

EDGEFIELD COUNTY COUNCIL

February 7, 2023

6:00 PM

County Council Chambers

The Edgefield County Council held its regular meeting at 6:00 P.M. Tuesday, February 7, 2023, in the County Council Chambers, 225 Jeter Street, Edgefield, SC. Notice of this meeting was provided to The Edgefield Advertiser and others as requested.

Members Present

Dean Campbell, Chairman

Albert Talbert, Vice Chairman

Tiffani Ireland, Councilwoman

Dr. Jackie Kennion, Councilwoman

Jerry Moody, Councilman

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Others Present

David Caddell, Administrator

Taz Potts, County Finance Director

Aretha Eubanks, Clerk to Council

Hart Doc Clark, Building and Planning

Andrew Marine, County Attorney

Chairman Campbell called the meeting to order at 6:00 PM. The invocation was given by Mr. John Hudson.

Approval of Agenda

Chairman Campbell asked Council if there are any changes to the agenda. Hearing none, Councilman Talbert made the motion and Councilwoman Kennion seconded. Motion passed unanimously.

Guest Speaker

Will Williams, President, and CEO of Western SC Economic Development Partnership

Chairman Campbell, Kell Anderson and I made visits to 7 existing industries. All are doing well, all experiencing difficulties hiring, and two were working on expansions.

Finished infrastructure projects at Edgefield County Industrial Park. 600-foot waterline extension, 600 foot road extension and new monument signage at the entrance. A grant from the SC Department of Commerce assisted with this signage project.

4 projects engaged on, 2 new and 2 expansions. 3 other projects we could not submit. Reasons not able to submit: power requirement, water requirement.

Edgefield County Industrial Park – Currently Edgefield County owns 49.2 acres immediately behind Generac. Western SC owns 21.4 acres immediately behind the county’s property. Both parcels have purchase options by Generac on them. These options last until Feb 2031. The remaining 145 acres belong to Stately Oaks LLC. The County does have an option and fixed

EDGEFIELD COUNTY COUNCIL
 February 7, 2023
 6:00 PM
 County Council Chambers

purchase price per acre. I would recommend Council look to purchasing sufficient acreage that we might be able to make the site ready.

Piedmont Tech – working with the Piedmont Tech team developing the Edgefield County Center for Advanced Manufacturing at the Park

Retail Strategies – 2nd year of engagement with them. Working to find retail opportunities to locate in Edgefield County. Team visited, ran data on leakage and viewed sites. 1st year was slow, but this year group is gaining traction with these retail establishments.

Unemployment Data

Month	number	%	Previous year #	%
Dec	312	3.1	292	2.8
Nov	297	2.9	283	2.8
Oct	405	3.9	282	2.7
Sept	337	3.3	271	2.6
Aug	315	3.0	367	3.5

Approval of Minutes

Chairman Campbell asked for approval of January 3, 2023, regular meeting minutes. Councilwoman Ireland made the motion and Councilman Moody seconded. Motion passed unanimously.

Comments from the Public

Rhonda Nowicki: I want to make it public for the public to hear and understand. We used to get the meeting agenda and exhibits on Friday before the meeting allowing time for the citizens to read the information and possibly contact representatives about any concerning issues. Then we went to getting it on Monday before the meeting or Tuesday. Most folks do not have time to read or comment on it then. This week, we did not get the email and documents until we called. They were not posted on the building either. I am not trying to beat up Aretha, we have already talked. It is about County Council following the law. I know we make mistakes. I make mistakes. I am not an attorney. But if I understand these documents correctly. These things must happen to have a legal meeting. I have given Andrew a copy of it before the meeting. This is state law, and it says, an agenda for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or a meeting place of the public body and on a public website maintained by the body if any at least 24 hours prior to such meetings. That did not happen. We all have ordinances, but that is state law. So I ask, what are we going to do to fix it and are we headed to another lawsuit if we do not? I don't know what the answer is but I really think the public needs the documents sooner so they can contact you. They cannot even contact

EDGEFIELD COUNTY COUNCIL
February 7, 2023
6:00 PM
County Council Chambers

you if they do not have the documents to know what is on the agenda. Citizens need the weekend to read the documents.

With no other comments, Chairman Campbell closed this public comment period.

Reports

Chairman Campbell asked Council if they have any questions or comments on the reports. There were none.

Consent Agenda

Chairman Campbell: Council as you see the Consent Agenda, do we need to remove anything from the Consent Agenda? Hearing none, is there a motion to approve the Consent Agenda as presented? Councilman Talbert made the motion and Councilwoman Ireland seconded. Motion passed unanimously.

Public Hearing

Chairman Campbell opened the Public Hearing on the two ordinances listed on the agenda. Chairman Campbell began with Ordinance 21-22-792, an ordinance to replace section 6, Animals of the Code of Ordinance.

Dezdamona Pazdalski: There is only one issue I have with the ordinance, which I think it was addressed. I am fairly certain it was corrected but I have not seen the redraft. The word shall is open. The word will not close. What I am trying to say and the point I made to Councilman Moody is that if you state that the officer shall not enter, that leaves them open. If you state he will not enter, there is no more doubt that. The doubt is removed. I do not know if that was fixed, Mr. Hart.

Hart Clark: It was phrased should not, and I changed it from should to shall meaning mandatory. Shall not mean it cannot happen.

Dezdamona Pazdalski: I wanted to make double sure that I fully comprehend because I do not want anything left open on your end.

Hart Clark: You are correct, it was originally phrased as should not which was not the correct language, and I did correct that.

With no other comments, Chairman Campbell closed the public hearing for ordinance 21-22-792.

Chairman Campbell opened the floor to the public or ordinance 21-22-793, an ordinance authorizing the delivery of an agreement of purchase and sale, and conveyance of certain properties between Edgefield County and John McCracking, his successors, and assigns.

John Pettigrew: I know you are not surprised to see me up to speak. It all started about two years ago in a public hearing where I asked was there an appraisal and what did the property conveyance include, how many acres, and something about the project. I still have questions. Was the property properly advertised because I was not shown where the property was

EDGEFIELD COUNTY COUNCIL
February 7, 2023
6:00 PM
County Council Chambers

advertised for \$50,000. I understand it was put on Gov Deals, but the agenda continues to say that the property was advertised for \$50,000. A request for proposal was advertised many years ago. Do you have a copy of it Councilman Ireland where it is advertised for \$50,000? I asked Administrator Caddell, and he has not been able to find it nor did the previous administrator.

Councilwoman Ireland: Yes, I have it where it is listed for sale. The Edgefield Advertiser does not have a sale price. But it is listed in the August 8, 2018, Edgefield Advertiser.

John Pettigrew: (Read newspaper article aloud) Yes the request for proposal was advertised, but what I said is it was not advertised for \$50,000 which is what the agenda said it was advertised for. I do have several other questions regarding the contract that was submitted as an attachment or exhibit to the agenda. I read through the contract and there seem to be some discrepancies. I would be interested in whether this contract is valid or not. On page two of the contract, item four, that closing shall occur no later than 5:00 PM on or before 5/14/2021. It also says on page eight that expiration of the offer is on 3/10/2021. And then the contract was signed on 11/28/2022. I am wondering if this contract is still valid contract or if are we going to have to do a new contract. Could somebody tell me that? Attorney Marine, maybe you should address the offer and closing dates?

Chairman Campbell: Mr. Pettigrew you will address me as the Chairman, and I will address the staff. Please follow our decorum and rules. Attorney Marine or Administrator Caddell, do you have the answer that we need to take up tonight?

Attorney Marine: The contract has been submitted to us, but not signed by us. Yes, there will be some term dates changed from the original submission to us. But I believe in the ordinance we are giving will have that taken care of.

John Pettigrew: This particular contract was signed on 11/28/2022, is this the only contract in existence at this time or are there others?

Chairman Campbell: When you say signed, they are signed by who?

John Pettigrew: John E. McCracking, buyer, on November 28, 2022, time 14:23.

Attorney Marine: It has not been signed by the county.

John Pettigrew: Correct.

Chairman Campbell: That is why I asked who signed it.

John Pettigrew: It was made an exhibit to the agenda. That is why I am referring to if there are any other contracts or is this the only one.

Administrator Caddell: There is no other contract and that is the only contract. It will be updated with the date of sale when we are prepared to sign it.

John Pettigrew: Thank you. Also, one of the exhibits was the demolition proposal from Sitec Construction. Is Sitec Construction an independent third party, recommended by Mr. McCracking or are they in business with him or do you know?

EDGEFIELD COUNTY COUNCIL
February 7, 2023
6:00 PM
County Council Chambers

Administrator Caddell: The reason we got that information from Sitec Construction is because Mr. McCracking had informed us that he was getting quotes for the demolition, abatement, and assessment of asbestos. He did not have a copy with him. He did not have a written price. So, I contacted Sitec Construction to get that information in writing and then shared it because it is public information. It is not a bid, but a budget number for information.

John Pettigrew: I think it might be wise to look into whether that is an independent third party proposal from Sitec Construction or if Sitec Construction is in business with Mr. McCracking prior to third reading to ensure Council and the public have access to all information before making the final decision.

With no other comments, Chairman Campbell closed the Public Hearing.

Chairman Campbell: Council before we move to Old Business, without objection, could we take a five-minute recess? Council adjourned for five minutes.

Chairman Campbell called the meeting back to order. We appreciate your patience with us. I did want to discuss with the County Administrator and Attorney the information that was given to us tonight about notifications of the meeting. I am never too proud to say when you were wrong, and we were wrong. We did not advertise this meeting correctly, so we will not be taking up anything on the agenda tonight that requires a vote under New or Old Business. I recommend based on the state law that we take everything that is Old Business and New Business and move to the March 7, 2023, Regular Meeting. We believe none of the items are time sensitive so it can wait a month. Council, if you want to have a special meeting, the earliest day based on the timing of this meeting and ad announcement is March 2, 2023. We will shift all the item information on this agenda to March 7, 2023, Regular Meeting including anything new items that may be added. I would like for Council to take up the items that we are not voting on tonight. We will move to the public comment section of the agenda. I will ask Attorney Marine how are we to make a motion to do all these needed changes.

Attorney Marine: Now would be the time to make a motion to postpone the items under Old and New Business to our next publicly called meeting.

Chairman Campbell: Council, I move that we take the Old and New Business items and move them to the March 7, 2023, Regular Meeting Agenda with the understanding that if any of these items become time sensitive, we could call a Special Meeting just to consider that one item. Councilman Moody seconded; motion passed unanimously.

Comments from the Public

Chairman Campbell opened the second comment period.

Carroll Wates: I will give a brief history of the Brunson Center and what it means to the community in that area. He continued discussing how 70 people recently attended a meeting there about the concerns for the Brunson Center. I am here to ask for funding to help update the facility and add new heating and air so they may bring the voting polls back into the facility.

EDGEFIELD COUNTY COUNCIL
February 7, 2023
6:00 PM
County Council Chambers

Councilman Talbert: I know this is a great concern and Mr. Wates indicated that the Brunson Center had been a voting poll for years. I had worked for the voting poll in the Brunson Center in the past. I have spoken with Chairman Campbell and Administrator Caddell about the Brunson Center. We will see what we can do to help with your request.

Carroll Wates: If there is anything I can do to help the process, I will be glad to help.

John Hudson: I have two concerns to discuss with you. We are expanding, and people are coming here to buy land. A lot of them are city people who do not know what to do with the land. They are allowing the land to be exposed to erosion from creeks, backfilling the land and bringing in fill dirt. I am going to talk with my Council member with some notes so we could work up a good plan to help with this situation. I think if you buy land, you should have some ideas of what the county expects for the use. We need some direction from the county pertaining to land usage. I think we need to come up with a good plan for land development. The other concern is the new jail we are building. We have never spent this amount of money and I do not know all the facts. But the Lord told me that there should be three people inspecting that site. I understand construction because I have been in it all my life. I understand that you have two people in-house that are inspecting the site, but you need to add a third independent inspector. If you do not have an outside source, things could get out of hand. I pray you all can get a handle on it and get ahead of it. We need a jail, but we do not need a palace for prisoners. John spoke a word from the Lord to Council.

Annette Holloway: I am here to speak about the water at Springfield Baptist Church. I would like to appeal for water and sewer expansion for the Northside of Edgefield. I am here to describe how water is polluted and how the effects dirty water affects the health and well-being of our lives. (Handout given to Council)

Louis Pazdalski: My subject tonight is the order on yielding seating time to another speaker under Robert's Rules of Order pertaining to comments from the public. There is an understandable need for County Council meetings to be done in an orderly and timely fashion. This needs to balance with the needs of the citizens for freedom of speech, to give proper feedback to give all council members to function as representatives form of government on all issues. I had the pleasure of watching each member of the council proudly take an oath to uphold the Constitution. Included in our Constitution is the first amendment, our freedom of speech. It was prioritized by our Founders as the first. Council chose to restrict this right by abrogating our rights under Robert's Rules of Order to not yield or seed time to a citizen deemed worthy of continued consideration. My proposal for your consideration is we support the necessity of the total 30-minute time frame for citizen input with the exception of continuation when a speaker needs more time to complete their statements, one yielding of time should be allowed. Also, once the additional five minutes of time has expired, the speaker should be allowed to petition any Council Member to request a motion to immediately extend time, stop, or table of speakers for additional time to the next County session also the Chairman could poll the audience to determine if the issue is of value for continued consideration. Then this could be decided by a majority vote by Council. How can any item before Council be reasonably determined if the issue cannot be heard by Council? Please reconsider and amend the existing Rules of Order with this solution.

EDGEFIELD COUNTY COUNCIL
February 7, 2023
6:00 PM
County Council Chambers

Mona Pazdalski: She read an email sent to County Council on January 27, 2023. I have had the privilege of working with the County Council offline getting information and data that I never had access to before. I did not always ask the correct questions, so it is not just all your fault but mine as well. The email said “Hey all, I truly hope and pray we can continue the way we have begun this year. It is amazing and refreshing to see that you all do care. I want to commend Mr. Moody for taking the time to explain issues in detail. And I am not in his district. His transparency and his cooperation is not just welcomed but very much appreciated. Much in this county is passed on by rumors and gossip. I initially fell into that trap. Then I began to ask questions and observe conduct. I discovered that gossips and rumors are harmful and horde misunderstanding.”

With no other comments, Chairman Campbell closed this Public Comment period.

Report By County Council Members

Councilman Moody: I would like to take this time to congratulate Sheriff Rowland and his department for becoming ITS Compliant. For those who do not know what that is that all records and data are being kept and maintained properly in accordance with guidelines set by SLED and FBI. After speaking with Sheriff Rowland, this is the first time in the history of the Sheriff’s Department that this compliance has been met.

Councilman Talbert: I would like to thank Springfield Baptist Church for coming out tonight and speaking on the water in their area. I know the water is very bad and it is a necessity. Administrator Caddell and I will get together with other Councilmembers to see what can be done. I know everybody feels like we are left out on that end of the county. We are working towards trying to do better for the whole community. Not just one area. Administrator Caddell and I have had a conversation with Ms. Shirley recently. We were supposed to meet with Pastor Myers but that had to be changed to a later time. We are not neglecting you all. Sometimes we do not get to the right person when someone may be getting ready to get something accomplished. I did not know you all were having a meeting on that day of the 19th. I do apologize for not knowing that.

County Administrator’s Report

I have three items to report:

1. Animal Control – construction has begun on the new building that the site has been prepared for. It had been graded and earth prepped for the concrete. We expect rapid progression from this point moving forward considering it is a steel building. With us trying to find a way to operate this facility to set up a working group which we will do this week to develop the policies and procedures for actually running the shelter on a daily basis. That will quickly be followed by developing a fee schedule, going out for bid for veterinarian services, or hiring a vet tech and developing relationships with various non-profits.
2. Law Enforcement Center – Unfortunately there is not a lot to report because the contractors have been battling a very wet site. They had made a lot of progress in grading

EDGEFIELD COUNTY COUNCIL
February 7, 2023
6:00 PM
County Council Chambers

but there are some components of it they are unable to build due to the amount of rain. Our next progress report will be on February 15, 2023.

3. Budget – We are starting our budget process beginning this week. The Department Heads and Elected Officials submitted their requests today. Over the next two weeks, I will be meeting with them to discuss their requests. We will be putting together a preliminary draft budget over the new few weeks.

Comments by County Council Chairman

I appreciate everyone being here tonight and being a part of local democracy.

While every month is busy for the County Council and staff, I want to point out that in January, County Council had a very productive retreat to help us bring momentum and information to citizens of the kinds of work we want to put on our plates. I appreciate the citizens supplying input, and Council and staff did a great job of assimilating it into our retreat.

In January, the Council also had a joint meeting with the Planning Commission, which was also extremely productive and allowed us all to better see the vision we all have for the future of Edgefield County.

The fruits of those two sessions have laid the groundwork for the upcoming Strategic Plan being assembled by our staff right now. We'll all see a version of it soon, and public comment will be sought as always. It will be ultimately be adopted by Council at an upcoming meeting.

Finally, in January, we held our annual Intergovernmental Meeting. This meeting is the time to hear from many elected officials and appointed Committee and Board members. I know everyone there learned a lot about what projects are ongoing and upcoming around the County. As elected and appointed leaders, it's good for all of us to hear this information and understand what all of us are doing.

I want to apologize for our oversight in posting an agenda. It is a mistake. We'll fix it for the future. I'll take full responsibility for the error.

Adjourn

Chairman Campbell: I have nothing else to report, and with nothing else on our agenda tonight, I'd entertain a motion to adjourn. Councilwoman Kennion made the motion and Councilwoman Ireland seconded. Motion passed unanimously.

Council adjourned at 7:07 PM

EDGEFIELD COUNTY COUNCIL
February 7, 2023
6:00 PM
County Council Chambers

Edgefield County Council



Dean Campbell, Council Chairman

ATTEST



Aretha Eubanks, Clerk to Council