

WORKSESSION MIUNTES

Tuesday, May 19, 2009

6:00 pm

1. Pending Appointment Resolutions
 - a. No appointments were made.
2. Clarification and Discussion of Agenda Items
 - a. The following changes were made to the agenda:
 1. Amend Consent Item 3 - add two Equipment Operator II positions from the Road Maintenance Fund.
 2. Delete Consent Items 5, 7, 8, 9, 10, 11 & 19.
 3. Move Consent Item 23 to Introduction of Ordinances for First Reading Item 2.
 4. Move Consent Item 25 to New Business Item 4.
 5. Amend Consent Item 26 - change to the wording to read "To Authorize the Execution of Mutual Aid Agreements with Franchised Private Ambulance Providers to Provide 911 Coverage as Needed by the County".
 6. Add Consent Item 29 - Proposed Resolution To Authorize the Council Chairman to Execute Documents to Allow Bridgestone to Proceed with Entering into a Timber Sale Contract(s).
 7. Add Consent Item 30 - Proposed Resolution To Honor Mary Elizabeth Gomillion Dugar on Her 100th Birthday Celebration.
3. Status of Contingency Funds
 - a. The following allocation was made from the FY 2009 County Council Contingency Fund:
 1. Aiken Horsepower \$500 Young & Barton Sponsor Cumbee Center
4. Position Vacancy Report
 - a. The vacancy report was distributed and reviewed. Staff recommended that two Equipment Operator II positions from the Road Maintenance Fund be approved.

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 – MAY 19, 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 MINUTES

1. May 5, 2009 Worksession
2. May 5, 2009 Regular Meeting

- a. Councilman Smith made a motion to approve the minutes. Councilwoman McKenzie seconded.
- b. The minutes were approved by unanimous vote.

(E) APPROVAL OF AGENDA

- a. Councilwoman McKenzie made a motion to amend and approve the agenda as follows:
 1. Amend Consent Item 3 - add two Equipment Operator II positions from the Road Maintenance Fund.
 2. Delete Consent Items 5, 7, 8, 9, 10, 11 & 19.
 3. Move Consent Item 23 to Introduction of Ordinances for First Reading Item 2.
 4. Move Consent Item 25 to New Business Item 4.

5. Amend Consent Item 26 - change to the wording to read "To Authorize the Execution of Mutual Aid Agreements with Franchised Private Ambulance Providers to Provide 911 Coverage as Needed by the County".
 6. Add Consent Item 29 - Proposed Resolution To Authorize the Council Chairman to Execute Documents to Allow Bridgestone to Proceed with Entering into a Timber Sale Contract(s).
 7. Add Consent Item 30 - Proposed Resolution To Honor Mary Elizabeth Gomillion Dugar on Her 100th Birthday Celebration.
- b. Councilman Smith seconded the motion. The amended agenda was approved by unanimous vote.

(F) PUBLIC HEARINGS

1. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone 116 Tax Parcels (Approximately 2,700 Acres) Located Along Pickett Lane (P-107), Casa Lake Drive (P-127), Silver Bluff Road (SC 302), Sarahsetter Trail (P-397), Kimball Pond Road (C-2330), Holley Haven Drive (P-915), Gray Mare Hollow Road (S-146), Brownlee Street (P-861), Bimini Lane (P-1679), White Pond Road (S-504), Sunnyside Circle (C-373), and Chime Bell Church Road (S-861), Aiken, SC in Council District 2 from RUD and RD to AP.
 - a. A brief history of the Land Planning and Zoning Ad Hoc Committee was given. It is the Committee's intent to protect and preserve the rural nature of the area around the connector road. The AP zoning district corresponds more closely to the preferences of the property owners in the area. The Committee also recommended the use of PUD zones to accommodate business and residential uses.
 - b. Mr. Morano Smith and Mr. Charles Novack voiced opposition to the rezoning; citing concerns about restrictions on their properties.
2. Proposed Resolution to Change the Official Road Name of Stadium Rd (S-730) and Hurricane Rd (S-2068) to Bill Ward Way (S-730) in County Council District 1.
 - a. Councilwoman Rawls stated that the School Board had not made a recommendation as yet.
3. Proposed Resolution to Change the Official Road Name of Unnamed Rd S-2058 to Bretts Path in County Council District 1.
 - a. No comments were made.
4. Proposed Resolution to Change the Official Road Name of a Section of Cloudman St (S-2208) to Mint St in County Council District 3.
 - a. Councilwoman McKenzie explained that road name changes were for safety purposes.
5. Proposed Resolution to Change the Official Road Name of Church St (S-2208) to Fennel Way in County Council District 3.
 - a. No comments were made.
6. Proposed Resolution to Change the Official Road Name of a Section of Seminole Ave (S-1599) to Warbler Dr in County Council District 3.

- a. No comments were made.
7. Proposed Resolution to Change the Official Road Name of a Section of Radio Station Rd (S-1460) to Bennett Ln in County Council District 5.
 - a. No comments were made.
8. Proposed Resolution to Change the Official Road Name of Senn St (S-792) to Rookie Way in County Council District 6.
 - a. Councilman Hightower commented that property owners needed to be notified and given the opportunity to select road names.

(G) OLD BUSINESS

1. Proposed Ordinance to Amend Chapter 11 of the Aiken County Code of Ordinances to Add Article XV, Fair Housing, and Sections: Sec. 11-257. Short title; Sec. 11-258, Policy; Sec. 11-259. Definitions; Sec. 11-260. Purposes; Construction and Effect; Sec. 11-261. Unlawful Housing Practices; Sec. 11-262. Blockbusting; Sec. 11-263. Exemptions from Housing Provisions; Sec. 11-264. Complaints; Sec. 11-265. State Fair Housing Law; Sec. 11-266. Conspiracy to Violate this Division Unlawful.
(Development Committee) (Third Reading)

(To amend the Aiken County Code of Ordinances to add Fair Housing)
 - a. Councilman Smith made a motion for the adoption. Councilman Butler seconded.
 - b. Passed by unanimous vote.

(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 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.)
3. Proposed Resolution to Authorize the Filling of Certain Vital Positions Previously Restricted by the Hiring Moratorium.
(County Council)

(To fill certain vital positions frozen during the hiring freeze)

AS AMENDED

4. Proposed Resolution to Assign the Official Road Name to Existing Un-Named Private Roads in County Council Districts 2, 3, 5, and 8.
(Singer, McKenzie, Butler, Hightower)

(To name existing unnamed private roads)
5. Proposed Resolution to Change the Official Road Name of Stadium Rd (S-730) and Hurricane Rd (S-2068) to Bill Ward Way (S-730) in County Council District 1.
(Council District Representative Rawls)

(To change the name of Stadium Rd and Hurricane Rd to Bill Ward Way)
- DELETED**
6. Proposed Resolution to Change the Official Road Name of Unnamed Rd S-2058 to Bretts Path in County Council District 1.
(Council District Representative Rawls)

(To change the name of unnamed road S-2058 to Bretts Path)
7. Proposed Resolution to Change the Official Road Name of a Section of Cloudman St (S-2208) to Mint St in County Council District 3.
(Council District Representative McKenzie)

(To change the name of a section of Cloudman St to Mint St)
- DELETED**
8. Proposed Resolution to Change the Official Road Name of Church St (S-2208) to Fennel Way in County Council District 3.
(Council District Representative McKenzie)

(To change the name of Church St to Fennel Way)
- DELETED**
9. Proposed Resolution to Change the Official Road Name of a Section of Seminole Ave (S-1599) to Warbler Dr in County Council District 3.
(Council District Representative McKenzie)

(To change the name of a section of Seminole Ave to Warbler Dr)
- DELETED**
10. Proposed Resolution to Change the Official Road Name of a Section of Radio Station Rd (S-1460) to Bennett Ln in County Council District 5.
(Council District Representative Butler)

(To change a section of Radio Station Rd to Bennett Ln)
- DELETED**
11. Proposed Resolution to Change the Official Road Name of Senn St (S-792) to Rookie Way in County Council District 6.
(Council District Representative Barton)

(To change the name of Senn St to Rookie Way)

DELETED

12. Proposed Resolution to Extend a Section of Atlantic Coast Blvd (S-151) as Atlantic Coast Blvd (P-1745) in County Council District 1.
(Rawls)

(To name an extended section of Atlantic Coast Blvd)

13. Proposed Resolution to Accept Easements on Fire Tower Rd (C-491) and Bagwell Rd (C-609) Needed for Capital Projects Sales Tax II Paving Project.
(Development Committee)

(To accept easements on Fire Tower Rd and Bagwell Rd needed for the capital projects sales tax II paving project)

14. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Satterfield Construction Company for Anderson Pond Road Paving II for \$1,188,807.80.
(Development Committee)

(To award a contract to Satterfield Construction Company for Anderson Pond Rd paving)

15. Proposed Resolution to Authorize the County Council Chairman to Enter into an Agreement with the SCDOT to Construct Turn Lanes into the Savannah River Research Park.
(Development Committee)

(To award a contract with SCDOT to construct turn lanes into the Savannah River Research Park)

16. Proposed Resolution to Authorize the County Administrator to Execute Change Order 4 to its Contract with Clifton Construction, Inc. of Evans, GA for Additional Work at the Center for Hydrogen Research Lab.
(Development Committee)

(To approve a change order for additional work at the Center for the Hydrogen Research Lab)

17. Proposed Resolution to Stop Maintenance on an Existing, Unnamed (C-1115), Earthen Road.
(Development Committee)

(To stop maintenance on an unnamed road)

18. Proposed Resolution to Authorize the Addition of One Vehicle to the County Fleet for Emergency Services.
(Development Committee)

(To add a vehicle to the County fleet for Emergency Services)

19. Proposed Resolution to Discontinue the Erection and Replacement of “Watch for Children” and/or “Children Playing” Warning Signs
(Development Committee)

(To discontinue the erection and replacement of children warning signs)

DELETED

20. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with the South Carolina Department of Corrections for Inmate Labor.
(Judicial and Public Safety Committee)

(To execute a contract with the South Carolina Department of Corrections for inmate labor)

21. Proposed Resolution Recognizing Doctor Paul D Weston, MD, in His Passing.
(Hightower)

(To recognize Dr. Paul Weston, MD, in his passing)

22. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Terracon for the Warrentville & Graniteville Brownfields Assessment.
(Development Committee)

(To award a contract to Terracon for the Warrentville & Graniteville Brownfields assessment)

23. **MOVED TO INTRODUCTION OF ORDINANCES FOR FIRST READING – ITEM 2**

24. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with J E Stewart Builders, Inc for Soffit & Facia Removal.
(Development Committee)

(To award a contract to J E Stewart Builders, Inc for soffit & facia removal)

25. **MOVED TO NEW BUSINESS ITEM 4**

26. Proposed Resolution to Authorize the Execution of Mutual Aid Agreements with All Ambulance Providers to Provide 911 Coverage as Needed by the County.
(Judicial and Public Safety Committee)

(To execute mutual aid agreement with all ambulance providers to provide 911 coverage as needed by the County)

AS AMENDED

27. Proposed Resolution to Create and Authorize an Agreement with Employees that Receive County-Funded Professional Development.
(Judicial and Public Safety Committee)

(To create and authorize an agreement with employees that receive county-funded professional development)

28. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone Tax Parcel 135-06-05-001 (1.19 Acres) Located at the Corner of Columbia Highway North (US 1) and Bradley Mill Road (S-1716), Aiken, SC in Council District 6 from RC to NC.
(Barton) (Second Reading)

(To rezone land located at the corner of Columbia Highway North (US 1) and Bradley Mill Road for neighborhood commercial)

29. Proposed Resolution To Authorize the Council Chairman to Execute Documents to Allow Bridgestone to Proceed with Entering into a Timber Sale Contract(s).

ADDITION

30. Proposed Resolution To Honor Mary Elizabeth Gomillion Dugar on Her 100th Birthday Celebration.

ADDITION

(I) INTRODUCTION OF ORDINANCES FOR FIRST READING

1. Proposed Ordinance to Amend The Aiken County Code of Ordinances By Adding Chapter 19.6, Stormwater Management Program, For the Purpose of Regulating Stormwater Runoff Resulting From Land Development Activities and By Repealing Any Ordinances in Conflict Therewith. (County Council)

(To add a new chapter to the Aiken County Code of Ordinances)

2. Proposed Ordinance to Authorize the Council Chairman to Deed the Property Known as Salley Sardis Park, Located in Salley, South Carolina, to Aiken-Barnwell Community Action Commission, Inc. (Development Committee)

(To deed property known as Salley-Sardis Park to Aiken-Barnwell Community Action Commission)

MOVED FROM CONSENT ITEM 23

- a. Councilwoman McKenzie made a motion to approve the Consent Agenda. Councilman Smith seconded.
- b. The Consent Agenda was approved by unanimous vote.

(J) NEW BUSINESS

1. Presentation of the FY 2010 County Budget. (Mr. Clay Killian, County Administrator)

- a. Mr. Killian read the Budget Message into the record and presented the proposed FY 2010 Budget to Council.

The proposed FY 10 Budget balanced the General Fund revenues and expenditures at \$51,477,455 which represents a reduction of \$1,553,683 from the FY 09 Budget.

Based on the national and international economies, revenues linked to development continue to be a concern. The \$1.5 million decrease in the Local Government Fund assistance from the State of South Carolina poses the biggest challenge.

Staffing for the Civil Process Division in the Sheriff's Office is included in the proposed Budget. Funding for contract appraisal services for the Assessor's Office is also included.

The County continues to monitor the cost for operation. Based on the projected reduction in revenues, some reductions in certain agency accounts are being recommended. An effort has been made to keep most operational expenses at or below last year's level.

2. Proposed Ordinance to Establish Operating, Capital and Debt Service Budgets for Aiken County, South Carolina for the Fiscal Year July 1, 2009 Through June 30, 2010; to Provide for the Levy of Taxes for County Operations, Capital and Debt Service; to Provide for All Other Estimated Revenues and for the Appropriation Thereof; and to Provide for Other Matters Related Thereto. (County Council) (First Reading) (To Be Distributed)

(To adopt an operating budget for the County for the next fiscal year)

- a. Councilman Singer made a motion for the approval. Councilman Butler seconded.
 - b. The Ordinance passed first reading by unanimous vote.
3. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone 116 Tax Parcels (Approximately 2,700 Acres) Located Along Pickett Lane (P-107), Casa Lake Drive (P-127), Silver Bluff Road (SC 302), Sarahsetter Trail (P-397), Kimball Pond Road (C-2330), Holley Haven Drive (P-915), Gray Mare Hollow Road (S-146), Brownlee Street (P-861), Bimini Lane (P-1679), White Pond Road (S-504), Sunnyside Circle (C-373), and Chime Bell Church Road (S-861), Aiken, SC in Council District 2 from RUD and RD to AP:

- A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone 116 Tax Parcels (Approximately 2,700 Acres) Located Along Pickett Lane (P-107), Casa Lake Drive (P-127), Silver Bluff Road (SC 302), Sarahsetter Trail (P-397), Kimball Pond Road (C-2330), Holley Haven Drive (P-915), Gray Mare Hollow Road (S-146), Brownlee Street (P-861), Bimini Lane (P-1679), White Pond Road (S-504), Sunnyside Circle (C-373), and Chime Bell Church Road (S-861), Aiken, SC in Council District 2 from RUD and RD to AP. (Singer) (First Reading and Public Hearing)

or

- B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone 116 Tax Parcels (Approximately 2,700 Acres) Located Along Pickett Lane (P-107), Casa Lake Drive (P-127), Silver Bluff Road (SC 302), Sarahsetter Trail (P-397), Kimball Pond Road (C-2330), Holley Haven Drive (P-915), Gray Mare Hollow Road (S-146), Brownlee Street (P-861), Bimini Lane (P-1679), White Pond Road (S-504), Sunnyside Circle (C-373), and Chime Bell Church Road (S-861), Aiken, SC in Council District 2 from RUD and RD to AP. (Singer)

(To rezone land located along Pickett Lane, Casa Lake Drive, Silver Bluff Road, Sarahsetter Trail, Kimball Pond Road, Holley Haven Drive, Gray Mare Hollow Road, Brownlee Street, Bimini Lane, White Pond Road, Sunnyside Circle, and Chime Bell Church Road for agricultural preservation.)

- a. Councilwoman Rawls made a motion to approve the Ordinance under Option A. Councilman Singer seconded.
 - b. The Ordinance passed first reading by unanimous vote.
4. Proposed Resolution to Authorize the County Council Chairman to Enter into an Agreement with BP Barber and Associates for Evaluation and Preliminary Engineering for the Graniteville Sewer System.

(Development Committee)

(To award a contract for evaluation and preliminary engineering for the Graniteville sewer system to BP Barber)

MOVED FROM CONSENT ITEM 25

- a. Councilman Butler moved for the adoption. Councilwoman McKenzie seconded.
- b. Passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Smith, Councilman Barton, Councilman Hightower and Chairman Young voting in favor. Councilman Bunker voted in opposition and Councilman Butler abstained.

(K) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2009 Aiken County Contingency Report as of May 6, 2009.

(L) INFORMAL MEETING OF WHOLE

- a. Mr. Wallace Cash requested Council amend Section 24-3.5.9 of the Land Management Regulations by removing the height restriction or reducing the one mile restriction as it pertains to the Rural (RUD and RUC) zone.
- b. Mr. Franklin Jackson discussed unfit dwellings and refuse in the Bath and Johnstown areas.
- c. Councilman Butler made a motion to recess for Executive Session to discuss litigation, personnel matters, and contract negotiations. Councilman Hightower seconded.
- d. The motion to recess passed by unanimous vote.

RECESSED – 8:32 P. M.

(M) 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:

RECONVENED – 9:13 P. M.

- a. Councilwoman McKenzie made a motion to adjourn the meeting. Councilman Smith seconded.
- b. The motion to adjourn passed by unanimous vote.

(N) ADJOURNMENT – 9:14 P. M.

Respectfully submitted,

Tamara Sullivan, Council Clerk

SIGNED:

Ronnie Young, Chairman