

**MINUTES
REGULAR MEETING
GREENWOOD COUNTY COUNCIL
TUESDAY, NOVEMBER 5, 2019
5:30 P.M.**

MEMBERS PRESENT

Chairman Steven J. Brown, District Five
Vice-Chairman Chuck Moates, District Four
Councilwoman Edith Childs, District One
Councilman Mark Allison, District Two
Councilwoman Melissa Spencer, District Three
Councilman Robbie Templeton, District Six
Councilman Theo Lane, District Seven

STAFF PRESENT

Toby Chappell, County Manager
Elizabeth Taylor, County Attorney

CALL TO ORDER

Chairman Steven Brown called the meeting to order at 5:40 p.m.

In accordance with the Freedom of Information Act, notice of this meeting's date, time, location, and agenda was posted outside the main entrances of the Greenwood County Courthouse and the Greenwood County Library. Agendas were distributed to the *Index-Journal*, local radio stations, and posted on the Greenwood County website calendar.

Chairman Brown thanked the people in the audience for attending the meeting. He reminded the people in the audience of the process for them to speak during the Public Hearing as the items of their interest come up on the Agenda.

INVOCATION

Councilwoman Melissa Spencer, District Three, delivered the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited in unison.

APPROVAL OF TUESDAY, OCTOBER 15, 2019 REGULAR MEETING MINUTES

Chairman Brown stated that the minutes were provided prior to the meeting and asked if there were any corrections to the minutes.

There were no corrections. Councilman Lane motioned to approve the minutes, seconded by Councilman Allison, and the minutes were approved by a unanimous vote.

ACTION: Council approved the Minutes for the October 15, 2019 Regular Meeting.

PRESENTATION

None

PUBLIC COMMENT (Sign-In Only)

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None

OLD BUSINESS

A. Third Reading:

1. Ordinance 2019-18 authorizing the execution and delivery of one or more Fee-in-Lieu of ad valorem taxes and Special Source Revenue Credit Agreements by and between Greenwood County, South Carolina and Pine Gate Renewables, LLC and other affiliated entities, to provide for payment of a Fee-in-Lieu of taxes with respect to certain projects; authorizing the inclusion of certain project sites in a multi-county business park; authorizing Special Source Revenue Credits; and other related matters.
– Elizabeth Taylor, County Attorney **THIRD READING**

Chairman Brown read the title and reminded Council that they held the Public Hearing for the ordinance at a previous meeting. He asked for the pleasure of Council. Councilman Allison motioned to approve the ordinance, seconded by Vice Chairman Moates, and the motion carried by a six to zero (6-0) vote with Councilman Lane abstaining from the vote.

NEW BUSINESS

PUBLIC HEARINGS:

The Chairman asked for a motion to enter into the Public Hearing portion of the Agenda. Vice Chairman Moates motioned to enter into the public hearing, seconded by Councilman Lane, and the motion carried by unanimous vote.

ACTION: Council entered into the Public Hearing portion of the Agenda.

- A. Consideration to add a public access point at the Hwy 72/221 Bridge of Lake Greenwood.
– Robert Russian, County Engineer

Chairman Brown asked Mr. Russian to give a presentation regarding the Hwy 72/221 Bridge. Mr. Russian reported on the process that was taken to develop the location that was chosen for the public access point to Lake Greenwood. He reminded Council that there was a Lake Master Plan Committee made up of representatives from Greenwood County, Laurens County, and Newberry County and the part they played in making the decisions. He addressed several issues that had been mentioned at previous meetings regarding the chosen location. He summarized the details of the concerns that are not related to the proposed boat ramp. He further summarized the details of the public concerns that are directly related to the proposed boat ramp. Mr. Russian reported that the research that had been done relating to the boat capacity shows that Lake Greenwood was within the estimated acre per boat requirement. He stated that based on the calculations, Lake Greenwood has the capacity of 528 boats, which is estimated at a 52% capacity. He added that there will be another capacity study conducted in the future during holiday weekends to get another reference. Mr. Russian also addressed the traffic concern for Hwy 72/221 and stated that the Department of Transportation is aware of the issue and continues to monitor the area.

Chairman Brown opened the meeting up to the members of the audience who were interested in speaking in favor and in opposition to the proposed public access point at the Hwy 72/221 Bridge and gave guidelines to the Public Hearing portion of the meeting.

Heather Vahjen, 231 Kayak Pt, Greenwood, SC spoke in favor of the public access point. She represents Connect Lake Greenwood and reported on the survey they conducted regarding the public access point. She reported that there were 442 responses and summarized the initial results as 258 in favor, 101 opposed, and 8 neutral. She shared some of the comments and concerns that were reported with were consistent with the report from Mr. Russian.

Kevin Prader, Break on the Lake, 205 Laurens Street, Joanna, SC spoke in favor of the public access point. He thanked Council for their consideration to building the public access to the lake. He stated that many of his patrons have come in asking where there was a public access. Mr. Prader added that he had also spoken with SCDOT regarding the traffic light at the highway and received the same response as Mr. Russian.

Jimmy Peden, 137 Gardenia Drive, Ninety Six, SC spoke in favor of the public access point. He reported on behalf of the Master Plan Committee and gave a summary of the creation of the Master Plan. He added that the Committee conducted a survey, which received over 900 responses that produced valuable information from community input. He summarized the results, adding that Public Lake Access and On-Lake Destinations were the two main issues. Mr. Peden also reported on the Focus Area of the Committee that included environment, community facilities and services, land use, the economy, transportation, and intergovernmental coordination. He stated that there was a 19-page document containing projects for the Master Plan for the period through 2035.

Beth Satterfield, 144 Pebble Lane, Greenwood, SC spoke in opposition to the public access point. She shared details of a prepared statement she made available to Council. She presented six questions to Council as follows:

1. What is being done by Greenwood County to restore critical habitat and repair damage to the area due to silting? Boat slips have been added without any visible signs of restoration of critical habitat of the area other than the removal of a few logs.
2. What will be done to prevent this area from turning into a crowded and trash strewn area like Twin Rivers boat ramp in Laurens County? That is a disaster area.
3. How do you propose to prevent additional storm water runoff from going into the lake from the ramp and the proposed parking lot?
4. What will be done to prevent the considerable pollution that will occur from petroleum products that are associated with boats being put in and out of the lake?
5. What will be done to PROTECT the critical habitat at this site? The two areas associated with this collaborative effort have been decimated.
6. How does the county plan to address safety and law enforcement issues created by increased boat and vehicle traffic in this area?

Ms. Satterfield summarized by asking Council to carefully consider their decision regarding the public access point on Lake Greenwood.

Grant Blair, 318 Port Royal Drive, Greenwood, SC, resident for 46 years spoke in opposition to the public access point. Mr. Blair is the manager of the Preserving Lake Greenwood Facebook page. He presented two proposals to Council as alternatives to building a new public access. His suggestion was to utilize what is currently available and upgrade the facilities. He also addressed his issue with the lack of attention given to Riverfork relating to trash pick up.

Greg Sorrow, 383 Klugh Road, Abbeville, SC spoke in favor of the public access point. He represented Greenwood County High School Fishing Team – Eagle Eye Anglers. He reported on tournament fishing as a fast growing sport in high schools and colleges across the United States. He stated that currently there are 34 high school teams in the upstate of South Carolina and seven college teams, as well as a number of middle school teams. Mr. Sorrow reported that there are a variety of local businesses who sponsor the teams financially, which helps to pay for memberships to the tournament organizations, fishing supplies, shirts, and awards at the end of the season. He said that the local businesses will have an interest in the local tournaments as well. He added that during any given tournament, there will be a large following of families who will stay in the Greenwood area, eat local and shop local. He also shared a comparison of tournament facilities between Greenwood and other locations. Mr. Sorrow concluded that the proposed public access point will not only be used for the current youth fishing teams, but it will be used for many more generations, and would add to a continued increase in the economy for Greenwood.

Jeff Graham, 101 Circle Street, Ninety Six, SC spoke in favor of the public access point. He represented the Ninety Six Wildcat Anglers fishing team. He agreed with Mr. Russian that there needs to be a boat ramp with amenities. He stated as a citizen, he had used Lake Greenwood all of his life and his family uses it for fishing and boating. Mr. Graham spoke of the many taxpayers who do not own lake property who would like to use the lake for weekend activities as well as participate in fishing tournaments. He echoed Mr. Sorrow's point regarding the number of family members who attend tournaments who make an economic impact on the local businesses while they are in Greenwood. Mr. Graham reported on a specific incident in May, 2018 when the Palmetto Boat Center high school tournament trail championship was held on Lake Greenwood. He stated that there were approximately 80 boats with full crew and tournament followers. He stated that at the end of the tournament, the Palmetto Trail said they would not be returning to Greenwood because of lack of accommodations, amenities availability, and internet coverage at the State Park. In summary, Mr. Graham concluded that the proposed boat ramp would attract more youth angler tournaments and add to the economy of Greenwood.

Kelly McWhorter, 112 Shortleaf Court, Greenwood, SC spoke in favor of the public access point. She represented Discover Greenwood, which is the destination marketing organization for Greenwood County. She reiterated the point that fishing tournaments are a big business for the area. She shared information about their strategy to recruit the

interest of fishing tournaments to Greenwood. She stated that although they have been successful with bringing some tournaments to the area, they are limited due to the ramp availability, parking for trailers and spectators and centralized weigh-in locations. She reported on the estimated amount of lost business to be \$800,000 based on one event that was held at another location instead of Greenwood.

Ann Smith, 308 Driftwood Drive, Greenwood, SC spoke in opposition to the public access point. She reported that the residents who live on the lake live in Greenwood, work locally, and spend their money locally, as well as, pay high taxes for their property. She shared her concern for the noise on the lake and the damage to the seawall and shoreline.

Gwen Gunnells, 102 Rock Church Road, Greenwood, SC, spoke in favor of the public access point. She represented the people who have to trailer boats to the lake and would like to have a favorable ramp. Ms. Gunnells shared her concern for safety and security, including lights and cameras. She added that amenities are important because she is in boat sales and uses the public access to show her product. She also stated that the depth and design of the ramp is critical for all year round use. Ms. Gunnells gave some suggestions of the design of a facility that would accommodate the needs of the public who will use it.

Ted Grier, 207 Lake Shore Drive, Greenwood, SC spoke in opposition to the public access point at the Hwy 72/221 location. He agrees that there needs to be a public boat ramp, just not at that location. He gave some suggestions of other properties he felt would work for Greenwood. He also shared his concern for the traffic at the intersection of the highway.

Wayman Coleman, 509 Cedar Grove Road, Bradley, SC spoke in favor of the public access point. He is supported by Discover Greenwood. Mr. Coleman is a professional fisherman with the FLW – Fishing League Worldwide. He stated that throughout his travels, he participates in tournaments that are located in the same places, mainly because of their facilities, amenities, and locations. He spoke that he is working with other tournaments on behalf of Discover Greenwood to bring them to Lake Greenwood. Mr. Coleman added that he supports a local boat ramp to accommodate a fishing tournament.

Kim Clark, 3087 Whitten Road, Laurens, SC spoke in favor of the public access point. She reported that she is a real estate broker that deals primarily with waterfront sales. She reported that based on data research the retirees are coming to the southeast. She shared her thoughts about maximizing the entrance to Greenwood County along Hwy 72/221. She agrees that the local taxpayers deserve a place to go and use the beautiful resource that everyone shares and pays for.

Phil Satterfield, 144 Pebble Lane, Greenwood, SC spoke in opposition to the public access point. He read a prepared letter that was written by his sister, Kim Masters, that stated her concerns that the issues in the area of the bridge have not been addressed by the County. Mr. Satterfield also shared his request to look for an alternative to the property at the bridge. He stated he was in agreement that there is a need for a public boat ramp,

just not at the proposed location. He added comments about the drainage volume that would increase, as well as the damage to the habitat in the cove.

Susie Holloway, 112 Meadowbrook Drive, Greenwood, SC. Ms. Holloway proposed a question to Council stating, "What kind of lake do you want?" She went on to say that it can be both, and that the integrity of the lake needs to be responded to.

Tom Watkins, 300 Driftwood Drive, Greenwood, SC spoke in opposition to the public access. His stated that his main concern is the noise, safety, and the boat traffic coming from the bridge. He shared about a recent personal experience he had with someone coming out of a boat ramp in a jet ski. He agrees that there will be progress, but the safety issue and noise issue need to be addressed.

Craig Stuckey, 504 Lodge Drive, Greenwood, SC spoke in opposition to the public access. He stated that he also has a cabin on the Laurens side of Lake Greenwood. He thanked Council for having the meeting and stated his appreciation for Mr. Russian's presentation. He shared his concern for algae spread.

After no-one else in attendance wished to speak, Chairman Brown closed that portion of the public hearing. He thanked everyone for coming and for sharing their input.

B. Consideration of Boundary Line Agreements as follows – Robert Russian, County Engineer

307 Nautical Way	Michael & Deborah Spicer	6897-092-880	Harborside
324 Compass Point	John & Barbara Beauford	7806-846-649	Grand Harbor
114 Dunn Lane	John & Nira Daleda	7815-775-600	Greenwood Shores
121 Belle Rive	David & Kathleen Fitts	7807-076-523	Belle Rive
119 Belle Rive	Dorothea & David Dancesia	7807-063-516	Belle Rive
117 Belle Rive	Gerald & Donna Brooks	7807-049-510	Belle Rive
134 Natchez Trace	Harvie & Patty Nunn	7815-898-646	Greenwood Shores
215 Agnew Road	Cecil Skidgel	6869-011-889	Ligon Estates
292 Lakefield Road	Terry & Kathy Hodge	371-00-00-014	N/A

Chairman Brown read the addresses to be considered for a Boundary Line Agreement. He reminded the Council of the explanation of the considerations at the Administration and Finance meeting. He asked if there was anyone who would like to speak in favor of the boundary line agreements.

Tripp Padgett, Greenwood Attorney, was in attendance to represent and answer questions for Fitts, Beauford, and Nunn. He was in favor of the agreements for those families.

Chairman Brown asked if there was anyone who would like to speak in opposition to the agreements. Hearing none, he closed the public hearing and asked for the pleasure of Council. Councilman Templeton motioned to approve all of the properties listed to be considered for a Boundary Line Agreement, seconded by Vice Chairman Moates, and the motion carried by unanimous vote.

ACTION: Council approved the Boundary Line Agreements for the nine (9) properties listed above.

END OF PUBLIC HEARINGS

- C. Consideration to accept ownership of 1.04 acres of land (Parcel ID# 7813-469-370) on Carter Road for a volunteer fire station. – Josh Skinner, CPST Coordinator

Chairman Brown asked Steve Holmes to clarify some of the questions that Council had at the Administration and Finance meeting. Mr. Holmes stated that when they were conducting the initial study they used the same maps that were provided by the ISO. He stated that the map gave the exact optimum location for the fire departments. He added that the piece of property that was located was not for sale. He continued reporting that Mr. Skinner proceeded from that point to search for another piece of property that would be the closest to that point by visiting the property owners. Mr. Holmes stated that he also enlisted the help of two of his fire chiefs who had relatives in the area, and they were unsuccessful in convincing anyone to allow the County to obtain an acre of land in the optimum point. He then stated that the owner of the proposed property on Carter Road approached them to offer the acre for a fire station. He concluded that by moving the location slightly, they picked up a few houses on the top end and lost a cluster of houses on the lower end. There was discussion regarding how it was impossible to capture 100% of the homes in the County, based on the 5-mile coverage radius that ISO provides. There was further discussion regarding the houses that would be added or removed from the coverage area. Council expressed their concerns about any of the houses not being covered, but realized the reality of it as required by ISO. Mr. Holmes went on to explain that the request for the new stations is designed to cover all of the houses in the County, however, the County cannot force a property owner to sell their property for a fire station. Mr. Skinner described the meetings he had with property owners and the reasons the property was not an option. Mr. Holmes reported that there was a net loss of 12 houses, though all of the homes were important to be covered. He went on to describe a mutual aid agreement with another agency for coverage in Greenwood County if a property owner is within a 5-mile radius of that station. Chairman Brown stated his concern that when the request was made public to the community that property was needed for the ISO coverage of a new station in the proposed location, that more property owners were not willing to work with the County. Vice Chairman Moates asked if the decision is not made by Council to accept the offer from the Carter family, would County be at risk to lose the opportunity for the property. Mr. Holmes answered that he does not think the Carter family will change their mind.

After a lengthy discussion of the options and concerns, Chairman Brown asked for the pleasure of Council. Councilman Lane motioned to approve the request as proposed, seconded by Vice Chairman Moates, and the motion carried by unanimous vote.

ACTION: Council approved to accept the proposed property on Carter Road as a location for the Volunteer Fire Station.

- D. Consideration of an Intergovernmental Agreement pertaining to a Joint Medical Examiner Service for Respective Coroner's Offices. – Sonny Cox, County Coroner

Chairman Brown read the title and reminded Council of the explanation in the Administration and Finance Meeting. He asked for the pleasure of Council. Councilwoman Childs motioned to approve, seconded by Councilwoman Spencer, and the motion carried by unanimous vote.

ACTION: Council approved the Intergovernmental Agreement for services with the Coroner's Office as proposed.

- E. Consideration of revision to County Policy 5.3 (g) Compensation Plan. – Elizabeth Taylor, County Attorney

Chairman Brown reminded Council of the explanation from the Administration and Finance Meeting and asked for the pleasure of Council. Councilman Lane motioned to approve as stated, seconded by Vice Chairman Moates, and the motion carried by unanimous vote.

ACTION: Council approved the revision to County Policy 5.3 (g) as presented.

- F. Resolution 2019-26 to transfer funds from the FY19 Special Appropriation Fund's Fund Balance to the FY20 EMS Operating Fund. – Derek Oliver, Interim EMS Director

Chairman Brown read the title and asked for the pleasure of Council. Councilwoman Childs motioned to approve, seconded by Councilwoman Allison, and the motion carried by unanimous vote.

ACTION: Council approved Resolution 2019-26 regarding the FY20 EMS Operating Fund for the remount of ambulances.

PENDING

None

DISTRICT REPORT

District One – Edith Childs

- Ms. Childs thanked her fellow Councilmembers, including Mr. Allison for filling in for her at the past Council meeting. She reported that her brother-in-law is doing better, and her brother in Atlanta continues to improve.

District Two – Mark Allison

- No report.

District Three – Melissa Spencer

- No report.

District Four – Chuck Moates

- No report.

District Six – Robbie Templeton

- Mr. Templeton reported that the Greenwood Christian School Boys Cross Country team won the State Championship last week, and congratulated them. Emerald High School Boys and Girls Cross Country teams won Regions last week, and congratulated them.
- He updated Council on the Recreation Committee and their most recent road trip to Sumter County and Irmo. He stated they received a lot of great ideas. He referred to an “all inclusive playground” that they observed designed to include children and adults with special needs or handicaps.

Chairman Brown added comments regarding his observation of the same playground in Irmo during a recent visit to the area, and he was impressed. Mr. Templeton added that Lindsay Burns, who is on the Recreation Committee, is doing research on the “all inclusive” type parks and will report back to the Committee with the results.

District Seven – Theo Lane

- Mr. Lane reported on a trip to Clemson University to watch the Lander University Girls Basketball team win against the Clemson girls team. He acknowledged Coach Kevin Pederson and the great job he does with the Girls Basketball team.
- He reported that the Eagle Scout, Christian Drake, who presented to Council at a previous meeting, and shared pictures of the progress of the project at Young Park in Ware Shoals.

District Five – Steven J. Brown

- Mr. Brown asked the County Attorney, as part of his report, for confirmation that the County has complied with the requirements regarding the vacancy in the Magistrate’s Office. Ms. Taylor confirmed that the letter with the appropriate information has been sent to the Delegation as required. She continued with the clarification of the statute that was referred to in the previous meeting regarding the issue.

Mr. Allison referred to a portion of the statute regarding the submission of dockets quarterly to the governing body of the County. He stated that he has never seen a copy of the dockets. Mr. Brown followed with a question about what he would do with the document if he received it. There was further discussion regarding the process of the Magistrate’s office and reporting to Council. Various questions were presented to the County Attorney who will research the issues and report to Council.

- Mr. Brown shared his concern regarding statements that were made during the Public Hearing portion of the meeting about the security in the parking areas of the public boat ramps on Lake Greenwood. He stated that this issue needs to be addressed. There was further conversation regarding the options for security and safety in the areas of the boat ramps.
- Mr. Brown asked Council and staff what the next step would be after tonight’s Public Hearing regarding the public boat ramp. Council decided to place the issue on the next Agenda for Council to designate the proposed location as the preferred site and authorize staff to begin the solicitation process for design.

MANAGER’S REPORT, County Manager Toby Chappell

No report.

COUNTY ATTORNEY REPORT, Elizabeth Taylor

No report.

EXECUTIVE SESSION

Action may be taken on items discussed in executive session. Chairman Brown reported that Council will go into Executive Session for the following reasons:

1. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim. **(Contractual – Laurens County, Spec Building at NGIP; Legal Advice – Opioid Lawsuit, Two FILOT Agreements)**

Councilman Lane motioned go into executive session, seconded by Councilwoman Spencer, and the motion carried by unanimous vote.

ACTION: At 8:05 p.m., Council entered into executive session.

Councilman Allison motioned to exit the executive session, seconded by Councilman Lane, and the motion carried by unanimous vote.

ACTION: At 9:15 p.m., Council exited the executive session with no action taken.

ADJOURNMENT

Chairman Brown adjourned the meeting at 9:15.

Susan McIntyre, Clerk to Council, transcribed the minutes.