

**TOWN OF CENTRAL  
REGULAR COUNCIL MEETING MINUTES  
1067 WEST MAIN STREET, CENTRAL, SC 29630  
MONDAY, APRIL 13, 2009 – 7:00 PM**

Present: Mayor Mac Martin; Council Members David Donald, Tony Craig, Lynne O'Dell Chapman; Tracey Reynolds, Harrison Holladay, and Gary White; Town Administrator Phillip Mishoe; Finance Director Jerri Martin; Clerk of Court Tina Galbreath; Chief of Police Kerry Avery; Fire Chief Ed Reynolds; Fire Department's Executive Director Ben Smith; Recreation Director Tom Cloer; Public Works Director Dean Martin; News Media Vince Jackson, Terry Cregar, and Greg Oliver; Citizens Bobby Ballentine, Anne Sheriff and Willie Gaines; and Town Clerk Sandy Brown.

The meeting was called to order by Mayor Mac Martin.

Mayor Martin stated the Council was in Executive Session at 6:00 pm and took a recess until the Regular Schedule Council Meeting at 7:00 pm. In Executive Session, no decisions were made; only information was shared. At this time the Mayor adjourned the Special Called Meeting of April 13, 2009.

#### Action Items

Mayor Martin stated this action refers to the Executive Session. On April 6, 2009 in a Special Called Meeting Council approved a motion that it be the full consensus that a Council Member disclose of information by the end of business Wednesday (April 8, 2009), and the issue would be readdressed at the Executive Session on April 13, 2009. The point in time had passed and the information was not disclosed; that was the discussion in Executive Session. Therefore, the Council was presented with Resolution #04-13-09 HI. Lynne Chapman made the motion to accept the resolution as presented; seconded by Tracey Reynolds. The vote was unanimous. The Mayor then read the resolution into the minutes:

*Whereas, on March 24, 2009, Councilman Donald reported a possible Harassment incident to the Administrator. Councilman Donald stated that three employees reported an incident to him. Councilman Donald refused to divulge the employees' names to the Administrator so that a thorough investigation could be conducted in accordance with Section 1.2 of the Town of Central's Employee Handbook. The Administrator conducted an investigation based on the limited information provided to him, by Councilman Donald.*

*On Monday April 6, 2009, Town Council conducted an Executive Session to exclusively deal with this alleged incident. Our Town Attorney, Scott Dover, was present at the Executive Session and emphasized to Councilman Donald the importance of cooperating with the investigation and revealing the names of the of the employees so a proper investigation could be conducted. The Town Attorney advised Councilman Donald that he did not have the authority or right to withhold the names of the persons who he claims to have made these allegations. The Town Council gave Councilman Donald until Wednesday April 8, 2009 at 5:00 p.m. to reveal the names of the employees to the Administrator or our Town Attorney. Councilman Donald has not followed the Town Attorney's advice and still refuses to divulge the names of the employees to the Administrator or the Town Attorney. It is the Town Attorney's opinion that Councilman Donald's actions are prohibiting a thorough investigation of the alleged Harassment incident.*

*We, as Council, believe the Administrator has conducted as thorough investigation as possible based on the limited information provided to him and the employees' failure to follow the proper chain of command in reporting such an incident and the uncooperative nature of Councilman Donald. It should be clear that the three employees who allegedly reported this incident to Councilman Donald did not follow proper procedure in accordance with Section 1.2 of the Town of Central's Employee Handbook. The Town Attorney has advised us that our exposure to liability will hopefully be lessened, due to the employees' failure to properly report any incident and the resulting inability to investigate any alleged incident.*

*In an effort to distance ourselves from any liability that may arise from these circumstances, Council is making this issue a matter of public record. Council wants it made public that every effort has been made to ensure that a proper investigation into this alleged incident was completed. However, we are unable to conduct a thorough investigation due to the employees failure to follow the Town's procedures in reporting such alleged harassment and Councilman Donald's refusal to cooperate with the investigation and reveal the names of the employees that reportedly made the claim to him.*

*Now, therefore, be it resolved that based on these circumstances, we are instructing the Administrator to cease any further investigation concerning this matter. Town Council further emphasizes that it does not tolerate harassment of any kind and expects the Administrator to ensure that the Town of Central maintains a work environment that is conducive to all workers as outlined in Section 1.2 of the Town of Central Employee Handbook. We further instruct the Administrator to ensure that all employees are aware of the proper procedure in reporting any harassment issue in the workplace.*

#### Tripp Muldrow – Retail Marketing Study

Bob Arnett with Muldrow Associates is working on a retail marketing study and marketing ideas and a tourism component for the Town of Central. The study has been partially funded by the State Parks and Recreation Department, the SC National Heritage Corridor, and the Town of Central. Mr. Arnett stated at the end of the study they will show the town how to leverage the tourism opportunities to help increase visitation in the town and hopefully get the people to spend more money in town. Muldrow Associates asked eleven retail businesses to assist in a zip code survey in February. During the one week period the Town of Central had 1,032 visits. This represented zip codes from people who were not students. Mr. Arnett then broke down the zip codes by towns and cities. They will return in May with additional information.

#### Reading of Council Meeting Minutes 03-09-09

Lynne Chapman made the motion to adopt the minutes as presented; seconded by Harry Holladay. The vote was unanimous.

#### Reading of Special Called Meeting Minutes 03-02-09

Lynne Chapman made the motion to adopt the minutes as presented; seconded by Tracey Reynolds. The vote was unanimous.

#### Reading of Special Called Meeting Minutes 03-16-09

Gary White made the motion to adopt the minutes as presented; seconded by Tony Craig. The vote was unanimous.

#### Reading of Special Called Meeting Minutes 04-06-09

Tracey Reynolds made the motion to adopt the minutes as presented; seconded by Harry Holladay. The vote was unanimous.

#### Public Session

No one spoke.

#### Receipt and disposition of petitions

None at this time.

#### Reports from Council Committees:

##### A. Gary White – Street & Sanitation

Mr. White reported for the month of March, the Street Department completed 43 work orders. In addition to work orders the Street Department had 8 stops for leaves, 34 stops for wood, 15 stops for metal, and 200 stops for brush. They clean Main Street from Church to Werner Street every Friday. They cleaned off the road right-of-ways after the storm and cleaned the snow from the sidewalks around town and Town Hall. On March 24<sup>th</sup> they patched holes in the road on Oakhurst Circle, Watkins Street, Tarrant Street, Ramseur Street and Eaton

Street. They helped read meters on March 19<sup>th</sup> and mowed grass this past month.

- B. Harry Holladay – Planning  
Mr. Holladay made a motion to accept Resolution #04-13-09 FH; seconded by Gary White. The vote was unanimous.

Revised Home Occupation Permit

Mr. Holladay made the motion to accept the revision of the Home Occupation Permit; seconded by Lynne Chapman. The vote was unanimous

- C. Tracey Reynolds – Water & Sewer  
Ms. Reynolds reported for the month of March, the Water and Sewer Department completed 73 work orders and pulled water samples. They repaired numerous water leaks, installed several new water and sewer taps to upgrade the old existing ones, and flushed sewer lines. The water meters were read on March 19<sup>th</sup>. Rechecks were done on the 20<sup>th</sup> and disconnects were done on the 26<sup>th</sup>. They performed 45 disconnects and 29 reconnects.

First Reading of Policy #04-13-09 BASE - Rate Increase for Sewer

Ms. Reynolds made the motion to accept Policy #04-13-09 BASE as presented; seconded by Tony Craig. Ms. Chapman asked the Administrator to explain the reason for the rate increase, for public record. Mr. Mishoe stated the rates are being changed by 43 cents (per thousand) because the county (Pickens) is increasing 43 cents per thousand on their sewer charge. It is basically a pass-through. Mayor Martin stated the rates would go into effect on the May billing in conjunction with the water rate increase. Mayor Martin, Tony Craig, Lynne Chapman, Tracey Reynolds, Harry Holladay, and Gary White were in favor of the increase; David Donald was opposed.

- D. Lynne Chapman – Finance  
Ms. Chapman stated in looking at the Financial Report, the sanitation is in the red, but it will even-out in the future.

- E. Tony Craig – Public Safety  
Mr. Craig stated all Council Members should have received their reports in their packets.

For the month of March the Fire Department responded to 3 alarm systems activated, 5 vehicle accidents which were general cleanup, 2 hazardous conditions, 1 passenger vehicle fire, 11 power lines down, 1 smoke detector activation, 2 building fires, 1 smoke or other removal, and 1 dispatched and cancelled.

The Police Department had a total of 750 events in March. In February there were 525; an increase in March of 225. They responded to 16 accident investigations, 21 assisted other departments, 285 complaints, 8 extra patrols, 69 incident reports, 125 traffic tickets issued, 92 assist to citizens, 4 funeral escorts, and 28 warrants served.

- F. David Donald – Recreation  
Mr. Donald asked the Council to give him their recommended name change for the Central-Clemson Recreation Center.

Mr. Donald continued with his report: the Central Recreation Department has been busy with baseball practice and flag football games. Baseball Games will begin April 13<sup>th</sup>.

Trehel has reported that the conceptual drawings and the estimated costs to build the recreation complex in phases should be ready around the middle of this month.

Football signups for ages 7-12 and cheerleading signups for grades K-7<sup>th</sup> will run May 11-May 28.

From the Indoor recreation center: Joe Crosby announced that 64 new memberships were taken in the month of March.

The Young at Heart Program: A Spring Dance was planned for March 28<sup>th</sup> however this had to be cancelled as only 4 people signed up to attend the event. Interim Healthcare had donated bottles of water and mini-cupcakes for refreshments so these were used for the "Breakfast For Your Brain" event instead with Interim Healthcare aware of the change. Interim is one of the new partners that Kimberly has gained through working with the Upstate Senior Network.

In order to establish better communications with the senior community, Kim is instituting a monthly "Breakfast with Kim" at Hardee's in April. This will be an informal get together so the seniors can ask questions and provide suggestions for future activities.

Kimberly announced in the April newsletter the new opportunity for businesses to advertise in the monthly newsletter. The hope is that this will help offset some of the cost of publishing the newsletter.

#### Introduction and consideration of new ordinances

##### A. First Reading of Ordinance #04-13-09 BRE - Blue Ridge Electric

Mayor Martin read the ordinance into the record. Lynne Chapman made the motion to accept the ordinance as presented; seconded by Tracey Reynolds.

Mayor Martin, Tony Craig, Lynne Chapman, Tracey Reynolds, Harry Holladay, and Gary White were in favor; David Donald was opposed.

##### B. First Reading of Ordinance #04-13-09 EZ - Enforcement of Zoning Ordinance

Mayor Martin read the ordinance into the record. Harry Holladay made the motion to accept the ordinance as presented; seconded by Tony Craig. Gary White asked if the ordinance could be incorporated in the Zoning Ordinance. Mayor Martin stated it would.

Mayor Martin, Tony Craig, Lynne Chapman, Tracey Reynolds, Harry Holladay, and Gary White were in favor; David Donald was opposed.

#### Consideration of ordinances already in possession of Council

There were none.

#### Reports from the Administrator and Mayor:

##### A. Administrator

Mr. Mishoe stated the Pickens County Municipal Association Meeting would be in Norris, April 27<sup>th</sup> at 7:00 pm. Harry Holladay, Tony Craig, Gary White, Mayor Martin and Mr. Mishoe would attend.

The sewer line towards Southern Wesleyan College is still in progress; the rain did slow them down some.

The bridge is still out to the South Plant and the employees can not get to it. Ed (Reynolds) donated dirt for the South Plant bridge. Mr. Mishoe thanked him and suggested Council thank him and offered to give him a receipt for taxes.

Mr. Mishoe stated Bobby Ballentine was instrumental in securing the Muldrow Company and getting the people to the interviews. At a later Council Meeting he should he recognized for his efforts.

#### B. Mayor

Mayor Martin accepted nominations for a vacancy on the Recreation Board. David Donald nominated Dwayne "Dewy" Brown. No other nominations were proposed. All were in favor of appointing Mr. Brown to the Board.

Chair, Mayor Martin made a motion to accept the Duke Energy Contract as presented; seconded by Harry Holladay. Mr. Donald asked about the addendum to the service agreement. Mr. Mishoe stated he talked with Mike Wilson (of Duke Energy); he advised Mr. Mishoe to encourage Council to vote on the contract as is. Duke Energy has a program where they will match a certain percentage of what ever a town matches – based on how much electricity is used in the town. It is a program to help the municipalities to convert overhead power (lines) to underground. If the Town of Central was ever interested in the program, Duke Energy would do the formula to see how much electricity is generated in the town. Mr. Wilson's recommendation was to pass it with the contract to speed the process if it was ever an interest. Mr. Donald asked what percentage the town would be responsible for. Mr. Mishoe state it was 5 percent overall. Duke Energy can pull money out of their reserve account to help with the conversion. Mr. Donald wanted to know if the town was setting aside any money; to which Mr. Mishoe stated they were not. Gary White asked if the town could do certain areas of the town at a time; Mr. Mishoe stated they could. Mayor Martin called for a vote: Mayor Martin, Tony Craig, Lynne Chapman, Tracey Reynolds, Harry Holladay, and Gary White were in favor of the increase; David Donald was opposed.

#### Easley-Central Water Contract

Chair, Mayor Martin made the motion to accept the contract as presented; seconded by Gary White. Lynne Chapman asked what would happen if the town refused the contract. Mr. Mishoe stated they would need to go back to Easley-Central Water District and renegotiate the contract. Mr. Mishoe stated that Easley-Central did not want to sell the water lines. David Donald asked about page 2 of 4 and the correct amount of the payment. Mr. Mishoe stated it was correct. Mr. Donald also asked about the exclusive supply. Mr. Mishoe stated that during the committee meetings (with Easley-Central Water), he made sure it was in the contract to be able to buy water from Anderson Regional. Tony Craig pointed out on page 2 of 4, \$1.30 should be \$1.39. Mayor Martin called for a vote. The vote was unanimous.

Miscellaneous business not included in any of the proceeding items

With no objections Mayor Martin adjourned the meeting.

Respectfully submitted,

Sandra L. Brown, CMC  
Town Clerk

Approved: May 11, 2009