

EDGEFIELD COUNTY COUNCIL

July 7, 2020

6:00 PM

County Council Chambers

Instrument 202000002733 OR Book Page 1818 232

The Edgefield County Council held their regular meeting at 6:00 PM Tuesday, July 7, 2020. Notice of this meeting was provided to The Edgefield Advertiser and others as requested.

**Members present**

Scott Cooper, Chairman  
Albert Talbert, Vice Chairman  
Arthur Biggs, Councilman  
Dean Campbell, Councilman  
Dr. Jacqueline Kennion, Councilwoman

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EDGEFIELD COUNTY, SC  
CHARLES L. REEL, CLERK OF COURT  
08-06-2020 At 11:01 am.  
Notice nochs .00  
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**Others present**

Tommy Paradise, County Administrator  
Dana Waters, Finance Director  
Andrew Marine, County Attorney  
Jennifer Gilley, Clerk to Council

Chairman Cooper called the meeting to order and noted that all of our thoughts and prayers are with the flood victims in Edgefield County. Chairman Cooper acknowledged that State Senator Massey and State Representative Hixon were at the Millcreek Subdivision right now, which has experienced tremendous road damage. Albert Talbert gave the invocation. The Pledge of Allegiance to the flag was then recited.

**Approval of Agenda**

Motion to approve the agenda was made by Councilman Campbell, seconded by Councilman Talbert. Motion passed unanimously.

**Approval of Minutes**

Motion to approve the June 2, 2020 County Council minutes (Regular Meeting of Council) was made by Councilman Biggs, seconded by Councilman Talbert. Motion passed unanimously.

**Guest Speakers**

None

**Comments from the Public**

1. Linda Anderson – Mrs. Anderson spoke in regards to the ordinance pertaining to the Capital Project Sales Tax. She stated that she would like Council to show their support for any additional money collected above the projected amounts be put towards the new Law Enforcement Center rather than other projects.

**Reports**

There was no discussion nor questions on the reports.

**Consent Agenda**

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Chairman Cooper asked Council if there were any items that needed to be removed from the Consent Agenda to allow discussion. There were none. Motion to approve the Consent Agenda as presented was made by Councilman Campbell, seconded by Councilman Talbert. Motion passed unanimously.

1. Consideration of Appointment to GLEAMNS.

Marcella Edwards .....Private Sector

2. Consideration of appointment/reappointment to the Edgefield County Water and Sewer Authority Board of Trustees.

Carrol Clark .....At-Large

Ken Smith .....At-Large

**Consent Agenda Ends Here**

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**Public Hearing**

None

**Old Business**

1. Consideration of Approval of Second Reading of Ordinance Number 19-20-770, "An Ordinance to Impose, Subject to Referendum Approval and Pursuant to the Capital Project Sales Tax Act, a One Percent (1%) Sales and Use Tax (The "Tax") within Edgefield County for not more than Eight (8) Years; To Order A County-Wide Referendum on the Question of Imposing the Tax and to Prescribe the Contents of the Ballot Question; to Specify the Purposes for Which the Proceeds from the Tax are to be Used, the Maximum Time for the Imposition of the Tax; and to Provide for Other Matters Relating Thereto."

Mr. Paradise stated there have been no changes regarding this ordinance but he did note this would be for a Law Enforcement Center, not just a Jail. There was no discussion.

Motion to approve second reading of ordinance number 19-20-770 was made by Councilman Talbert, seconded by Councilwoman Kennion. Motion passed unanimously.

2. Consideration of Approval of Third Reading of Ordinance Number 19-20-769, "An Ordinance Authorizing the Issuance and Sale of a General Obligation Bond, Series 2020, or such other Appropriate Series Designation, of Edgefield County, South Carolina, in the Principal Amount of Not Exceeding \$750,000; Fixing the Form and Details of the Bond; Authorizing the County Administrator or his Lawfully Authorized Designee to Determine Certain Matters Relating to the Bond; Providing for the Payment of the Bond and the Disposition of the Proceeds Thereof; and Other Matters Relating Thereto."

Mr. Paradise noted this would be the replacement of an existing bond and would not require a tax increase.

Motion to approve second reading of ordinance number 19-20-770 was made by Councilman Biggs, seconded by Councilman Campbell. Motion passed unanimously.

**New Business**

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1. Consideration of Approval authorizing a Memorandum of Understanding with the Town of Edgefield for funding dam repairs for the Beaver Dam Watershed.

Mr. Paradise said the fiscal year 2020-2021 budget included \$25,000 reserved to fund repairs to the dams of the Beaverdam Watershed. He said the Town of Edgefield also funded \$25,000 for these repairs and it is anticipated that the Town and County will divide the cost of repairs on a 50/50 basis with the County not exceeding \$25,000. Mr. Paradise said this memorandum of understanding documents that agreement.

Motion to approve the authorization of a Memorandum of Understanding with the Town of Edgefield for funding dam repairs for the Beaver Dam Watershed was made by Councilman Talbert, seconded by Councilwoman Kennion. Motion passed unanimously.

2. Consideration of Approval authorizing the County Administrator to provide a letter of support to the South Carolina Department of Natural Resources supporting their acquisition of 134 acres in Edgefield County.

Mr. Paradise said he has been in contact with Brian Long of the South Carolina Department of Natural Resources Board. He said they have approved a property acquisition of Tax Map and Parcel number 175-00-00-001-000 and they require a letter of support from the county before completing the project. He said the acquisition would make the property tax exempt and the previous year's taxes was \$3,637.19. Mr. Paradise said after the property is acquired, it will be dedicated as a heritage preserve and be placed into the corpus of the South Carolina Heritage Trust. He said the property would be managed as the Horse Creek Heritage Preserve. He noted this would be preserved for future educational purposes, archaeological digs to find additional pottery (much of which has been found intact or very good condition) and even possible tourism.

Motion to approve the authorization for the County Administrator to provide a letter of support to the South Carolina Department of Natural Resources supporting their acquisition of 134 acres in Edgefield County was made by Councilman Biggs, seconded by Councilman Campbell. Motion passed unanimously.

3. Consideration to Authorize the County Administrator to use funds not to exceed \$30,000 from the 2015 Vehicle Bond to purchase a truck from State Surplus for County Maintenance.

Mr. Paradise said the truck used by Joe Simpson for maintenance work around the county has approximately 350,000 miles and needs some costly work. He said the vehicle has previously been repurposed from Emergency Management. He explained that if this is approved the funds would be utilized to obtain a used truck from State Surplus Program to obtain federal surplus property. Mr. Paradise said the 2015 Vehicle Bond has a balance of \$104,507.

Councilman Talbert asked if the current truck driven by Mr. Simpson was new when it was purchased. Mr. Paradise said he believed it was but could not be for certain since that truck was purchased prior to his employment with Edgefield County.

Motion to approve the authorization for the County Administrator to use funds not to exceed \$30,000 from the 2015 Vehicle Bond to purchase a truck from State Surplus for County Maintenance was made by Councilman Talbert, seconded by Councilman Biggs. This entered Council into discussion.

Councilman Campbell asked if this money would be lost if it isn't used prior to the new bond taking effect. Mr. Paradise said it would not be lost. He said the county will be able to finish spending what is left on this bond in addition to the new bond.

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Motion passed unanimously.

4. Consideration of Approval of Resolution Number 19-20-1116, "A Resolution by Edgefield County Council Expressing Its Support of Second Amendment Rights."

Chairman Cooper said Council received requests from citizens to support protecting their 2<sup>nd</sup> Amendment rights at previous Council meetings. He said he believes Council supports the citizens' constitutional rights. He asked Mr. Marine to give an explanation for a resolution versus an ordinance. Mr. Marine explained that a resolution shows County Councils support of an issue/item but doesn't have the force of law whereas an ordinance is codified and does create a law for Edgefield County. He went on to explain that County Council is not allowed to pass fire arm control laws per the South Carolina State Law. He said the State Constitution and State Code are very clear that fire arm control laws can only be passed by Legislation. He did note that County Council can pass fire arm safety laws such as shooting in a neighborhood or during the middle of the night.

Motion to approve resolution number 19-20-1116 was made by Councilman Biggs, seconded by Councilman Campbell. Motion passed unanimously.

**Comments from the Public**

None

**Executive Session**

Actions may be taken in public session on matters discussed in Executive Session including contractual matters.

1. To receive legal advice concerning a potential legal claim against the County.

Motion to enter executive session was made by Councilman Talbert, seconded by Councilman Cooper. Motion passed unanimously.

Motion to enter back into open session made by Councilman Talbert, seconded by Councilwoman Kennion. Motion passed unanimously.

**New Business Continued**

5. Consideration of Approval of Actions Regarding any counter claims, any motion would be for the County Attorney to "defend Edgefield County against any alleged legal claims brought against the County as discussed in Executive Session and to bring any counterclaims or crossclaims against any party in the matter as the County Attorney deems appropriate."

Chairman Cooper made the motion to approve actions regarding any counter claims, any motion would be for the County Attorney to "defend Edgefield County against any alleged legal claims brought against the County as discussed in Executive Session and to bring any counterclaims or crossclaims against any party in the matter as the County Attorney deems appropriate, this was seconded by Councilman Biggs. Motion passed unanimously.

**County Administrator's Report**

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Mr. Paradise started his report by saying Edgefield County had suffered from flash flooding earlier in the day. He said there were four homes that had people trapped by flood waters located on Scenic Road, Indian Ridge Road, and Broken Arrow Court with people trapped inside. He said one of the mobile homes on Broken Arrow Court was washed off of its foundation and another was crushed in the trees. He said Merriwether Fire Department had rescued 11 people. Mr. Paradise went on to say that Millcreek Road, a county owned road, had a 20 to 30 feet wash out with a gully that was approximately 15 to 20 foot deep. He said this is a dead-end road and 25 to 30 homes are now not accessible by road. Mr. Paradise said staff is researching ways to provide possible temporary egress via a forestry road. Mr. Paradise also told Council, Sweetwater Road is flooded at Dry Branch Creek where rain had topped its banks. He said the South Carolina Department of Transportation was is on scene blocking off the road. He reported flooding on Woodward Lake Road at Waters Edge Road in Trenton and Bream Oak Road. He said staff had received reports of multiple trees down on power lines and blocking the road but those had been cleared.

Second, Mr. Paradise said the technology updates to the Council Chambers were completed and came in \$2,913.51 under budget.

Next, Mr. Paradise said Edgefield County received a PARD grant to put roofs on two dugouts at Bettis Park, to purchase a chair dolly, a table dolly and additional chairs for Sweetwater Community Center.

Mr. Paradise moved on to report the contractor had received the next four county welcome signs and would be installing those within the next few weeks. He said those locations are Hwy 378 at McCormick County, Hwy 19 at Aiken County, Hwy 25 at Aiken County and on Hwy 23 at Saluda County.

Mr. Paradise also reported that as of that morning, Edgefield County had 100 confirmed cases of Covid-19, up from 51 confirmed cases last month with 30 cases currently known positive.

Mr. Paradise said the fees for cancelled spring sports have been refunded.

Next Mr. Paradise spoke about the 2020 Census. He said Edgefield County had a census response rate of 54.4, up from 53.4% the previous month. He noted those numbers were still below the state average of 56.2% and the national average of 61.7%. He also said Edgefield County ranked 22<sup>nd</sup> of the 46 counties in the state in percentage of responses.

Mr. Paradise closed his comments by saying the Building and Planning Office had issued permits for an up-fit for Dollar General to use about half of the store and the old Fred's location.

Chairman Cooper asked if Edgefield County was still at 3 COVID related deaths. Mr. Paradise confirmed this number.

**Comments by County Council Chair**

Chairman Cooper said he wanted to give Councilman Biggs and Councilwoman Kennion time to say a few words.

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Councilman Biggs announced that he would be removing his name from the November 2020 ballot. He said he would be moving out of state to be closer to family and that he originally thought that he would be moving in a year or two but his house sold very suddenly and that is why this is happening so quickly. He said it had been a pleasure working for the citizens of Edgefield County. He said he appreciated that the citizens trusted him to represent them and his district. He said he'd always tried to do what was best for everyone. Councilman Biggs said that even though he was from New Jersey, he came from rural farm land in New Jersey and he always felt at home in Edgefield County. Councilman Biggs finished his comments by saying he was happy to have gotten to know everyone here and thanked staff for their support.

Chairman Cooper said Councilman Biggs would be in attendance at the August meeting and that staff was planning a reception was but that it would probably be cancelled due to COVID.

Councilwoman Kennion started by saying that she was going to miss working with Councilman Biggs and he'd been a joy to work with on County Council. She wished him the best in future endeavors.

Councilwoman Kennion was pleased to announce that she had an update regarding the installation of a red light at the intersection of Highway 25 and Bettis Academy Road. She read allowed a letter she'd received from the South Carolina Department of Transportation. It read:

*Dear Dr. Kennion:*

*Thank you for your May 18 letter on behalf of your community in Edgefield County District 4. We have completed updated studies concerning the possibility of stop-and-go traffic signal control at the US 25 and Bettis Academy Road intersection and concur with a traffic signal installation.*

*The US 25 widening project is progressing toward final completion. When the widening project activities have ramped down and are very limited, we will begin with the traffic signal installation to include advance signal ahead warning signs with flashers for the US 25 approaches. Thank you again for your letter and please stay safe and well.*

*Sincerely,*

*Kevin R. McLaughlin, P.E.  
District Engineering Administrator*

Councilwoman Kennion said this project has been very near and dear to her heart as she has been touched personally by some of the tragic accidents that have occurred at this intersection. She was very proud to have been able to see this request come to light after years of hard work and dedication. She thanked Council for their support on this issue.

Councilman Cooper announced the August meeting would be held on Wednesday, August 5, 2020 rather than their normal Tuesday.

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He also asked Council if they would like to go back to Zoom meetings due to the rise in COVID numbers. Councilman Campbell and Councilman Biggs both said they would be fine with what the majority of Council wanted to do. Chairman Cooper said that Council would meet via Zoom. Councilman Talbert said that he would like to meet in person because his internet at home isn't reliable. He said if the majority ruled to meet via Zoom, he would have to go to his mother's home. Chairman Cooper said that Councilman Talbert and Council Biggs represent the demographic with the most risk from COVID, thus would like them to have the greatest input. Councilman Talbert said he preferred to have the meetings in the Chambers. Councilman Biggs said he too preferred having the meetings in the Chambers but that he also has some concerns about COVID and the numbers increasing. He did note that he has seen that 6 feet may not be enough space between people and he believes that safety is the number one priority. He said that if one person feels the need to have the meeting via Zoom, he would support that person in their decision. Chairman Cooper doubled checked with Councilman Talbert that he had a place to go for the meeting if it were to be held via Zoom. Councilman Talbert confirmed. Chairman Cooper announced the meeting would be held via Zoom.

Chairman Cooper said he also wanted Council to consider taking a field trip in September with the Sheriff and possibly the two candidates for Sheriff to view a facility similar to the Law Enforcement Center that was presented at the last County Council Meeting.

**Adjourn**

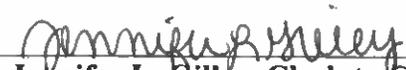
Councilman Talbert made the motion to adjourn at 7:21 PM, seconded by Councilwoman Kennion. Motion passed unanimously.

Edgefield County Council



H. Scott Cooper, Chair

ATTEST



Jennifer L. Gilley, Clerk to Council