of tenacity, competitiveness, and commitment to excellence was demonstrated by the Clemson University Tigers football team, and these qualities reflect the best in both the history and the spirit of Pickens County and her citizens; and

WHEREAS, To the delight of Clemson's alumni and fans, as well as the citizens of Pickens County, the Tigers defeated the defending national champions, the Alabama Crimson Tide, 44 to 16 to win the 2019 College Football Playoff; and

WHEREAS, All the hard work of the football players, coaches, and staff is recognized by Pickens County and the County wishes to congratulate the program on its perfect season and its third national football title;

NOW THEREFORE, be it resolved that Pickens County Council, in recognition of outstanding achievement that brings honor to the home county of the University as well as the State of South Carolina, hereby congratulates The Clemson University Fighting Tigers as the 2018 NCAA Football Champions.

COMMITTEE REPORT:

The Committee of the Whole met in the Main Conference Room, at the Pickens County Administration Facility, on Monday, January 28, 2019 at 6:15 p.m. All members of the committee were in attendance with Chairman Roy Costner presiding.

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the Committee of the Whole meeting to order immediately after the Special-Called Council Meeting.

COMMITTEE OF THE WHOLE:

Chairman Roy Costner stated the first item for discussion is Council Rules-Log No. 79.

- **Council Rules – Log No. 79**
- Chairman Roy Costner stated one of the things council looked at was that council would not do individual committees. He stated with four new council members in 2017, they felt it was better to all hear everything in Committee of the Whole. Chairman Costner stated he would like to continue that except he would like to ask council about the possibility of appointing council members to specific items. For example, appoint Councilman Whitehurst to head up the health insurance, Councilman Bowers to head up and work with staff on emergency management. He stated this is a bit of a change in policy so this he would like for council to discuss.
- Councilman Whitehurst stated he sees benefits of having a Committee of the Whole and having the individual committees. He stated congress and the state delegation works with the committees and the idea is to divide up the workload. He stated we run into not getting everything done because we have to look into every single issue as a group. He stated having the committees do serve a purpose and does not exclude anyone from the knowledge. He stated we had four committees and it gave four different people a chance to lead the committee and divide the workload up. He stated there are certain things that always go to the Committee of the Whole, like the budget.
- Councilman Wes Hendricks stated he likes what we are already doing and how no council member is excluded from anything with Committee of the Whole.
- Councilman Chris Bowers stated he is torn between having just Committee of the Whole and separate committees. He stated he feels a lot of subjects get bogged down by just bringing it to COW, but he also knows where there have been times committees have met and have been brought back to Committee of the Whole.
- Councilman Carl Hudson stated his predecessor said sometimes things go to Committees, then bring it out of Committees and never get looked at. He stated we get so much on our plate sometimes he feels we should slow down and look at each issue to come up with a good decision before we move on to something else. He stated he is willing to go with whatever council feels is best.
- Councilman Ensley Feemster stated since over half of council has only been on council for a couple of years, he feels everyone should come to as many of the meetings as possible that way we all understand everything a little better.
- After more discussion, Chairman Costner stated he will certainly think of all this and decide based on what council what would like to do.
- Councilman Trey Whitehurst stated he appreciates what staff has done for council, but policy is to be created by the council. He stated staff is to implement policy created by the council and it is council's responsibility to create the policy of this county. He stated they did not discuss or talk about any of this. He stated he does not agree with policy being put in their organizational rules and council being asked to vote on it.
- Attorney Ken Roper stated he is exactly right and this is council's policy.
- Councilman Wes Hendricks stated in section 2.3, he does not agree with some of the wording. He stated it should say the clerk should report to council as a whole, not just to the chairman.
- After more discussion, Administrator Wilson stated he feels the clerk is a lot like the administrator. He stated Council has two employees: the Administrator and the Clerk. He stated he is asking council as a whole to take direction through the Chair.
- Councilman Trey Whitehurst stated he feels the concern is the wording can be misconstrued for chairmen in the future.

He stated council is the one who reviews the resumes for this position.

- Councilman Wes Hendricks stated he feels council as a whole should be involved in the Clerk's annual review.
 - After much more discussion, Council gave Attorney Ken Roper the wording they would like to change in section 2.3 of the Organizational Rules.
 - Councilman Wes Hendricks stated in section 4.3D, is it required by state law to have public forum.
 - Attorney Ken Roper stated it is not required.
 - Councilman Trey Whitehurst stated he feels this is what separates us from other county councils. He stated we allow the public to come forward and discuss their concerns.
 - Councilman Wes Hendricks asked if public forum will also be on special-called meetings and Committee of the Whole meetings.
 - Chairman Costner stated no, just regular council meetings.
 - After much more discussion, Council recommended Attorney Ken Roper rewriting the rules suggested and bringing back to the committee.
- ❖ Council recommends staff rewriting the Organizational rules to make the suggested changes and bringing back for review.

Council Action on Log No. 79:

- Council recommends staff rewriting the Organizational rules to make the suggested changes and bringing back for review.

Hwy. 153 Extension Proposal – Log No. 56

- Administrator Wilson stated at the March 2017 council meeting, council approved Resolution 2017-04 to support the Hwy 153 extension with the intention not to obligate county funds until council comes back and approves. He stated this project is still on the table and he recommends we move forward to the next agenda item on the list to figure out how we need to pave our own roads.
 - Chairman Costner stated this had made it to the list again because we have word from the state infrastructure bank that they are now beginning to look at this.
 - After more discussion, Chairman Costner recommending moving forward to the next agenda item.
- ❖ No action taken by Committee.

Council Action on Log No. 56:

- No Action taken by Committee.

Road Maintenance Fees – Log No. 66

- Attorney Ken Roper did a brief overview of the Road Maintenance Ordinance and explained what it is and what it is being used for.
- Clay Baldwin presented a presentation of Pavement Condition Report to council. He stated all data in this presentation is provided by Data Transfer Solutions, LLC (DTS) out of Orlando, FL. Mr. Baldwin gave a brief overview of DTS, stating that DTS deployed two Mobile Asset Collection (MAC) Vehicles to Pickens County to collect data on all county and municipal roads. He stated DTS collected data on 872 centerline miles of roadway and in addition to road conditions; DTS also collected asset data on all signs and guardrail in the county. Mr. Baldwin went over the features of the MAC vehicles and collected images of road signs in Pickens County. Mr. Baldwin stated all Pickens County roads are rated using Pavement Condition Index (PCI) and are rated in segments of the GIS system. He stated the rating is 0-100; with 0 being the worst, and 100 being the best. He stated currently, the Current Network PCI for county and municipal roads are 65, which are fair, and the Current County PCI is 64. Mr. Baldwin went over graphs and tables explaining the PCI in the county and municipal roads. He stated there are three types of treatment we could do to keep our roads in good condition. These categories are Preservation, Rehabilitation, and Reconstruction. He stated the regular paving will be in the rehabilitation category. Mr. Baldwin stated the current budget is based off a \$20/vehicle fee, which generates approximately \$2 million/year. He stated this fee has been in place since 2001. Mr. Baldwin presented more tables and graphs regarding the PCI.
- After more discussion, Administrator Gerald stated \$5,000,000/year is about where we need to be to pave our roads and get on a 20 year cycle. He stated we pave between 17-23 miles of road a year, when we are sitting on a 900 mile inventory. He stated the average road will last around 20 years. He stated \$5 million dollars is a big cost and is where we need to be in the future. He stated the question at hand tonight is road maintenance fees. Mr. Wilson stated he feels everyone in the room will agree our fees aren't where they need to be and it is not realistic. Administrator Wilson stated he would like to recommend four options to council this evening.
 - **Option A-** Nothing changes
 - **Option B-** Go back to the original formula, and give the city the funds that are collected in their municipalities, and we keep the funds incorporated in Pickens County.

Municipalities pave their roads, and Pickens County paves our roads. Mr. Wilson stated this system is flawed in his opinion because we would be sending Six Mile \$15,000 and they have absolutely no roads. He stated he does not recommend this option.

Option B:

Owner	% fund	Funds
Central	2.4%	\$ 105,334.66
Clemson	7.7%	\$ 337,948.69
Easley	18.1%	\$ 794,398.86
Liberty	2.7%	\$ 118,501.49
Pickens	2.3%	\$ 100,945.71
Norris	60.0%	\$ 2,633,366
Six Mile	70.0%	\$ 3,072,261
County	65.5%	\$ 2,874,758.32
		\$ 4,388,944.00

- **Option C-** Mr. Wilson stated this option uses a formula. The money set aside of city and county roadways is \$2.1 million divided by the number of road miles. He stated you multiply that number by the number of miles they own and this would be the portion the municipalities would get.

Option C:

Owner	% fund	Funds
Central	1.7%	\$ 74,612.05
Clemson	7.1%	\$ 311,615.02
Easley	12.2%	\$ 535,451.17
Liberty	2.5%	\$ 109,723.60
Pickens	0.8%	\$ 35,111.55
Norris	0.0%	\$ -
Six Mile	0.0%	\$ -
County	75.7%	\$ 3,320,675.03
		\$ 4,388,944.00

- **Option D-** Mr. Wilson stated the cities and the county sets the pace on what happens in Pickens County and they have the vision. He stated if it is inside the city limits (with the exception of Six Mile and Norris since they have no Public Works department), we give them the money for the total miles inside the city limits and they determine what they need to be paved based on the survey report. He stated this will be staff's recommended option.

Option D:

Central	2.2%	\$ 96,556.77
Clemson	7.4%	\$ 324,781.86
Easley	13.3%	\$ 583,729.55
Liberty	2.9%	\$ 127,279.38
Pickens	1.7%	\$ 74,612.05
Norris	0.0%	\$ -
Six Mile	0.0%	\$ -
County	72.5%	\$ 3,181,984.40
		\$ 4,388,944.00

- Rick Cotton, City of Clemson Administrator, thanked Council for having him. He stated the way it used to work before two years ago was the county would tell the cities which roads were going to be paved. He stated they did not have a lot of say in it. He stated the problem became the county was not aware of water and sewer lines being replaced in the city. Mr. Cotton gave an example of Heather Drive. He stated for this reason, he would like the allocation handed back to the municipalities to schedule these paved roads. He stated in addition, the city designates \$2 million a year of property tax that they put into sidewalk and street maintenance. He stated this would enhance it dramatically. Mr. Cotton stated he asked for consideration for Clemson and Central because Clemson University is an island and in city limits. He stated they try to get all their paving done in the summer time between May 20 - August 7.
- After more discussion, Tom Cloer, Town of Central, stated he would like council to consider some of the smaller municipalities since the reserves are not as great. He stated he is a firm believer in the counties and municipalities working well together.
- After much more discussion, Chairman Costner made a recommendation to council to work towards Option D and staff work with each of the municipalities on the intergovernmental agreement. He also recommended the municipalities update council with accounting on where they are spending the money and communication in bids to be able to save the county money.

- ❖ Committee recommends staff to work towards Option D and work with the municipalities on the intergovernmental agreement, with the municipalities updating council with accounting on where they are spending the money and communication in bids to be able to save the county money. Staff will update council at the next Committee of the Whole meeting.

Council Action on Log No. 66:

- Committee recommends staff to work towards Option D and work with the municipalities on the intergovernmental agreement, with the municipalities updating council with accounting on where they are spending the money and communication in bids to be able to save the county money. Staff will update council at the next Committee of the Whole meeting.

Request to Accept Roads in the Minimum Maintenance System – Log No. 95

- Administrator Wilson stated there are three roads he would like to talk about tonight and they are Tara Court, Fire Lane and Greer Drive. He stated the Minimum Maintenance Program was put into place in 2004. Administrator Wilson asked Chris Brink to explain the Ordinance and what a contractor or someone building a roadway is required to do.
 - Chris Brink stated if someone would like to do a residential project, they have certain minimum requirements for road construction. He stated Mr. Baldwin ensures these roads meet the minimum maintenance requirements. He stated these roads are built and they can either keep them as private or after a year of maintenance, turn them over for county maintenance. He stated Mr. Baldwin will put a maintenance bond that is good for a year to ensure the road will hold up prior to it becoming county maintained.
 - Administrator Wilson stated this ordinance was put in place many years ago to help residents who made poor decisions. He stated a lot of places in the county have dirt and gravel roads where people cannot get up to their house anymore. He stated the ordinance has certain requirements. He stated they have taken these roads in and most of the roads are in pretty poor shape. He stated as a government, we should take care of our property owners, but he feels we should treat those roads exactly like we treat the division 2 roads. He stated staff's recommendation is to stop taking in minimum maintenance roads. He stated we have 69 minimum maintenance roads in the system today. He stated he is asking council to consider slowing down the minimum maintenance roads and treat everyone the same. He asked if council had any questions or discussion.
 - Vice Chairman Chris Bowers stated he feels the minimum maintenance system is not a sustainable plan because we are bringing in rough roads. He stated we should not be in the business of constructing roads.
 - Administrator Wilson showed council a map of Tara Court and explained what needs to be done.
 - After much more discussion, Vice Chairman made a motion to suspending any further approvals into the minimum maintenance program and staff work on language regarding the issue discussed tonight. Councilman Trey Whitehurst seconded the motion and carried unanimously.
- ❖ Committee recommends suspending any further approvals into the minimum maintenance program and staff work on language regarding the issue discussed tonight.

Council Action on Log No. 95:

- Committee recommends suspending any further approvals into the minimum maintenance program and staff work on language regarding the issue discussed tonight.

Council approved unanimously (6-0) to approve Log No. 95- *Request to Accept Roads in the Minimum Maintenance System* and Log No. 66- *Road Maintenance Fees*.

Greer Drive – Log No. 112

- Administrator Wilson stated he will reach out to the property owners on Greer Drive and explain the situation.
 - After more discussion, Chris Brink stated there have been a couple splits (division of properties) on Greer Drive and it requires a variance granted by them from the Planning Commission because it does not meet minimum county requirements.
- ❖ No action taken by committee.

Council Action on Log No. 112:

- 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 Wes Hendricks and carried unanimously. The Committee of the Whole stood adjourned at 8:32 p.m.

COUNCIL CORRESPONDENCE:

Chairman Roy Costner announced the following:

- Chairman Costner stated he attended the GOP Meeting and was given information on the “Stepping It Up Coalition.” He advised Staff to work with the Sheriff to get more information to bring back to council.
- Chairman Costner stated the South Carolina Association of Counties and citizens from the rural counties in the lower part of the state will be visiting Pickens to learn about our tradition, art/music programs, etc. He stated some places they will be visiting are the Holly Springs Center, Aunt Sues, Table Rock State Park, and Hagood Mill.
- Chairman Costner stated on February 11th, we will have a quarterly meeting with Oconee, Greenville, and Anderson County Council. He stated the primary focus of these meetings will be to share visions, collaborate on future potential projects, list ideas of working cohesively for our constituents, to discuss potential cross promotion on each county brand, etc. He stated this will be the first meeting and it will take place in the Main Conference Room.

Chairman Roy Costner called for other council correspondence. Seeing no other correspondence, Chairman Costner announced moving to Motion Period and New Business.

MOTION PERIOD AND NEW BUSINESS:

Chairman Roy Costner opened the floor for motion period.

- Councilman Trey Whitehurst made a motion to accept the bids for Madden Bridge Project since we did come in under budget. Motion was seconded by Vice Chairman Chris Bowers and carried unanimously (6-0).
- Vice Chairman Chris Bowers made a motion add Contractual Issue-Central Rural Fire District to Executive Session. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (6-0).
- Councilman Wes Hendricks made a motion to add to the agenda the approval of the Vineyards Fire District proposal to purchase a new fire truck. Motion was seconded by Councilman Ensley Feemster. Motion did not carry, with Vice Chairman Chris Bowers opposed (5-1). Item is moved to Committee of the Whole.

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

Chairman Roy Costner opened the floor for new business.

Hearing no other items for new business, Chairman Roy Costner closed the floor.

CONSIDERATION OF A RESOLUTION AUTHORIZING THE DEVOLUTION OF ALL ROAD MAINTENANCE RESPONSIBILITIES FROM PICKENS COUNTY TO CLEMSON UNIVERSITY FOR A PORTION OF OLD HWY 28 PER THE UNIVERSITY'S REQUEST.

Administrator Wilson asked Michael Clark, Roads and Bridges Director, to step to the podium.

- Michael Clark showed Council on the screen a picture of the road. He stated the area in the red circle is the road that Clemson University wants to take over. He stated it is a county road, but he assumes they are using it for parking for games. Mr. Clark stated this will not affect any private property owners if given to Clemson University. He stated this was the old Hwy 28 and when the lake was built, he assumes it was abandoned by the state and given to the county. He stated this property does not benefit the county and will be given to them so the county does not have to maintain it anymore.
- Administrator Wilson stated from a county standpoint, it will help to take it off the books. He stated it is a liability and the county has no use for it. He stated property owners who live in adjacent neighborhoods use a different road entrance.
- Councilman Trey Whitehurst asked if we could sell the property.
- Administrator Wilson stated if Council would like to do that, then we can make it happen.
- Vice Chairman Chris Bowers asked under the plan that was discussed talking about getting rid of the county roads in municipalities, would this fall under that plan?
- Administrator Wilson stated this property is in the City of Clemson, so it would belong to the City of Clemson if this plan goes through.
- Attorney Ken Roper stated the request did come from Clemson University, not the City.
- Administrator Wilson stated the road would fall within the City. He stated this may cause a Jurisdictional issue and asked Councilman Carl Hudson to address this.
- Councilman Carl Hudson stated most enforcement issues are in the fall during football games and stated he feels we should give it to the University for liability reasons and so we do not have to maintain this property.
- After much more discussion, Chairman Costner asked for a motion to accept the consideration of a resolution request. Motion was made by Councilman Carl Hudson, seconded by Councilman Ensley Feemster and carried unanimously (6-0).

FIRST READING IN TITLE ONLY OF AN ORDINANCE DECLARING CERTAIN LOTS WITHIN THE QUAIL HAVEN SUBDIVISION AS SURPLUS, PLACING THEREON RESTRICTIVE COVENANTS, AND AUTHORIZING THE CONVEYANCE OF SAID LOTS, AND MATTERS RELATED THERETO.

Chairman Costner asked for a motion to constitute the first reading in title only.

- Motion was made by Councilman Trey Whitehurst, seconded by Vice Chairman Bowers and carried unanimously (6-0).

PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO AMEND ARTICLE 3 AND ARTICLE 4 OF THE PICKENS COUNTY CODE OF ORDINANCE RELATED TO MULTI-FAMILY DWELLINGS (PER PLANNING COMMISSION RECOMMENDATIONS).

Chairman Costner opened the public hearing for comments regarding Ordinance 562.

Seeing none, Chairman Costner closed the public hearing.

Chairman Costner asked for a motion to constitute the third reading of Ordinance 562.

- Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Chris Bowers and carried unanimously (6-0).

CONSIDERATION OF FUNDING REQUEST FOR SPECIAL ELECTION

Chairman Roy Costner asked for a motion to discuss the funding request for the special election. Motion was made by Councilman Trey Whitehurst and seconded by Councilman Carl Hudson.

Administrator Gerald Wilson asked Rodney Allen, Director of Voter's Registration, to please step to the podium to discuss his request with council.

- Rodney Allen stated he would like to ask council to fund the special election. Mr. Allen stated the special election funding comes out to around \$8,233.50, plus the ballot boxes, which brings the total cost to \$10,068.85.
- Vice Chairman Chris Bowers asked what exactly the ballot boxes are.
- Mr. Allen stated currently, they are using very small ballot boxes which are not designed to use the larger ballots being used. He stated when they have a situation that requires them to use the larger ballots in an emergency situation on Election Day; the small ballot boxes do not work as intended. Mr. Allen stated the new ballot boxes will be professional and larger sized ballot boxes that would allow them to accommodate the larger ballots used.
- Chairman Roy Costner asked where the larger ballot boxes come from.
- Mr. Allen stated they come from a vendor. He stated there are only a few companies out there who make ballot boxes, but these ballot boxes will be coming from Inclusion Solutions.
- Administrator Wilson stated they are currently using little plastic toolboxes with a hole cut out on top to put the ballots in.
- Councilman Carl Hudson stated he is very unhappy with this situation and this affects his district. He stated he has received a lot of grief over this situation. Councilman Hudson stated during the primaries, Council asked Mr. Allen to make sure we did not have another problem like what happened during the Primary Election. He stated the problem was worse this election than in the primaries. He stated he feels there was no preparation done before this election and now it will cost taxpayers money. Councilman Hudson stated they do not have choice to not fund this election. He stated this was unnecessary and there should have been some preparation done beforehand.
- Councilman Wes Hendricks asked what are the chances that this won't happen again on March 26?
- Mr. Allen stated the circumstances encountered on Election Day are not going to be repeated and it will not happen again. He stated every item will be tested and retested.
- Vice Chairman Bowers asked Administrator Wilson if Mr. Allen has the \$10,068.85 in his budget.
- Administrator Gerald Wilson stated he had Mr. Guarino look into his budget and he presently does not have the funds in his budget to cover the cost.
- Vice Chairman Bowers asked Administrator Wilson what the options are since he does not have the funds available.
- Administrator Wilson stated one of the options he was asked to look into was the possibility of furloughing employees. He stated the State Election Commission would need to tell them what the department needs to operate.
- Councilman Trey Whitehurst asked if there was anyone at the meeting on the State Elections Board or the County Voter Board. Seeing no one present, Councilman Whitehurst asked Mr. Allen if they are who he works for.
- Mr. Allen stated that is correct, he reports to the board.
- Councilman Whitehurst asked what the board thought of this election.
- Mr. Allen stated he is not authorized to speak on behalf of the board, but no one was pleased with the circumstances that transpired.
- Councilman Whitehurst asked Mr. Allen if he understands Council's dilemma, this being the second time this has happened. He stated he came by the office several times before the election asking if everything was good. He stated they have requested someone from the state to come

monitor the special election in March. Councilman Whitehurst stated he wanted someone to come down early to work with Mr. Allen beforehand, but they are only sending someone down for the special Election Day. He stated he feels for Councilman Hudson and his district, and there is no excuse as to why this happened. He stated we have no choice but to fund this special election.

- Vice Chairman Chris Bowers asked Administrator Wilson if we have the authority to ask to furlough the voter's registration office to help pay for this special election.
- Attorney Ken Roper stated our obligations by state law are to fund the election. He stated the repercussion he is aware of is that the local fund government allocation to us could be revoked in the same amount plus 10%.
- Councilman Whitehurst asked if we used county employees to help staff this election. He asked are we obligated to do that.
- Attorney Roper stated the funding that we are mandated to provide in state law does not say that we have to volunteer employees to help with election. He stated we typically do have employees volunteer to help and some employees did help with the last election.
- After more discussion, Councilman Carl Hudson stated after this election and when it is all said and done, there will probably be no one happy with the results. He stated this is why Mr. Allen's job is so important and the election has to be done right.
- Chairman Roy Costner stated people will not vote unless they feel their vote will count.
- After much more discussion, Chairman Costner asked if there was any other discussion. Seeing none, Chairman Costner asked for a motion to approve the funding request for \$10,068.85 for the special election to please signify by raising your hand.
 - Motion was carried (5-1), with Vice Chairman Bowers opposed.

CONSENT AGENDA:

a) Speed Bump Ordinance – *Committee of the Whole*

- Motion was made by Councilman Trey Whitehurst, seconded by Vice Chairman Chris Bowers and carried unanimously to approve the consent agenda as presented.

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

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

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

Personnel – Section 30-4-70 (a) (1)

- Keowee Springs Fire Department
- Rescue
- Personnel Issue/Coroner

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

- Legal Update

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

- Project Providence

Contractual Issue – Section 30-4-70 (a) (2)

- Central Rural Fire Contract

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

- Board and Commission Vacancies (67):
 - a) Accommodations Tax (ATAX)
 - b) Alcohol and Drug/Behavioral Health
 - c) Appalachian Council of Gov. (ACOG)
 - d) Assessment and Appeals
 - e) Beautification Committee
 - f) Bethlehem Roanoke Water
 - g) Construction Board of Appeals
 - h) Cultural Commission
 - i) Easley Central Water Board
 - j) Economic Development Alliance
 - k) Emergency Services Advisory Board
 - l) Fire District Board – Central
 - m) Fire District Board - Crosswell
 - n) Fire District Board - Dacusville
 - o) Fire District Board – Easley
 - p) Fire District Board – Holly Springs
 - q) Fire District Board - Liberty
 - r) Fire District Board - Pickens
 - s) Fire District Board - Pumpkintown
 - t) Fire District Board - Rocky Bottom
 - u) Fire District Board - Shady Grove
 - v) Fire District Board - Six Mile
 - w) Fire District Board - Vineyards
 - x) GPATS
 - y) Library Board of Directors
 - z) Pickens County Grievance Committee
 - aa) Pickens, Oconee, Anderson Mental Health
 - bb) Planning Commission
 - cc) Public Service Commission
 - dd) Sedgewood Tax District
 - ee) Six Mile Rural Water
 - ff) Southside Rural Water
 - gg) Water Authority
 - hh) Tourism Board
 - ii) Worklink
 - jj) Zoning and Appeals
 - kk) *Hagood Mill Non-Profit Corporation Board
 - ll) *Performing Arts Center Non-Profit Corporation Board
 - mm) *Pickens County Museum Non-Profit Corporation Board

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

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

Personnel – Section 30-4-70 (a) (1)

- Keowee Springs Fire Department – **No Action Taken**
- Rescue – **No Action Taken**
- Personnel Issue/Coroner – **No Action Taken**

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

- Legal Update – **No Action Taken**

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

- Project Providence – Chairman Costner asked for a motion to constitute the First Reading In Title Only of an ordinance as follows:

- FIRST READING IN TITLE ONLY AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT PROVIDENCE, ACTING FOR ITSELF, ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED PAYMENTS IN LIEU OF AD VALOREM 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; AND (3) OTHER MATTERS RELATING THERETO.

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

Contractual Issue – Section 30-4-70 (a) (2)

- Central Rural Fire Contract – **No Action Taken**

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

- Board and Commission Vacancies (67):
 - a) Accommodations Tax (ATAX) – **No Action**
 - b) Alcohol and Drug/Behavioral Health – **No Action**
 - c) Appalachian Council of Gov. (ACOG) – **No Action**
 - d) Assessment and Appeals – **No Action**
 - e) Beautification Committee – **No Action**
 - f) Bethlehem Roanoke Water – **No Action**
 - g) Construction Board of Appeals – **No Action**
 - h) Cultural Commission – **No Action**
 - i) Easley Central Water Board – **No Action**
 - j) Economic Development Alliance – **No Action**
 - k) Emergency Services Advisory Board – **No Action**
 - l) Fire District Board – Central – **No Action**
 - m) Fire District Board – Crosswell – **No Action**
 - n) Fire District Board – Dacusville – **No Action**
 - o) Fire District Board – Easley – **No Action**

- p) Fire District Board – Liberty – **No Action**
- q) Fire District Board – Pickens – **No Action**
- r) Fire District Board – Pumpkintown – **No Action**
- s) Fire District Board – Rocky Bottom – **No Action**
- t) Fire District Board – Shady Grove – **No Action**
- u) Fire District Board – Six Mile – **No Action**
- v) Fire District Board – Springs – **No Action**
- w) Fire District Board – Vineyards – **No Action**
- x) GPATS – **No Action**
- y) Library Board of Directors – **No Action**
- z) Pickens County Grievance Committee – **No Action**
- aa) Pickens, Oconee, Anderson Mental Health – **No Action**
- bb) Planning Commission – **No Action**
- cc) Public Service Commission – **No Action**
- dd) Sedgewood Tax District – **No Action**
- ee) Six Mile Rural Water – **No Action**
- ff) Southside Rural Water – **No Action**
- gg) Water Authority – **No Action**
- hh) Tourism Board – **No Action**
- ii) Worklink – **No Action**
- jj) Zoning and Appeals – **No Action**
- kk) *Hagood Mill Non-Profit Corporation Board – **No Action**
- ll) *Performing Arts Center Non-Profit Corporation Board – **No Action**
- mm) *Pickens County Museum Non-Profit Corporation Board – **Moved to appoint Jean Bryant and Marjorie Schaefer to the Pickens County Museum Non-Profit Corporation Board.**

- o Chairman Roy Costner asked for a motion to accept all these board nominations. Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson 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 carried unanimously. Pickens County Council stood adjourned at 9:53 p.m.

Respectively Submitted:

Approved:

Meagan Bradford, Clerk to Council

Roy B. Costner, III, Chairman of County Council