

WORKSESSION MINUTES

Tuesday, February 17, 2009

6:00 pm

1. Pending Appointment Resolutions

- a. Chairman Young submitted Ms. Joya DiStefano as his appointee to the Animal Control Advisory Committee.

Councilwoman McKenzie submitted the following citizens for reappointment:

- | | | |
|----|------------------|----------------------------------|
| 1. | Ron Wood | Board of Adjustments and Appeals |
| 2. | Robert Alexander | Economic Development Board |
| 3. | Ashley Buchanan | Library Board of Trustees |
| 4. | Don Toole | Planning Commission |
| 5. | Pepper Coleman | Recreation Commission |

2. Clarification and Discussion of Agenda Items

- a. The following changes were made to the agenda:

- 1. Amend Public Hearing Item 1 – delete the wording “and managing agency board members”.
- 2. Delete Consent Item 2.
- 3. Amend Consent Item 20 – change the wording “Emergency Services Director” to “County Administrator or his designee”.
- 4. Amend Consent Item 22 – delete the wording “and managing agency board members”.
- 5. Add Consent Item 26 – Proposed Resolution for the Solicitor’s Office to Contract for Prosecutorial Services in Bamberg County.

3. Status of Contingency Funds

- a. The following allocations were made from the FY 2009 County Council Contingency Fund:

- | | | | | |
|----|--------------------------------------|---------|-----------|-------------------|
| 1. | Aiken Educational & Arts Group, Inc. | \$700 | Hightower | Support programs |
| 2. | Union Baptist Church | \$1,000 | Hightower | Road for cemetery |
| 3. | Friends of the Nancy Carson Library | \$500 | Butler | Support programs |

4. Continued Discussion of FY 08 Audit

- a. Ms. Laurie Smith, Elliott Davis, gave a brief presentation of the FY 08 Audit. The format of the audit report, the cost for post employment benefits and the impact on the County’s fund balance

and bond rating were discussed. Ms. Smith offered to meet with Council for an informal Worksession to review the audit and accounting procedures in depth.

5. Quarterly Financial Report
(Mr. Terry Bodiford, Director, Finance)
 - a. Mr. Bodiford distributed the Financial Report.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – FEBRUARY 17, 2009 – 7:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
LaWana McKenzie
Chuck Smith
Eddie Butler
Charles Barton
Gary Bunker
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator
James M. Holly, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Councilman Hightower led in the invocation.

(C) PLEDGE OF ALLEGIANCE

Councilman Bunker led in the Pledge of Allegiance.

(D) APPROVAL OF AGENDA

a. Councilwoman McKenzie made a motion to amend and approve the agenda as follows:

1. Amend Public Hearing Item 1 – delete the wording “and managing agency board members”.
2. Delete Consent Item 2.
3. Amend Consent Item 20 – change the wording “Emergency Services Director” to “County Administrator or his designee”.
4. Amend Consent Item 22 – delete the wording “and managing agency board members”.
5. Add Consent Item 26 – Proposed Resolution for the Solicitor’s Office to Contract for Prosecutorial Services in Bamberg County.

b. Councilman Butler seconded the motion. The amended agenda was approved by unanimous vote.

(E) AWARDS AND RECOGNITIONS

(F) PUBLIC HEARINGS

1. Proposed Ordinance to Authorize the Aiken County PRT to do National Background Checks on Coaches and Volunteers; and to Rent PRT Buildings in 4-Hour Increments.

AS AMENDED

- a. No comments were made.
2. Proposed Ordinance to Amend the Aiken County Code of Ordinances Chapter 16 Parks and Recreation, Article I, Section 16-2(b)(23) to Add a Park to the List of Parks that are Opened from Sunrise to Sunset.
 - a. No comments were made.
3. Proposed Ordinance to Amend Chapter 15 of the Aiken County Code of Ordinances to Add Article VIII, Alcoholic Beverages and Section 15-200, Hours of Operation for Establishments With On-Premises Consumption of Alcoholic Beverages.
 - a. Several citizens voiced their support of the proposed Ordinance citing safety issues, uniformity with surrounding jurisdictions, and crime as the major factors that need to be addressed. Sheriff Hunt discussed taking a proactive approach toward addressing the issue and reviewed the related calls received over a four year period.
 - b. Numerous citizens, including private club owners, spoke in opposition to the proposal. The financial impact was the greatest concern. Holding individuals accountable for their actions and the use of off duty deputies were suggested alternatives.
4. Proposed Ordinance to Authorize the Lease of Land at Sage Mill Industrial Park to the Economic Development Partnership for Aiken and Edgefield Counties, Inc. for the Construction and Operation of a Hydrogen Fueling Station.
 - a. Councilman Smith commented on the benefits this project will bring to the area.
5. Proposed Resolution to Change the Name of Unnamed Road (C-76) to Peace Lily Dr in County Council District 3.
 - a. No comments were made.
6. Proposed Resolution to Change the Name of Dubose Rd (C-1147) to Teds Way in County Council District 6.
 - a. No comments were made.
7. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone Tax Parcels 136-07-01-002, 136-07-01-003, 136-07-01-004, 136-07-01-010, 136-08-01-001, 136-08-01-002, 136-08-01-003, 136-08-01-004, 136-08-01-005, 136-11-03-001, 136-11-03-002, 136-11-03-003, 136-11-03-004, 136-11-03-005, 136-11-03-006, 136-11-04-001, 136-11-05-001, 136-11-08-001, 136-11-09-004, 136-11-09-005, 136-11-09-006, 136-11-09-007, 136-11-09-008, 136-12-01-001, 136-12-01-002, 136-12-02-005, 136-12-02-006, 136-12-02-007, 136-12-07-002, 136-12-09-001, 136-15-02-002, 136-15-02-003, 136-15-02-015, 153-05-01-001, 153-05-

01-001, 153-05-01-003, and 153-05-01-008 (601.17 Acres) Located Along New Bridge Road (S-206) and Wheat Road (S-1022), Aiken, SC in Council District 6 from RD to AP. (p. 133 – 148)

- a. Mr. Leon Rhodes, New Bridge Road, voiced his support of the rezoning stating that the AP designation would allow for preservation of working farmland and green space.

(G) OLD BUSINESS

- 1. Proposed Ordinance to Authorize the Execution of an Option to Purchase a Portion of the Old Seminole Mill Property to The Landmark Group.
(Council Representative: McKenzie) (Third Reading)

(To authorize an option to purchase a portion of the Old Seminole Mill property)

- a. Councilwoman Rawls made a motion for the approval. Councilwoman McKenzie seconded.
- b. The Ordinance was approved by unanimous vote.

- 2. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone Tax Parcels 051-05-01-001 and 036-08-06-010 (198.72 Acres) Located Along Jefferson Davis Highway (US 1/US 78) and Sudlow Lake Road (S-254), Graniteville, SC in Council District 5 from RUD to RD.
(Council Representative: Butler) (Third Reading)

(To rezone land located along Jefferson Davis Highway and Sudlow Lake Road for residential multi-family)

- a. Councilman Butler moved for the adoption. Councilwoman McKenzie seconded.
- b. Passed by unanimous vote.
- c. Councilman Butler requested that Consent Item 24 be moved to New Business Item 2.

(H) CONSENT AGENDA

I. REGULAR CONSENT AGENDA

- 1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts At-Large 2, 3, 4, 5, 6, and 7.
(Young, Singer, McKenzie, Smith, Butler, Barton, Bunker)

(To appoint members to standing committees created by Council.)

- 2. Proposed Resolution to Appoint Three Members to the Lower Savannah Workforce Development Board.
(Development Committee)

(To appoint a member to the Lower Savannah Workforce Development Board)

DELETED

- 3. Proposed Resolution to Approve the Allocation of Funds for Various Non-Profit Agencies from the FY 2009 Council Contingency Fund.

(County Council)

(Council has a certain amount of money allocated in the budget which can be used for projects at its discretion. This resolution distributes some of the money.)

4. Proposed Resolution to Extend a Grant for the Juvenile Drug Court Program from the South Carolina Department of Public Safety.
(Judicial and Public Safety Committee)

(To extend a grant in the Solicitor's Office for the Juvenile Drug Court Program)

5. Proposed Resolution to Change the Official Road Name of Dubose Rd (C-1147) to Teds Way in County Council District 6.
(Council District Representative: Barton)

(To change the official road name of Dubose Rd to Teds Way)

6. Proposed Resolution to Change the Official Road Name of an Unnamed Road (C-76) to Peace Lily Dr in County Council District 3.
(Council District Representative: McKenzie)

(To change the official road name of an un-named road to Peace Lily Dr)

7. Proposed Resolution to Assign the Official Road Name to Existing Un-Named Private Roads in County Council Districts 1, 2, 6, and 8.
(Council District Representatives: Rawls, Singer, Barton, Hightower)

(To name existing un-named private roads)

8. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Construction Perfected, Inc. for Saddle Horse Road Paving.
(Council District Representative: McKenzie)

(To award a contract for road paving)

9. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Pave-Way of Augusta for the Pine View Drive Paving.
(Council District Representative: Barton)

(To award a contract for road paving)

10. Proposed Resolution to Accept an Easement on Pine View Dr (C-475) Needed for Capital Projects Sales Tax Paving Project.
(Council District Representative: Barton)

(To accept an easement needed for sales tax paving project)

11. Proposed Resolution to Authorize the Council Chairman to Enter into Agreements with Shealy Environmental and Davis & Floyd for Analytical Services and Support.
(Development Committee)

(To award a contract for analytical services and support)

12. Proposed Resolution to Authorize the Acceptance of a Quit Claim Deed for a Portion of Wimpy Road (C-506) in Brigadoon Subdivision, Phase 1 Located in Council District 1.

(Council District Representative: Rawls)

(To accept a quit claim deed for a portion of Wimpy Road)

13. Proposed Resolution to Authorize the County Administrator to Execute Change Orders 1, 2, 3, 4, 5, and 6 to its Contract with Clifton Construction, Inc. of Evans, GA for Additional Work at the Center for Hydrogen Research Lab.
(Development Committee)

(To approved change orders for additional work at the Center for the Hydrogen Research Lab)

14. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement Between Aiken County and the Northeast Animal Shelter for the Transfer of Certain Animals for the Purpose of Placing Them in Qualified Homes.
(Development Committee)

(To award a contract for the transfer of animals)

15. Proposed Resolution to Authorize the Council Chairman to Enter into a Planning and Management Agreement with Lower Savannah Council of Governments for Seminole Mill Cleanup.
(Development Committee)

(To award a contract for Seminole Mill cleanup planning and management)

16. Proposed Resolution to Authorize the Placement of Signs Commemorating South Carolina Highway 19 North (SC 19) in Aiken County as the Martin Luther King, Jr. Memorial Highway.
(Hightower)

(To place signs on Highway 19 North commemorating it as Martin Luther King, Jr Memorial Highway)

17. Proposed Resolution to Accept a Grant from Palmetto Pride for Equipment for the Litter Control Program.
(Development Committee)

(To accept a grant from Palmetto Pride for the Litter Control Program)

18. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Beech Island Rural Community Water District for a Loan for the Construction of Sanitary Sewer Lines and to Purchase Sewer Treatment Capacity from Aiken County Public Service Authority.
(Development Committee)

(To award a contract to Beech Island Water District for a loan for the construction of a sanitary sewer lines and to purchase sewer treatment capacity from Aiken County Public Service Authority)

19. Proposed Resolution to Congratulate and Honor the Riverfront Marines Detachment 1132.
(Smith)

(To congratulate and honor the Riverfront Marines Detachment 1132 for the many efforts they do for the community)

20. Proposed Resolution to Authorize the County Administrator or His Designee to Dispose of Expired Supplies.
(Judicial and Public Safety Committee)

(To authorize the disposal of expired supplies)

AS AMENDED

21. Proposed Resolution to Authorize the County Administrator to Execute Change Order #2 to its Contract with Premier Construction Services of Jackson, SC for Additional Work at Boyd Pond Park.
(Development Committee)

(To approved a change order for additional work at Boyd Pond Park)

22. Proposed Ordinance to Authorize the Aiken County PRT to do National Background Checks on Coaches and Volunteers; and to Rent PRT Buildings in 4-Hour Increments.
(Development Committee) (Second Reading)

(For PRT to do national background checks on coaches and volunteers; and to rent buildings in 4-hour increments)

AS AMENDED

23. Proposed Ordinance to Amend the Aiken County Code of Ordinances Chapter 16 Parks and Recreation, Article I, Section 16-2(b)(23) to Add a Park to the List of Parks that are Opened from Sunrise to Sunset.
(Development Committee) (Second Reading)

(To amend the Aiken County Code of Ordinances)

24. **MOVED TO NEW BUSINESS ITEM 2**

25. Proposed Ordinance to Authorize the Lease of Land at Sage Mill Industrial Park to the Economic Development Partnership for Aiken and Edgefield Counties, Inc. for the Construction and Operation of a Hydrogen Fueling Station.
(County Council) (Second Reading)

(To lease property at Sage Mill Industrial Park)

26. Proposed Resolution for the Solicitor's Office to Contract for Prosecutorial Services in Bamberg County.

ADDITION

- a. Councilwoman McKenzie made a motion to approve the Consent Agenda. Councilman Butler seconded.

(I) NEW BUSINESS

1. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone Tax Parcels 136-07-01-002, 136-07-01-003, 136-07-01-004, 136-07-01-010, 136-08-

01-001, 136-08-01-002, 136-08-01-003, 136-08-01-004, 136-08-01-005, 136-11-03-001, 136-11-03-002, 136-11-03-003, 136-11-03-004, 136-11-03-005, 136-11-03-006, 136-11-04-001, 136-11-05-001, 136-11-08-001, 136-11-09-004, 136-11-09-005, 136-11-09-006, 136-11-09-007, 136-11-09-008, 136-12-01-001, 136-12-01-002, 136-12-02-005, 136-12-02-006, 136-12-02-007, 136-12-07-002, 136-12-09-001, 136-15-02-002, 136-15-02-003, 136-15-02-015, 153-05-01-001, 153-05-01-001, 153-05-01-003, and 153-05-01-008 (601.17 Acres) Located Along New Bridge Road (S-206) and Wheat Road (S-1022), Aiken, SC in Council District 6 from RD to AP:

- A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone Tax Parcels 136-07-01-002, 136-07-01-003, 136-07-01-004, 136-07-01-010, 136-08-01-001, 136-08-01-002, 136-08-01-003, 136-08-01-004, 136-08-01-005, 136-11-03-001, 136-11-03-002, 136-11-03-003, 136-11-03-004, 136-11-03-005, 136-11-03-006, 136-11-04-001, 136-11-05-001, 136-11-08-001, 136-11-09-004, 136-11-09-005, 136-11-09-006, 136-11-09-007, 136-11-09-008, 136-12-01-001, 136-12-01-002, 136-12-02-005, 136-12-02-006, 136-12-02-007, 136-12-07-002, 136-12-09-001, 136-15-02-002, 136-15-02-003, 136-15-02-015, 153-05-01-001, 153-05-01-001, 153-05-01-003, and 153-05-01-008 (601.17 Acres) Located Along New Bridge Road (S-206) and Wheat Road (S-1022), Aiken, SC in Council District 6 from RD to AP.
(Barton) (First Reading)

or

- B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone Tax Parcels 136-07-01-002, 136-07-01-003, 136-07-01-004, 136-07-01-010, 136-08-01-001, 136-08-01-002, 136-08-01-003, 136-08-01-004, 136-08-01-005, 136-11-03-001, 136-11-03-002, 136-11-03-003, 136-11-03-004, 136-11-03-005, 136-11-03-006, 136-11-04-001, 136-11-05-001, 136-11-08-001, 136-11-09-004, 136-11-09-005, 136-11-09-006, 136-11-09-007, 136-11-09-008, 136-12-01-001, 136-12-01-002, 136-12-02-005, 136-12-02-006, 136-12-02-007, 136-12-07-002, 136-12-09-001, 136-15-02-002, 136-15-02-003, 136-15-02-015, 153-05-01-001, 153-05-01-001, 153-05-01-003, and 153-05-01-008 (601.17 Acres) Located Along New Bridge Road (S-206) and Wheat Road (S-1022), Aiken, SC in Council District 6 from RD to AP.
(Barton)

(To rezone land located along New Bridge Road and Wheat Road for agricultural preservation)

- a. Councilman Barton made a motion to approve the Ordinance under Option A. Councilman Butler seconded.
- b. Passed by unanimous vote.
2. Proposed Ordinance to Amend Chapter 15 of the Aiken County Code of Ordinances to Add Article VIII, Alcoholic Beverages and Section 15-200, Hours of Operation for Establishments With On-Premises Consumption of Alcoholic Beverages.
(Judicial and Public Safety Committee) (Second Reading)

(To amend the Aiken County Code of Ordinances)

MOVED FROM CONSENT ITEM 24

- a. Councilman Butler made a motion for the approval. Councilman Smith seconded.
- b. Councilman Butler made an amendment motion to change the opening hours to 7:00 a.m. from Monday through Saturday. Councilman Smith seconded.

- c. The amendment passed by unanimous vote.
- d. The amended Ordinance passed second reading by unanimous vote.

(J) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

- 1. Fiscal Year 2009 Aiken County Contingency Report as of February 4, 2009.

(K) INFORMAL MEETING OF WHOLE

- a. Councilman Butler made a motion to recess for Executive Session. Councilman Hightower seconded.
- b. The motion to recess passed by unanimous vote.

RECESSED – 8:35 P. M.

(L) EXECUTIVE SESSION

- 1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice. (County Attorney) (Verbal)
- 2. Contractual Matters:
- 3. Personnel Matters:
 - a. Councilman Bunker made a motion to adjourn the meeting. Councilwoman McKenzie seconded.
 - b. The motion to adjourn passed by unanimous vote.

(M) ADJOURNMENT – 10:36 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman