

EDGEFIELD COUNTY COUNCIL

September 7, 2021

6:00 PM

County Council Chambers

Instrument Book Volume Page
2021-4939 OR 1929 95

2021-4939

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Tuesday, September 07, 2021

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The Edgefield County Council held their regular meeting at 6:00 PM Tuesday, September 07, 2021. Notice of this meeting was provided to The Edgefield Advertiser and others as requested.

Members present

- Scott Cooper, Chairman
- Albert Talbert, Vice Chairman
- Dean Campbell, Councilman
- Dr. Jacqueline Kennion, Councilwoman
- Tiffani Ireland - Councilwoman

Others present

- Roger LeDuc, Interim County Administrator
- Taz Potts, AP /Payroll Clerk, and
- others as per list attached

CALL TO ORDER

Chairman Cooper called the meeting to order at 6:02 pm and Reverend Martin Ryans, Pastor of The Dream Center, located on Highway 19 in Edgefield, SC gave the invocation. The Pledge of Allegiance to the flag was then recited.

Approval of Agenda

A Motion was made by Chairman Cooper to change two items on the agenda, move the guest speaker Mr. Calvin Henderson to the October meeting since he was unable to attend tonight, and add item number four under Old Business to have Councilwoman Jacqueline Kennion give an update on Adopt a Highway Program. Motion was seconded by Vice-Chairman Talbert. All in favor. Motion passes unanimously.

Approval of Minutes

1. July 6, 2021 – Regular Council Meeting – Motioned by Councilwoman Ireland. The motion was seconded by Councilwoman Kennion. All in favor. Motion passes unanimously.
2. August 4, 2021 – Special Called Meeting – Motioned by Councilman Campbell. The motion was seconded by Vice-Chairman Talbert. All in Favor. Motion passes unanimously.
3. August 4, 2021 – Regular Council Meeting – Motioned by Vice-Chairman Talbert. The motion was seconded by Councilman Campbell. All in favor. Motion passes unanimously.

Guest Speaker

Mr. George Thornton, Chairman
Heritage Preservation Land Trust

Mr. Thornton discussed what conservation easements are and how they work. Mr. Thornton presented a power point presentation highlighting the benefits from conservation easements. Mr. Thornton said a conservation easement is an amendment to an existing deed of property that documents and requires the preservation of open land and historical buildings. Conservation Easements were introduced by legislature in the mid-1980's. Mr. Thornton said the Congressional intent of conservation easements was to help affect climate change, clean water, clean air, and preserving habitat for future generations. Mr. Thornton said conservation easements are a part of Federal Law but regulated by the Internal Revenue Service. The

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first key component for a conversation easement is it has to be accepted and monitored by the Internal Revenue Service Approved Land Trust. Mr. Thornton said congress determined that public/private partnerships was the most effective way to achieve economic goals for easement conservations. Mr. Thornton said it is really important to understand once the land is in an easement conservation it is in perpetuity and cannot be reversed under any circumstances, even if heirs try to sell the land. Conservation Easements can be used for agriculture, hunting, hiking, forestry, and the preservation of wildlife. Conversation Easements has significant benefits, for example you can get a 50% reduction in annual adjusted income for up to fifteen years. Mr. Thornton said a land trust is a non-profit corporation, (501C-3) and has to be approved by the Internal Revenue Service and acts as a proxy for surveying the easements for the IRS and is responsible for enforcing any violations of conservation easements. Mr. Thornton said the Land Trust has to determine if the land is suitable for conversation easements. Mr. Thornton said the Heritage Preservation Land Trust works with land owners and helps with the conversation easement and file them in the court house. Heritage Preservation Land Trust specializes in significant working properties. Examples of these properties would be agriculture, ranching, wildlife management, new subdivisions and historical buildings. Chairman Cooper asked what is an average parcel size, and does it require some type of endowment to fund ongoing expenses of the preservation. Chairman Cooper was advised that they work with about 230 to over 1,000 acres and they do require an endowment on each conservation easement.

Comments from the Public

Agenda Items other than Public Hearing Matters

Edgefield County Code of Ordinances, Chapter 2, Section 2-52, Rule 23 governs public comments. Any citizens may sign up to speak at any regular meeting of the county council on matters pertaining to county services and operations, but not on personnel matters. Interested citizens may sign an agenda list maintained by the clerk to council prior to each regular meeting. Each citizen shall be eligible to speak for a maximum of 5 minutes. Additionally, the period for citizen comments shall be limited to a total of 30 minutes. All citizens participating in the citizen comment period shall be subject to recognition by the presiding officer and shall address the presiding officer directly. The comment period should not be a debate period between council members and members of the public. Written comments may be submitted to the clerk to council at any time

- Persons speaking are a part of the official minutes

NONE

Reports

There was no discussion or questions on the reports.

CONSENT AGENDA

There was no discussion or questions. Motioned by Councilman Campbell. The motion was seconded by Vice-Chairman Talbert. All in favor. Motion passes unanimously.

I. PUBLIC HEARING

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1. **Consideration of Approval of Public Hearing of Ordinance Number 20-21-792**

“An Ordinance to Amend Chapter 20-32 of the Edgefield County Land Ordinance”.

The Current minimum lot size or RR and RD zones is 12,000 S.F. We believe the minimum size lot in these zones should be larger than 12,000 S.F. We recommend increasing the size to ½ acre or 21,780 S.F. The Planning Commission at their July meeting agreed to increase the minimum size lot in RR and RD from 12,000 SF to 21,780 SF.

NONE

2. **Consideration of Approval of Second Reading of an Ordinance Number 21-22-793**

“An ORDINANCE TO AMEND CHAPTER 24-29 (a)(1), CHAPTER 24-29(c) and 24-29(d)(3) OF THE EDGEFIELD COUNTY LAND ORDINANCE”

The Planned Development (PD) regulations don't require a minimum amount of open space or a maximum amount of impervious development within a subdivision. We are recommending these changes to all future PD's along with a condition that they follow the comprehensive plan, an increase minimum parcel size to 15 acres, increase minimum lot size and required traffic study. The Planning Commission reviewed the suggested changes and made a few modifications which are included.

NONE

3. **Public Comment Concerning Redistricting in Edgefield County**

Every ten years the county needs to review their current district lines and adjust them to conform to the new census data. This means that some of the districts will geographically become larger and others smaller. Over the next several months the State will assist the county with establishing these new boundaries prior to the 2022 elections. Additionally, the county could consider other issues such as the number of districts and whether they want the Chairman of the Council to be elected at large. If the Chairman is elected at large we could maintain five districts for a total of six members on council or increase the districts to six and have seven members on council. The council would like to receive any feedback concerning these or any other issues from the public at tonight's meeting.

John Gault – Is from District five, from the Merriweather section. Mr. Gault said we do not need any more council members. He believes in smaller government, which is less beaucrocy. The county does not need to pay more people to do what the five council members are already doing for the county. Mr. Gault understands that each district needs to have so many people in it, so each district gets an equal vote and if he county needs to move the lines to make the districts smaller or larger to get an equal number that is fine.

Rhonda Nowicki – Ms. Nowicki says she would like to increase the number of districts and keep it at an odd number. She thinks this will help better represent the people because people are coming to her telling her they cannot get a call or email response from their representatives. Ms. Nowicki said other people are complaining that some representatives will not reply by any mail they will only do sit down meetings, she expressed that people are busy and does not have time for sit down meetings. Ms. Nowicki said that if they increase the number of districts this would help take some

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of the work off the members that are already on council. Ms. Nowicki said she wants to know how much it would cost the county if they added two new districts before any decision is made.

Linda Anderson – Ms. Anderson said it is difficult for the citizens to give input when they don't know what the numbers are and where the numbers are hitting. Ms. Anderson does not like the idea of the Citizens voting for a chairman, she likes what we have now.

Chairman Cooper closed the Public Hearing at 6:30pm.

IX. OLD BUSINESS

1. Consideration of Approval of Third Reading of Ordinance Number 20-21-792, "An Ordinance to Amend Chapter 24-32 of the Edgefield County Land Ordinance".

The current minimum lot size for RR and RD zones is 12,000 square feet. We believe the minimum size lot in these zones should be larger than 12,000 S.F. We recommend increasing the size to ½ acre or 21,780 S.F. The Planning Commission at their July meeting agreed to increase the minimum size lot in RR and RD from 12,000 SF to 21,780 SF. **(Exhibit I)** Motioned by Councilman Campbell. The motion was seconded by Chairman Cooper. All in Favor. Motion passes unanimously.

2. Consideration of Approval of Second Reading of an Ordinance Number 21-22-793 "AN ORDINANCE TO AMEND CHAPTER 24-29 (a)(1), CHAPTER 24-29(c) and 24-29(d)(3) OF THE EDGEFIELD COUNTY LAND ORDINANCES"

The Planned Development (PD) regulations don't require a minimum amount of land for open or a maximum amount of impervious development within a subdivision. We are recommending these changes to all future PD's along with a condition that they follow the comprehensive plan, an increase minimum parcel size to 15 acres, increase minimum lot size and a required traffic study. The Planning Commission reviewed the suggested changes and made a few modifications which are included. **(Exhibit II)**

Administrator LeDuc said the Planning Commission met and approved this at their August meeting. What's in (Exhibit II) is what the Planning Commission approved. Administrator LeDuc said it went from 5 acres to 15 acres and from having a minimum 2,500 square foot lot to 6,500 sf per lot which decreases the density. The Planning Commission approved 30% of open space. Administrator LeDuc said the county needs to have the comprehensive plan to be the guiding document. The council needs to always go back to it when approving development in the county and the council can make changes, as long as they have a reason, they are making changes. Administrator LeDuc said there should be at least 30% area, which is asphalt, concrete, and housing and 30% is the minimum areas. Administrator LeDuc said the last thing was traffic engineering, they need to do a study and see what the level of service is before the development starts and then what the level of service is when it is fully occupied. Chairman Cooper wanted to make sure that 30% for the impervious and pervious area is the maximum and not the minimum and this would include the green space and the total parcel. Administrator LeDuc advised him that 30% was the maximum area. Chairman Cooper asked if 30% of pervious and impervious is normal for other places that have this type of requirement. Administrator LeDuc advised that is correct.

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Motioned by Councilwoman Ireland. The motion was seconded by Vice-Chairman Talbert. All in Favor. Motion passes unanimously.

3. Discussion of the Upcoming Edgefield County Redistricting Plan:

Every ten years the county needs to review their current district lines and adjust them to conform to the new census data. This means that some of the districts will geographically become larger and others smaller. Over the next several months the State will assist the county with establishing these new boundaries prior to the 2022 elections. Additionally, the county could consider other issues such as the number of districts and whether they want the Chairman of the Council to be elected at large. If the Chairman is elected at large we could maintain five districts for a total of six members on council or increase the districts to six and have seven members on council. The council would like to receive any feedback concerning these or any other issues from the public at tonight's meeting.

Administrator LeDuc said at the end of this month the state will get data from the Census Bureau. Every county and most towns will have to go through the redistricting process. The state provides maps and will assist the county with establishing the new boundaries prior to the 2022 elections. Administrator LeDuc said some districts will geographically become larger and the others will become smaller. Administrator LeDuc said the population has decreased in the County and the prisons make up part of our population. Administrator LeDuc said the state will look at the number of people in each district and start reviewing the districts based on other elements, mainly based on demographics and then after the state is done the council can look and see where the lines need to go. Administrator LeDuc said that everything has to be done by next spring before the filing for the election. Councilman Campbell asked would there be a public hearing or public input session. Administrator LeDuc advised him that any time there is a reading there will be public comments. Councilwoman Ireland advised that it is a long and lengthy process. Councilman Campbell said only 20% of all counties in South Carolina have an even number of council members, instead of odd numbers. Vice Chairman Talbert told the public that he wants them to voice their opinions.

IX. NEW BUSINESS

Dr. Jackie Kennion – Adopt a Highway Program

Dr. Kennion said our county is beautiful and it needs to stay that way. Dr. Kennion said the county no longer has trustee's picking up trash around the county due to covid-19 and she does not think the county will get them back. Dr. Kennion said the county needs volunteers to Adopt a Highway to pick up litter and make sure people does not litter. Dr. Kennion said she rode through the county and the North Side was looking great but some districts need more care than others. Dr. Kennion said she spoke with Ms. Brenda Cockrell Administrator for SCDOT about picking up trash first before cutting the grass and Ms. Cockrell stated that they don't have any trustee's right now to help pick up the trash, so they need help from volunteers. Dr. Kennion asked the public for their help with this program. Councilwoman Ireland asked if they were allowing the county to use anyone on probation. Dr. Kennion advised that she is still waiting to hear from them. Councilwoman Ireland asked why council was not receiving a litter report. Administrator LeDuc advised that the county does not have any crews right now.

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1. Consideration of Approval of First Reading of Ordinance Number 20-21-794

“AN ORDINANCE AUTHORIZING THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH AIKEN COUNTY CALLED PROJECT RHINESTONE, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN AIKEN COUNTY AND ESTABLISHED PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH AIKEN COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO”. This ordinance is to establish a multi-county industrial park (MCIP) with Aiken County.

The park will be located in Aiken County. The agreement to create a multi-county park will allow for the industry in the park to receive certain incentives from the state and county. Edgefield County will receive 1% of the Fee in Lieu of Taxes This is a just a procedural function; it will not involve Edgefield County creating a new industrial park requiring investment on the part of Edgefield County.

Administrator LeDuc advised that the county has several jurisdictional parks with Aiken County, where the county get 1% and that adds up to about 60,000 per year.

Motioned by Vice-Chairman Talbert. The motion was seconded by Councilwoman Ireland. All in favor. Motion passes unanimously.

2. Consideration of Approval of the Tax Millage Rate for FY 2021-2022.

County Auditor Bill Gilchrist has been working with Finance Director Taz Potts, Treasurer Arlene Traxler, Tax Assessor Gerri Coleman, and Administrator Roger LeDuc to determine the County’s millage rate for the tax bills to be mailed in the near future. Based on the assessed values of homes, business, vehicles, etc. Edgefield County saw a slight increase in the value of a mill from \$83,600 to \$89,060 There is no proposed change in the tax levy from its current 82.9 rate. Council may want to consider increasing the millage rate by 8.41 mills and eliminate the road user fee. If council decides to keep the road fee it could be reconsidered with next year’s budget.

County Auditor Bill Gilchrist said the county is looking at a 7% increase in the value of the millage rate from last year. Mr. Gilchrist said every year the county is growing and most of it is residential and vehicle registration is also up. Mr. Gilchrist said council can increase the tax millage rate to about 6.9 mills and this is what council can raise going three years back under current state law, to help raise the lost revenue of \$725,000 of the road maintenance fee that would be taken off the resident’s tax bills. Mr. Gilchrist said by adding 6.9 mills it will raise the millage rate to 89.8. He said if council votes to do this, this will be the first increase on the millage rate since 2009. Mr. Gilchrist said if council approves the millage rate at this council meeting it will show up on the January 2022 tax bills and the road maintenance fee will not. Councilman Campbell asked the auditor if this was revenue neutral. Mr. Gilchrest advised that it was revenue neutral. Administrator LeDuc said the county’s current millage rate is 82.9 and recommending that next year they stay revenue neutral and keep the millage rate at 82.9. Administrator LeDuc said that by going up to 6.9 mills they can recover for the road-maintenance fee. Administrator LeDuc said as the result of the court ruling in Greenville, eventually the county has to find another way to fund the road

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maintenance fee. Administrator LeDuc recommends council to go ahead and pass the increased millage rate tonight. Chairman Cooper asked County Auditor Bill Gilchrist if the 6.9 mills were the highest, they could raise it for three years. County Auditor Bill Gilchrist advised it was. Chairman Cooper made a motion to accept the Millage Rate of 82.9 mills and add 6.9 mills to cover the Road Maintenance Fee and present a resolution at the October council meeting to end the Road Maintenance Fee by December 31, 2021. The motion was seconded by Vice-Chairman Talbert. All in Favor. Motion passes unanimously.

3. CHANGE DATE OF COUNCIL FOR OCTOBER

Chairman Cooper made a motion to change the October Regular Council Meeting from Tuesday, October 05, 2021 to Monday, October 04, 2021. The motion was seconded by Vice-Chairman Talbert. All in favor. Motion passes unanimously.

COMMENTS FROM PUBLIC

All additional comments

Edgefield County Code of Ordinances, Chapter 2, Section 2-52, Rule 23 governs public comments. Any citizens may sign up to speak at any regular meeting of the county council on matters pertaining to county services and operations, but not on personnel matters. Interested citizens may sign an agenda list maintained by the clerk to council prior to each regular meeting. Each citizen shall be eligible to speak for a maximum of 5 minutes. Additionally, the period for citizen comments shall be limited to a total of 30 minutes. All citizens participating in the citizen comment period shall be subject to recognition by the presiding officer and shall address the presiding officer directly. The comment period should not be a debate period between council members and members of the public. Written comments may be submitted to the clerk to council at any time.

SHERIFF SALARIES

Sheriff Jody Rowland said Edgefield County Sheriff's Department is behind other agencies 31% in pay for Deputies, Dispatchers, and Jailers. Sheriff Rowland said in the last few weeks he has lost a Corporal, a Sargent, a Deputy and recruits. Sheriff Rowland said he is afraid he is going to lose more employee's in the weeks to come, because they are going to jobs for higher pay. Sheriff Rowland said he is treating this as an emergency and asking council to please give the Sheriff Department more money to give raises to all employees at the Sheriff's Department. Sheriff Rowland said Deputies are working more hours, with less pay, and less time off, and they need some help. Sheriff Rowland said it is imperative they hire, and train new recruits, and keep the deputies, jailers, and dispatchers that they have. He said Deputies are taking other jobs for better pay, so he compared the pay rates to other agencies they work with on a daily basis. Sheriff Rowland said he wants to give each position at that the Sheriff's Department a \$10,000 raise and the starting positions also. Sheriff Rowland asked council's permission to work with Administrator LeDuc over the next month to come up with some options and present them at the next council meeting. Councilwoman Ireland asked how many employees are working at the Sheriff's office. Councilwoman Ireland was advised there are seventy- four employees working at the Sheriff's office. Councilwoman Ireland said the county needs good law enforcement and the only way that is going to happen, is if the county raises the pay. Administrator LeDuc advised council he would have some recommendations for next month's meeting.

Joel Hudson – Mr. Hudson wants to know what is going on with the zoning. Mr. Hudson said he is understanding that the zoning has changed from a minimum of 5 acres to 15 acres for the land to be in agriculture now. Mr. Hudson said he owns 14.9 acres and has horses and cows. Mr. Hudson

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said he lives on Briggs Rd and it is his understanding that some of the zoning is changing from one side of the road to other side. Chairman Cooper advised Mr. Hudson that all the information about the zoning is online and to have a conversation with Doc Hart because he is the resident specialist for zoning. Chairman Cooper also advised Mr. Hudson that Briggs Rd happens to be a district line and that is why one side of the road is getting zoned and one is not. Mr. Hudson asked why is one side getting zoned and the other side is not. Chairman Cooper advised Mr. Hudson that the minimum of five 5 to 15 acres to be put in agriculture has not changed. Administrator LeDuc advised that state laws say if one side of your property is zoned then the other side also has to be zoned, all of your property will have to be zoned or un-zoned. Administrator LeDuc said currently Briggs Rd is not zoned. Administrator LeDuc said if there is going to be a piece of property that is going to zoned or changed that individual land owner will get a letter stating that.

Vicki Carpenter – Ms. Carpenter wanted to let council know that Roper Ranch Trail and Carpenter Road does not want zoning.

Allen Hudson – Mr. Hudson said that a bunch of the land on Briggs Road is family land and has been the families for generations. Mr. Hudson said that all of people like the land the way it is because they can have horses and privacy unlike North Augusta. Mr. Hudson said they do not want any zoning on Briggs Road.

John Pettigrew – Mr. Pettigrew said council needs to pay the salary necessary to attract and train good law enforcement. Mr. Pettigrew said he wanted to talk about the road maintenance fee. Mr. Pettigrew said he wants to encourage council to keep the road maintenance fee and not go up on the millage rate because the millage rate will hit businesses very hard. Mr. Pettigrew said businesses are struggling right now with the covid-19, so they don't need their taxes going up and they will if council raises the millage in January 2021. Mr. Pettigrew said the road maintenance fee will be paid by everyone that owns a vehicle. Mr. Pettigrew said as it was pointed out renters do not pay county taxes but they do own vehicles. Mr. Pettigrew said the road maintenance fee is a fair tax. Mr. Pettigrew stated that there was a lawsuit about a road maintenance but it only pertained to Greenville County. Mr. Pettigrew encouraged council to keep the road maintenance fee.

ADDITIONAL ITEMS TO REPORT BY THE COUNTY ADMINISTRATOR

1. LeDuc said council will be having a work session on Wednesday, September 22, 2021 at 6:00p.m. LeDuc said the session will be to discuss how to use the American Rescue Plan Money. LeDuc said they are looking at broadband. He also said they are looking at doing something with Edgefield County Water and Sewer Authority and also some storm drains issues.
2. LeDuc said he received an email from CADDIS Solar Company and wanted an ordinance for council to pass it at this meeting. LeDuc said they would have to give him more information before he could present it to council and they might put it on the Agenda for the October meeting. LeDuc said they are wanting a fee in lieu for the solar facility.

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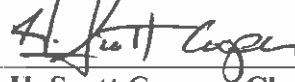
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3. LeDuc said the Planning Commission meeting is Thursday, September 9, 2021 and they will be reviewing district 1 and 3 zoning maps. LeDuc said they have mailed 700 letters to residents and will eventually be mailing over 3,000 to residents. LeDuc said the county needs to let the citizens know what is going on. LeDuc said the Planning Commission will be looking at districts 2 and 4 and hopefully finish up in November with districts 1 and 5, at which time they will have completed their review and modifications of the regulations. LeDuc said the plan is to have a second council meeting in November with the Planning Commission to go over all the changes and then have a public hearing. LeDuc said the first reading will probably be in December.
4. LeDuc said they have chosen property for the new law enforcement site but they are concerned about the property being contained from another building. He has asked the company to do a phase II environmental study. LeDuc said they need to determine where there is contamination on the property or if there is any at all. LeDuc said they are going ahead with the design and should have it ready by May of 2022, after the design plans are ready, they will go out for bids. LeDuc said it will take about a year and half to construct the building. LeDuc said it will be the end of 2023 or the beginning of 2024 before the new law enforcement center will be opening.
5. LeDuc said there was an ordinance passed in August that increased the minimum lot size to 1 acre if there was water and no sewer and 2 1/2 acres if there was no water and no sewer. LeDuc said a council member wants to review this and possibly change it to five acres. LeDuc said he will discuss this with the planning commission.
6. LeDuc said Bicycles Across South Carolina will be hosting an event October 14 - 17 2021 at Hickory Hill Milk Farms and there will be about 500 participants. LeDuc said they have talked with EMS, and Sheriff's Department. LeDuc said the Town of Edgefield will be putting on certain events. LeDuc said this is the first time in South Carolina that they have done something like this and the Town of Edgefield received a \$100,000 grant for this event. South Carolina Parks and Recreation will be providing 50/50. The Post and Courier Newspaper will be providing \$50,000.00 for this event.
7. **COMMENTS BY THE COUNTY COUNCIL CHAIR**
Chairman Cooper stated that we have economic growth pressuring our county. He hopes to see more industry move to Edgefield County, as that is the best form of growth. Chairman Cooper encourages understanding with regards to our growing pains. It is nothing personal, it is normal. Chairman Cooper highlighted the work our Planning Commission is doing, which is a good thing.
8. **ADJOURN**
Motioned by Councilwoman Kennion. Second by Councilwoman Ireland.
Meeting adjourned at 8:17 pm

To watch the County Council Meeting live via YouTube: Subscribe to our YouTube Page – Edgefield County Government. You'll be able to see upcoming meetings and can be notified when we go live.

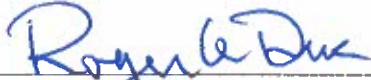
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H. Scott Cooper, Chair

ATTEST



Roger LeDuc, County Administrator