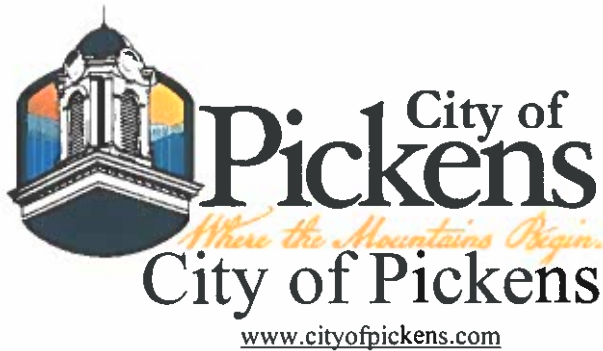


Mayor
FLETCHER PERRY
City Council
MAYOR PRO TEM, JIMMY DAVIS
ROBERT NEALY
PATRICK LARK
ISAIAH SCIPIO
DONNIE MCKINNEY
LOIS PORTER



Administrator
Charlene Carter
City Clerk
Donna Owen

AGENDA
CITY COUNCIL MEETING
Monday, January 9, 2023 6:00 PM
CITY HALL 219 PENDLETON STREET
PICKENS, SOUTH CAROLINA

1. WELCOME AND CALL TO ORDER:
2. INVOCATION AND PLEDGE OF ALLEGIANCE:
3. COMMENTS FROM CITIZENS:
4. APPROVAL OF CITY COUNCIL MINUTES:
December 12, 2022 Regular Council Meeting

ORDINANCES- Second Reading

5. Ordinance 2022-10 Purchasing and Procurement Conflict of Interest Policy

NEW BUSINESS TO BE CONSIDERED BY CITY COUNCIL:

6. Meeting schedule for 2023 approval

ORDINANCES- First Reading

7. Ordinance 2023-01 Annexation of 151 Holder Street
8. Ordinance 2023-02 Annexation of 231 Holder Street
9. CONVENE INTO EXECUTIVE SESSION:
CODE OF LAWS, SECTION 30-4-70 Contractual matters and/or Personnel
10. RECONVENE INTO PUBLIC SESSION:

11. ACTION AS IT RELATES TO EXECUTIVE SESSION:

12. Administrative update

13. Appointments for Boards and Commissions

14. ADJOURNMENT:

Regular called City of Pickens Council Meeting
December 12, 2022
6:00 p.m.

The Mayor Pro-Tem and City Council met in Regular Session in the Council Chambers at City Hall 219 Pendleton Street, Pickens S.C. Agendas were posted and sent to media on December 8, 2022.

Council Members in attendance:

Council Member Jimmy Davis, Mayor Pro-Tempore
Council Member Patrick Lark
Council Member Robert Nealy
Council Member Lois Porter
Council Member Isaiah Scipio

Council Members Absent:

Mayor, Fletcher Perry
Council Member Donnie McKinney

Staff:

Charlene Carter, City Administrator
Randal Beach, Chief of Police
Chris Elrod, Fire Chief

(The minutes are a synopsis of the meeting, and a full viewing and recording of the meeting is available on the City of Pickens Webpage and Facebook).

CALL TO ORDER AND INVOCATION:

Mayor Pro-Tempore, Jimmy Davis called the meeting to order and stated he would be conducting the meeting in the absence of Mayor Perry. Council Member Patrick Lark gave the Invocation followed by the Pledge of Allegiance.

COMMENTS FROM CITIZENS:

Mayor Pro-Tempore Davis stated he had a list of citizens who have signed up to speak and he would limit those comments to (5) minutes. Mr. Davis asked that each person be respectful in their comments.

Jeff Derrick – Mr. Derrick spoke to Council regarding the recent termination of Recreation Director, Mr. Enoch. Mr. Derrick stated he thought Mr. Enoch had made a mistake but did not think it was a cause for termination. Mr. Derrick pointed out that the citizens are upset regarding this termination and requested Ms. Carter and Council to reconsider. Mr. Derrick also requested to have more information regarding the water tower and stated that if the City can add parks and other recreational venues, he would like funds to be set aside for the water tower maintenance.

Paige Hallums – Ms. Hallums spoke to Council regarding the termination of Recreation Director, Mr. Enoch. Ms. Hallums stated that she is the Mother of (4) children and since Mr. Enoch has been the Director of Recreation, her children have genuinely enjoyed the Recreation Department. Ms. Hallums stated Mr. Enoch had equalized all sports and not just volleyball. Ms.

Hallums also stated that Mr. Enoch had brought back adult basketball which is a vital part of recreation. Ms. Hallums stated she thought it was a wrongful termination of a very educated Black man who was helping a homeless man, and that her children would not play sports at Pickens. Further stated she would place them in other recreation divisions.

Steven Smith – Mr. Smith stated he has been a resident of Pickens for 33 years and was once involved in the Recreation Department. Mr. Smith stated he thought the Council had failed the Citizens, and the decision to terminate Mr. Enoch would reflect in coming elections. Mr. Smith stated it was Council’s responsibility to hire the Administrator, and further read Administrator Carter’s resume. In conclusion, Mr. Smith stated that given the outrage regarding this termination, that Council should reconsider this wrongful termination.

Cheryl Smith – Ms. Smith, resident of 318 S. Lewis Street thanked Council for the speed limit sign. Ms. Smith also discussed water issues such as the smell of chlorine. Ms. Smith encouraged Council to keep water quality as a priority.

Edwina Lone – Ms. Lone spoke to Council regarding the termination of Recreation Director, Mr. Enoch. Ms. Lone stated she thought the termination was wrongful but more importantly she thought the Council had served an injustice to the children. Ms. Lone stated it is the responsibility of adults to set an example for the children. Ms. Lone stated she will not support the Council who did not stand for Mr. Enoch.

APPROVAL OF CITY COUNCIL MINUTES:

November 7, 2022, Regular Council Meeting

November 28, 2022, Special Called Meeting

>>Council Member Lois Porter moved to approve the minutes of November 7 and November 28 as presented. Motion was seconded by Council Member Patrick Lark and unanimously passed.

NEW BUSINESS TO BE CONSIDERED BY CITY COUNCIL:

RESOLUTIONS- First and Final Reading (Administrator Carter)

Administrator Carter gave an overview of each Resolution. All Resolutions and Ordinances are available on the City of Pickens Webpage and in the Clerks office.

RESOLUTION 2022-R7 TO APPROVE THE PURCHASE OF FIRE TRUCK AND EQUIPMENT:

Chief Elrod made a presentation to Council as it relates to the needs of the Fire Department. Chief Elrod stated the purposed ladder truck is vital to the safety of businesses and citizens as Pickens continues to grow and more apartments and commercial buildings are being built.

>>Council Member Patrick Lark made the motion to approve Resolution No. 2022 R7 for the purchase of a ladder truck form the City of Clemson. Motion was seconded by Council Member Isaiah Scipio and unanimously approved. (\$250,000.00 ARPA Funds)

RESOLUTION 2022-R8 TO APPROVE THE ROLL CART REPLACEMENTS QUOTE WITH TOTER - WASTEQUIP, LLC:

>>Motion was made by Council Member Lois Porter to approve resolution 2022-R8 to approve the Roll Carts. Motion was seconded by Council Member Robert Nealy and unanimously approved. (\$105,375.00 ARPA funds)

RESOLUTION 2022-R9 TO APPROVE CONTRACTOR DIVERSIFIED SOLUTIONS BID TO DEMOLISH 201 JEWEL STREET:

>>Motion was made by Council Member Lois Porter to approve Resolution No. 2022-R9 to demolish the purchased property on Jewel street and repair the sewer lines. Motion was seconded by Council Member Patrick Lark and unanimously approved. (\$7,500.00)

FIRST READING OF ORDINANCE 2022-10 PURCHASING AND PROCUREMENT CONFLICT OF INTEREST POLICY:

Ms. Carter provided a first reading to amend the purchasing and procurement ordinance to reflect Sec. 2-194 Conflict of Interest. Ms. Carter stated this is a requirement in receiving State and Federal grants.

>>Council Member Patrick Lark made the motion to approve Ordinance No. 2022-10 to amend the Purchasing and Procurement Ordinance (2020-09). Motion was seconded by Council Member Lois Porter and unanimously approved.

ORDINANCE 2022-11 CITY COUNCIL ORDINANCE CHANGES:

Ms. Carter provided a first reading to amend the Council Meeting Ordinance to update items such as the time of the meetings are now 6:00 p.m. and not 7:00 p.m. Also, the Council does not have committees any longer but has a "committee of the whole" Ms. Carter also stated the ordinance was being amended to reflect a majority of Council Members and not the sole discretion of the Mayor as it relates to dates and time of regular and special called meetings.

During Council discussion, Council Member Isaiah Scipio stated he did not understand why this ordinance is being introduced and he did not have knowledge of these amendments.

Council Member Patrick Lark stated the amended ordinance is in the agenda packet and now was the appropriate time for discussion. Council Member Isaiah Scipio stated due to the issues of the last called meeting by Mayor Perry, that the amendments appear personal with the power being removed from the mayor's position. Council Member Isaiah Scipio stated he thought this ordinance was being introduced by a few and is not the appropriate way to change a City law. Mr. Scipio further stated he wanted to be on the record as opposing. Administrator Carter stated this is an amendment to the ordinance that is in existence and is updating the way Council operates as the elected body. Council Member Isaiah Scipio stated he thought the ordinance needs to be updated and discussed in the proper way. He strongly requested this ordinance be tabled and to have a much more detailed discussion as it relates to many topics of business.

>>Council Member Patrick Lark made a motion to table Ordinance No. 2022-11 until the next meeting. Motion was seconded by Council Member Robert Nealy and unanimously passed.

CONVENE INTO EXECUTIVE SESSION: CODE OF LAWS, SECTION 30-4-70 Personnel and Contractual matters

>>Motion was made by Council Member Patrick Lark, seconded by Council Member Lois Porter, and unanimously approved to convene into executive session for the stated purposes.

RECONVENE INTO PUBLIC SESSION:

>>Motion was made by Council Member Patrick Lark, seconded by Council Member Lois Porter, and unanimously approved to reconvene into public session.

ACTION AS IT RELATES TO EXECUTIVE SESSION: None

DEPARTMENTAL REPORTS COMMITTEE OF THE WHOLE (NOVEMBER & DECEMBER)

POLICE DEPARTMENT – Chief Beach addressed Council and stated it was a daily pleasure to be working with the community and the police personnel. Chief Beach informed Council about many staffing issues and absences. Chief Beach encouraged Council to view the monthly report and ask any questions.

FIRE DEPARTMENT- Chief Elrod addressed Council and updated them about Captain Crenshaw being absent, other staff have done an excellent job filling his duties. Chief Elrod stated while captain Crenshaw was recovering from his surgery, he has been helping the water department and has been taking water payments, answering the phone and various tasks in helping with city functions. Council was updated on the completion of the (2) side by side vehicles and grant fund usage. Sunday December 18 will be the “Round the Town” Fire Dept. Christmas Parade.

ADMINISTRATION- Administrator Carter stated all the following reports are in the packet and she went over each report and called attention to items within reports. Ms. Carter advised Council of numerous items and encouraged Council to contact her with any questions or concerns.

Court report- offenses and fine payments. Continuing to work on the movement of court to the Railroad Street property.

Financial report-Service contract Manley Garvin CPA will be consulting, and a report will be forthcoming.

Public Works- Ms. Carter pointed out this report contains the number of work-orders.

Water & Sewer-Service repair contract water plant – summary of structural issues at the water plant. Work needed will be approximately \$22,000 and this will sustain for the 3 to 5 years.

Recreation-positions posted. Assistant Program Coordinator is doing a good job and Public works is helping with several projects and repairs.

Planning-Service contract for another year with Appalachian Council of Government for Planning and Zoning.

Sanitation Truck Repair:

Administrator Carter informed Council that an invoice had come in as of today for the repair of a sanitation truck in the amount of \$32, 533. Ms. Carter explained this is a total engine repair.

ADJOURNMENT:

>>Motion was made by Council Member Patrick Lark, seconded Council Member Isaiah Scipio, and unanimously approved to Adjourn. Pickens City Council stood adjourned at p.m.

Respectfully Submitted:

Approved:

Donna F. Owen, City Clerk

Mayor Pro-Tempore, Jimmy Davis



MEMORANDUM

TO: Mayor and City Council

FROM: Charlene Carter

SUBJECT: Ordinance 2022-10 Purchasing & Procurement

DATE: December 4, 2022

The City needs to add the highlighted paragraph on page 9 of the attached ordinance to our existing Purchasing ordinance passed in 2020. This will be the only change to the ordinance and will allow for compliance for future grants and close out of existing Rosemond Grant Project.

Thank you,
Charlene

Dr. Roadin

AMENDMENT ORDINANCE NO. 2020-09

ARTICLE IV. – PURCHASING & PROCUREMENT

DIVISION 1. – GENERAL PROVISIONS

Sec. 2-181. – Purpose

- a) The provisions of this article are adopted pursuant to S.C. Code 1976, § 11-35-50, and may be referred to as the city procurement code or purchasing rules and procedures.
- b) The purpose of this system is to assure that the city receives the best possible prices from vendors for quality goods and services.
- c) If for any reason any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of conflict or inconsistency.

Section 2-182. – Ethics

All city contracting and purchasing shall be conducted with the highest level of ethics. No member of the city council nor any officer or employee of the city shall have a financial interest in any contract or in the sale to the city or to a contractor supplying the city of any land or rights or interests in any land, materials, supplies or services, except when a majority of the city council determines such exception in the best interest of the city, provided that no councilperson whose interest is involved shall vote on the question. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the city found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge express or implied of the person or corporation contracting with the city shall render the contract voidable by the city manager or the city council.

Sec. 2-183. – Adherence to policy

- a) All purchasing procedures set forth herein will be strictly adhered to by operating departments of the city.
- b) No bid shall be divided in order to circumvent the purchasing parameters.

Section 2-184. –Gratuities.

It shall be a violation of this article for an employee to accept cash, merchandise or any other item of value from any vendor or contractor and shall be cause for removal or other disciplinary action. The offer of cash, merchandise or any other thing of value to a city official or employee by any vendor or contractor or prospective vendor or contractor shall be reason for declaring such individual or firm to be irresponsible bidder, barring him from participation in the bid process.

Sec. 2-185. – Availability of funds.

Except as otherwise provided in this article, no award shall be issued until verification is made by the using department that the unexpended and unencumbered balance in the adopted budget is sufficient to cover the amount of such purchase to be awarded. No planned purchase shall be made except within the appropriations provided in the budget. If it becomes necessary to purchase an item not budgeted or over budget, a request shall be forwarded to the city administrator for approval.

Sec. 2-185. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Formal bid means a sealed, written quotation of price for such items conforming to city specifications.

Informal bid means any oral or written quotation of price for materials or services conforming to specifications required by the city. State purchasing contracts or other such contracts may be considered an informal bid.

Sec. 2-186. – Small purchases.

A small purchase is one where the items or services required do not exceed \$1,000.00. The items purchased must be within the budget appropriations (refer to monthly budget reports). The standard purchase order form shall be used for such purchases and the following procedure shall be used.

1. The department head prepares a requisition form, ensuring the form is properly filled out and the requisition does not exceed the budget. The department head then submits the requisition to the finance office well in advance of the time goods and services are required.
2. The finance office or city administrator either approves or denies the requisition.
3. If approved, the department head along with the city administrator or his designee will determine the vendor most advantageous for the city.
4. A purchase order for the vendor determined by the department head and city administrator) will be prepared and forwarded to the department head.
5. Upon receipt of the purchase order, the department head may procure the good or services from the vendor as authorized by the purchase order.
6. The department head delivers invoices / receipts to the finance office.
7. The finance office checks the invoices for pricing and mathematical errors and ensures the payment is not a duplicate; then stamps and initials the invoice signifying verification of the invoice details and accuracy of the departmental line item to which the invoices is coded.
8. The finance office issues a check and sends payment to the vendor along with a payment stub or copy of the invoices, and files appropriately.

Sec. 2-187 – Regular purchases.

A regular purchase is any item that exceeds \$1,000.00 or any item for which quotes must be secured. The standard purchase order form shall be used for such purchases and the following procedure shall be used:

1. The department head prepares a requisition form, ensuring the form is properly filled out and the requisition does not exceed the budget, then submits the requisition to the finance office well in advance of the time goods and services are required.
2. The finance office or city administrator either approves or denies the requisition.
3. If approved, the department head, in cooperation with the finance office checks to see if the items are covered by contract agreement (state purchasing, etc). If so, proceed to step 7 of this section. Otherwise, proceed to step 3.
4. The finance office determines if the expenditure is less than \$10,000.00. If so, the finance office then determines whether or not this is a situation where informal bid may be waived (see section 2-189(d)), and if so, then proceed to step 7 of this section; otherwise the finance office, in cooperation with the department head, seeks and obtains at least three informal bids if possible, selects the vendor most advantageous to the city and proceeds to step 7 of this section.
5. The finance office, having determined the expenditure exceeds \$10,000.00, then determines whether or not this is a situation where informal bid may be waived (see section 2-189(d)), and if so, the proceeds to step 7 of this section. Otherwise, the finance office, in cooperation with the department head, prepares a formal bid/proposal, drawing up detailed specifications and the bid/proposal notice, advertises the notice in a newspaper of general circulation at least ten days prior to receipt of bids/proposals, notifies suppliers that have indicated they wish to be notified, notifies applicable city business license holders, and secures a minimum of three bids/proposals where possible.
6. The city administrator, if the cost of the item is estimated to be over \$10,000 but less than \$35,000, opens the bids and awards the contract to the vendor most advantageous to the city. Except in an emergency situation, in the event that there is only one bidder the city administrator will bring the bid to Council for final approval or denial.
7. The city council, if the cost is over \$35,000.00 shall make the final decision as to which vendor will be awarded the contract.
8. The finance office files the requisition and prepares the purchase order when the vendor selection process is complete.
9. The finance office sends the original signed copy of the purchase order to the department head to be forwarded to the vendor when the order is placed and keeps one copy in the finance office.
10. The vendor fills the order and sends it to the ordering department and provides the invoice to the finance office.
11. The department of origin examines the received goods immediately upon delivery. The ordering department then provides notification to the finance office with proper signatures

certifying the items were received in good condition. Payment for these goods will not be made until this certification is made.

12. The finance office, after receiving the signed certification that the goods were received in good condition, matches the invoice and purchase order and checks them for billing and mathematical errors and ensures the payment is not a duplicate, then stamps and initials in appropriate spaces signifying verification of order details and accuracy of the departmental line item to which the invoice is coded.
13. The city administrator approves the final payment.
14. The finance office issues the check and sends payment to the vendor, along with a payment stub or copy of the invoice and files appropriately.

Sec. 2-188. Emergency purchases.

An emergency purchase is authorized when the interruption of a project or service due to need of an item or service will directly affect and orderly completion of the project or providing the service, and when the use of normal purchasing procedures will cause an excessive delay in obtaining the needed item or service. In such cases the following procedure will be used:

1. The department head verbally explains the emergency situation to the city administrator, or mayor in the absence of the city administrator.
2. The city administrator or mayor, in the absence of the city administrator, after determining that funds are available for the purchase either from the budgeted account or contingency fund and the purchase is necessary to prevent interruption of a city project or service, gives verbal approval to the department head.
3. The department head, upon verbal approval, immediately obtains a purchase order number and refers this number to the vendor when placing the order.
4. The department head, by the end of the next working day, submits a requisition and one copy to the finance office. The requisition should list the items or services purchased.
5. The finance office processes in the same manner as the normal purchasing procedure, but eliminates the pricing and vendor selection functions.
6. The finance office marks "emergency purchase" on the assigned purchase order.
7. The city administrator reports any and all emergency purchases to city council by the next council meeting. This can be done via email or included in the administrator's next report at council meeting.

Sec. 2-189. Use of credit cards.

The following guidelines are for the use of the City's credit cards:

1. Credit cards will be issued only to the city administrator and department heads by the finance department. The employees responsible for the card (cardholders) will be held accountable for all purchases made with the card issued to him/her, along with documentation procedures discussed herein. Cardholders will not allow any other City employees to use his/her credit card.

2. The City, not the individual employee, will pay for the purchases made with the credit card. The city administrator and the finance director maintain the right to cancel any credit card which has been abused or deny cards to any employee that violates any part of the guidelines or procedures.
3. Spending limits for single purchases and 30-day limits will be set by the city administrator and the finance director based on the department that the employee is managing.
4. Before making a purchase with the credit card, the card holder must submit a requisition for approval of the purchase. If the finance director approves the purchase and issues a purchase order, the purchase can be made with the credit card.
5. If the credit card is used for emergency purchases, the procedures for an emergency purchase must also be followed.
6. Cardholders must maintain documents must be retained as proof of purchase. The documents, including the purchase order, must be attached to the cardholder's monthly statement, credit card reconciliation to verify the purchases. If the cardholder does not have documentation for a transaction to attach to the statement, he/she will be personally responsible for the charge.
7. If items purchased with the credit card are found to be defective or the repair or service is faulty, the cardholder has the responsibility to return item(s) to the merchant for replacement or to receive a credit on the purchase. If the merchant refuses to replace or correct the faulty item, then the purchase of this item will be considered in dispute. It is the responsibility of the cardholder to correct disputed items with the merchant if possible. When a cardholder is unable to correct a disputed item with the merchant, the cardholder shall contact the finance director and submit a written explanation concerning the disputed item.
8. The finance director will maintain a master list of all card holders and card numbers, including purchase limits.
9. It is the cardholder's responsibility to notify the card issuer immediately upon discovery of loss or theft of a card. In addition, the cardholder is also required to immediately notify the finance director via e-mail or phone. The finance director will request a replacement card for the cardholder.
10. If a cardholder is terminated or resigns, his/her card must be delivered and turned over to the finance director immediately. The card will then be cancelled and destroyed.
11. The finance director is responsible for issuing, monitoring, and controlling the cards and for enforcing these procedures.
12. The department heads must keep their cards, credit card numbers and copies of credit card statements in secure locations.
13. The City's credit card will not affect the cardholder's personal credit; however, it is the cardholder's responsibility to ensure that the card is used within stated guidelines of the City's purchasing and procurement ordinance. Failure to comply with program guidelines may result in permanent revocation of the card, notification of the situation to the city administrator, and further disciplinary measures that may include termination.

Sec. 2-190. Other general rules.

- a) Inventory and quality checks may be made from time to time by the city administrator or someone designated by the administrator to make all items used by the city departments are satisfactory and up to required standards.
- b) The city administrator's office cannot accept requisitions or issue purchase orders except within the amount adopted in the budget.
- c) The various department heads should work with the city administrator in preparing specifications or standards expected of products to be purchased by the city. Further, it shall be the responsibility of the department heads to provide the city administrator with feedback as to quality of merchandise, dependability of the vendors, etc.
- d) Bidding procedures may be waived under the following circumstances:
 - a. When there exists no possibility of a competitive bid, as in the case of only one source of supply.
 - b. When it is to the city's advantage to acquire goods or services on the basis of a previously award bid or contract.
 - c. In the case of emergency purchases or purchases of used equipment.
 - d. For professional services where the person engaged is a customarily employed on a fee basis rather competitive bidding (including but not limited to appraiser, architect, auditor, consultant, engineer, legal services, physician).
 - e. Proposals invited on a competitive sealed basis.
 - f. Negotiations after unsuccessful competitive sealed bidding.
 - g. Small purchases under \$1,000.00.
 - h. Blanket purchase agreements for repetitive small purchases not requiring a purchase order for each purchase.
 - i. Procurement of information technology.
 - j. Leasing or purchasing of real property.
 - k. Purchasing on state or other government contracts.
 - l. "Piggybacking" on another properly executed procurement within one year of the original purchase.

Sec. 2-191. – Award of contracts.

- a) Contracts for goods or services shall be awarded to the lowest responsible bidder. In determining the lowest responsible bidder, in addition to price, the city council or city administrator shall consider:
 - a. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
 - b. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - c. The character, integrity, reputation, judgement, experience and efficiency of the bidder;
 - d. The quality of performance of previous contracts or services;

- e. The previous and existing compliance by the bidder with the laws and ordinances relating to the contract or services;
 - f. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the services;
 - g. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
 - h. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract; and
 - i. The number and scope of conditions attached to the bid;
 - j. Tie bids:
 - i. If two or more bids received are for the same total amount or unit price, quality and services being equal, the contract shall be awarded to the local bidder (as defined in subsection 2-190(b)), if applicable.
 - ii. If two or more of such bids are submitted by local bidders, the city administrator shall award the contract to one of the local tie bidders by drawing lots on public.
 - iii. If local bidders are not involved in the tie bids, the city administrator shall award the contract to one of the bidders by drawing lots in public.
 - k. For construction projects, bids may only be considered from bidders with proper state licenses.
- b) It is the policy of the city to support businesses located within the city. To that end, the city supports a local vendor preference applied to the requested bids. To qualify for the local vendor preference, the vendor must meet all of the following requirements:
- a. The vendor must maintain an office within the legally defined boundaries of the city and have a majority of full-time employees, chief officers and managers regularly conducting work and business from this office;
- c) Use of the local vendor preference during the bid evaluation process:
- a. For comparing bids, any vendor who meets all of the criteria in subsections (b)(1) – (b)(4) above will have their bid price reduced by three percent, not to exceed a maximum reduction of \$1,500. If after the application of the local vendor preference, the vendor is determined to be the low responsive and responsible bidder, they will be awarded the contract; and
 - b. Final contract price will reflect the original bid amount before the local vendor preference was applied.
- d) Minority-owned and woman-owned businesses:
- a. It is the policy of the city to provide minorities and women equal opportunity for participating in all aspects of the city's contracting and procurement programs, including but not limited to employment, construction projects, and lease agreements consistent with the laws of the State of South Carolina.
 - b. It is further the policy of the city to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, handicap or veteran status.

- c. It is further the policy of the city to conduct its contracting and procurement programs so as to prevent such discrimination and to resolve any and all claims of discrimination.

Sec. 2-192. -Protests.

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the city administrator. The protest shall be submitted in writing within ten (10) calendar days of the date of issuance of the invitation for bids, requests for proposals, or other solicitation documents, whichever is applicable, or any amendment thereto, if the amendment is at issue. Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the award or intended award of a contract shall protest to the city manager in the manner stated under subsection (a) of this section within ten (10) calendar days of the date of award.

- a) *Protest procedure:* A protest shall be in writing, submitted to the city administrator as stated above, and shall set forth the grounds of protest and relief requested with enough particularity to give notice of the issues to be decided.
- b) *Authority to resolve protest:* The city administrator, with advisement of the city attorney as needed, shall have the authority, prior to the commencement of an action in court concerning the controversy, to settle and resolve a protest by an actual aggrieved bidder, offeror, or contractor concerning the award.
- c) *Decision:* If the protest is not resolved by mutual agreement, the city administrator, with advisement of the city attorney as needed, shall strive to issue a decision in writing within ten (10) calendar days after receipt of the protest. The decision shall state the reasons for the action taken.
- d) *Notice of decision:* A copy of the decision under subsection (c) of this section shall be mailed or otherwise furnished immediately to the protestant and any other intervening party.
- e) *Failure to render a decision within 10 calendar days:* If the city administrator does not issue the written decision within 10 calendar days, after written request for a final decision or within such longer period as may be agreed upon by the parties, then the bidder, offeror, or contractor shall proceed as if an adverse decision has been received.

Sec. 2-193. –Debarment or suspension.

The city administrator may issue a notice of debarment or suspension to a person or firm upon a determination, after reasonable notice and an opportunity to be heard, that there is cause for doing so in the best interest of the city. The determination of the city administrator may be appealed to the council by written notice filed with the city administrator within 10 days after receipt of the determination. The causes for debarment or suspension shall include, but not be limited to:

- a) Conviction of a criminal offense incident to obtaining or attempting to obtain a public or private contract, or performance of such contract;
- b) Conviction for embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or professional honesty which currently, seriously, and directly affects responsibility as a city contractor;
- c) Conviction under antitrust laws arising out of submission of bids or proposals;
- d) A recent deliberate failure without good cause to perform in accordance with the terms of a contract;
- e) Any other cause determined to be so serious and compelling as to affect responsibility as a city contractor, including debarment by another governmental entity.

Sec.2-194-Conflict of Interest in procurement

Conflict of Interest in procurement No officer or employee of the City having any supervisory authority to purchase any specific goods, services or construction for the City shall have any financial interest in connection with the purchase of such goods, services or construction. No officer or employee shall participate in the procurement or selection process when such officer or employee has a relationship with a person or business entity seeking a contract under this chapter which would subject such officer or employee to the prohibition of S. C. Code 1976 Title 8, Chapter 13.

The city administrator and/or finance director shall enforce the purchasing ordinance of the City. Violation of the ordinance by City employees can result in suspension or termination of purchasing privileges and/or disciplinary action in accordance with the City of Pickens Employee Handbook.

DONE, RATIFIED, AND PASSED this 13th Day of July 2020.

Attested:

First Reading: December 12, 2022

Second Reading: _____

Mayor, Fletcher Perry

Clerk to Council, Donna Owen

Mayor
FLETCHER PERRY

City Council
ROBERT NEALY
PATRICK LARK
ISAIAH SCIPIO
JIMMY DAVIS
DONNIE MCKINNEY
LOIS PORTER



City of Pickens

www.cityofpickens.com

Administrator
Charlene Carter
City Clerk
Donna Owen

Date: January 4, 2023
To: City Council
From: Donna Owen, City Clerk
Re: 2023 Holiday and Council/Committee Schedule

Council, please see attached the schedule for 2023 holidays, and your customary 1st and 3rd Monday schedule. Please note – for the months of February, July, November, and December I have inserted another date as to not conflict with holidays.

**Council Schedule of Regular Scheduled Meetings
&
Council Committee of the Whole**

January 09	6:00 P.M.	Regular Council Meeting
January 23	6:00 P.M.	Council Committee of the Whole
February 06	6:00 P.M.	Regular Council Meeting
February 27	6:00 P.M.	Council Committee of the Whole
(re-scheduled due to Holiday)		
March 06	6:00 P.M.	Regular Council Meeting
March 20	6:00 P.M.	Council Committee of the Whole
April 03	6:00 P.M.	Regular Council Meeting
April 17	6:00 P.M.	Council Committee of the Whole
May 01	6:00 P.M.	Regular Council Meeting
May 15	6:00 P.M.	Council Committee of the Whole
June 05	6:00 P.M.	Regular Council Meeting
June 19	6:00 P.M.	Council Committee of the Whole
July 17	6:00 P.M.	Regular Council Meeting
(one meeting due to Holiday and Municipal Annual Meeting July 27 - 30)		
August 07	6:00 P.M.	Regular Council Meeting
August 21	6:00 P.M.	Council Committee of the Whole
September 18	6:00 P.M.	Regular Council Meeting
(one meeting due to Holiday)		
October 02	6:00 P.M.	Regular Council Meeting
October 16	6:00 P.M.	Council Committee of the Whole
November 13	6:00 P.M.	Regular Council Meeting
(one meeting due to Holiday)		
December 11	6:00 P.M.	Regular Council Meeting
(one meeting due to Holiday)		

New Year's Day	Monday January 02, 2023
Martin Luther King, Jr.'s Day	Monday January 16, 2023
Presidents Day	Monday February 20, 2023
Good Friday	Friday April 7, 2023
Memorial Day	Monday May 29, 2023
Independence Day	Tuesday July 04, 2023
Labor Day	Monday September 04, 2023
Veterans Day	Friday November 10, 2023
Thanksgiving Day	Thursday November 23, 2023
Friday after Thanksgiving Day	Friday November 24, 2023
Christmas Eve	Sunday December 24, 2023
Christmas Day	Monday December 25, 2023

ORDINANCE 2023-01

AN ORDINANCE PURSUANT TO SECTION 5-3-150(3) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, TO ANNEX PROPERTY TO THE CITY OF PICKENS, SOUTH CAROLINA

WHEREAS, one hundred percent (100%) of the freeholders owning one hundred percent (100%) of the assessed value of property addressed as 151 Holder Street and identified as Tax Map Number 4191-05-08-7465, has petitioned the City of Pickens, South Carolina, to annex said property into the City of Pickens, South Carolina, and

WHEREAS, the property as aforementioned is contiguous to the current City limits of the City of Pickens, South Carolina, and, is eligible for annexation.

WHEREAS, the said real property as described above shall become a part of the corporate limits of the City of Pickens, South Carolina upon second reading and final reading of this ordinance.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Pickens, South Carolina, that the property located as 151 Holder Street and identified as Tax Map Number 4191-05-08-7465 exhibit attached is hereby annexed into the corporate limits of the City of Pickens, South Carolina, and, that said property shall be zoned R-12 Single family pursuant to the Zoning Ordinance of the City of Pickens, South Carolina.

DONE AND RATIFIED BY THE MAYOR AND COUNCIL ON THIS 9th DAY OF JANUARY 2023.

Introduced (1st Reading): 01/09/2023

Final (2nd Reading): 02/06/2023

Mayor Fletcher Perry

Attest: Donna Owen
City Clerk



- Legend**
- Parcels
 - 911 Address
 - Yearly Sales
 - 2022
 - 2021
 - 2020
 - 2019
 - 2018
 - 2017
 - 2016
 - 2015
 - 2014
 - Municipalities
 - Roads

Parcel ID	4191-05-08-7465	Account	Vacant	Ownership	FLIPPED OUT	Documents			
Account No	R0019930	Type	Land		INVESTMENTS LLC	Date	Price	Doc	Vacant or Improved
Property Address		Class	n/a		910 GOLDEN CREEK				
District	A13-Pickens	Acreage	n/a		RD	9/2/2021	\$1	2325/1334	Vacant
Brief	LOT SW/SIDE HOLDER ST.	LEA	0012		LIBERTY, SC 29657-	3/18/1998	\$6,700	417/214	Vacant
Tax Description	SEE GIS NOTES (Note: Not to be used on legal documents)	Code			0000				
		Value	\$12,000						

Date created: 1/4/2023
 Last Data Uploaded: 1/3/2023 7:03:51 PM

Developed by Schneider GEOSPATIAL

**100 Percent Petition-Ordinance Annexation
Petition Form**

TO THE MAYOR AND COUNCIL OF THE CITY OF PICKENS, SOUTH CAROLINA:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City of Pickens, South Carolina by ordinance effective as soon hereafter as possible, pursuant to South Carolina Code Section 5-3-150(3).

The territory to be annexed is described as follows:

[Required: Insert description of territory. The description may be taken from deeds or may be drawn to cover multiple parcels using known landmarks. It should be definitive enough to accurately fix the location.] SE Corner of lot on Holder, Runs SW 150 feet, N 35W 100 feet, 150 feet to a point on Holder. Then S 32E 100 feet to beginning corner
[Recommended: The property is designated as follows on the County tax maps: 4191-05-08-7465]

[Recommended: A plat or map of the area should be attached. A tax map may be adequate.]

Flipped Out Investments

[Signature] 910 Golden Creek Rd Liberty 1/3/23
Signature Street Address, City Date

[Add signature lines as necessary.]

R-12 Zoning

For City Use:

Petition received by Charlene Carter, Date 1/3/2023

Description and Ownership verified by Charlene Carter, Date 1/3/2023

Recommendation Approve

By: Charlene Carter, Date 1/4/2023

ORDINANCE 2023-02

AN ORDINANCE PURSUANT TO SECTION 5-3-150(3) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, TO ANNEX PROPERTY TO THE CITY OF PICKENS, SOUTH CAROLINA

WHEREAS, one hundred percent (100%) of the freeholders owning one hundred percent (100%) of the assessed value of property addressed as 231 Holder Street and identified as Tax Map Number 4191-05-09-2294, has petitioned the City of Pickens, South Carolina, to annex said property into the City of Pickens, South Carolina, and

WHEREAS, the property as aforementioned is contiguous to the current City limits of the City of Pickens, South Carolina, and, is eligible for annexation.

WHEREAS, the said real property as described above shall become a part of the corporate limits of the City of Pickens, South Carolina upon second reading and final reading of this ordinance.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Pickens, South Carolina, that the property located as 231 Holder Street and identified as Tax Map Number 4191-05-09-2294 exhibit attached is hereby annexed into the corporate limits of the City of Pickens, South Carolina, and, that said property shall be zoned R-12 Single family pursuant to the Zoning Ordinance of the City of Pickens, South Carolina.

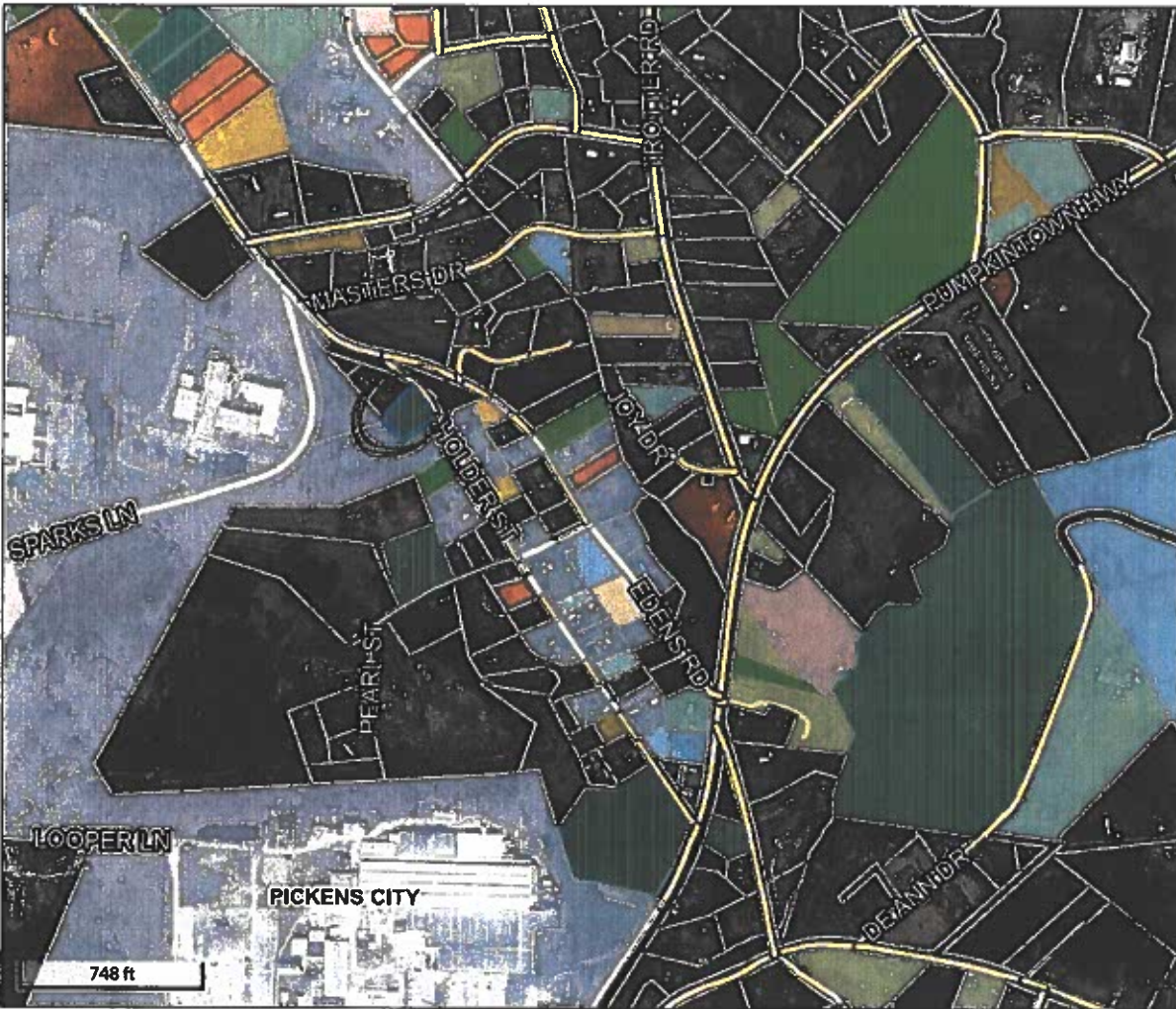
DONE AND RATIFIED BY THE MAYOR AND COUNCIL ON THIS 9th DAY OF JANUARY 2023.

Introduced (1st Reading): 01/09/2023

Final (2nd Reading): 02/06/2023

Mayor Fletcher Perry

Attest: Donna Owen
City Clerk



- Legend**
- Parcels
 - 911 Address
 - Yearly Sales**
 - 2022
 - 2021
 - 2020
 - 2019
 - 2018
 - 2017
 - 2016
 - 2015
 - 2014
 - Municipalities**
 - Roads

Parcel ID	4191-05-09-2294	Account	Vacant	Ownership	LAS CRUCES	Documents			
Account No	R0053481	Type	Land		INVESTMENT LLC	Date	Price	Doc	Vacant or Improved
Property Address	231 HOLDER ST PICKENS	Class	n/a		312 BUCKSKIN RD EASLEY, SC 29640-	6/9/2022	\$24,300	2429/1243	Vacant
District	A13-Pickens	Acreage	n/a		0000	1/18/2021	\$1	2232/140	Vacant
Brief	HOLDER J D LOT 052 &	LEA Code	0024.4						
Tax Description	P/O 52	Value	\$14,000						

(Note: Not to be used on legal documents)

Date created: 1/5/2023
 Last Data Uploaded: 1/5/2023 1:14:00 AM

100 PERCENT PETITION FORM

TO THE MAYOR AND COUNCIL OF THE CITY OF PICKENS:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City of Pickens by ordinance effective as soon as hereafter as possible, pursuant to South Carolina Section 5-3-150(3).

The territory to be annexed is described as follows: 491-05-09-2294, as shown on Pickens County GIS map and shown as Exhibit "A" attached.

Signature: Ramiro Cruz (must owner or authorized agent)

Print Name Ramiro Cruz Date 12-9-22

Signature: [Signature] (must be owner or authorized agent)

Print Name: Maurice Hawkins Date 12-9-22

Street Address of Property: 231 Holder St, Pickens, SC 29671

Contact Phone 864-814-8977 Contact Email shotgunmaurice@gmail.com

ABOVE PORTION MUST BE COMPLETELY FILLED OUT BY VERIFIED OWNER

FOR MUNICIPAL USE:

Petition received by: Jennifer Vissage Date: 12/20/22

Description and Ownership Verified by: Jennifer Vissage Date: 1/5/23

Recommendation: Council to annex property into City of Pickens,

to be zoned: R12

By: Jennifer Vissage / Charles [Signature] Date: 1/5/23

First Reading Date 1/9/2023 Second Reading Date 02/06/2023

Approved _____ (Date)

Denied _____ (Date)



MEMORANDUM

TO: Mayor and City Council

FROM: Charlene Carter

SUBJECT: Board Vacancies and appointments

DATE: January 4, 2023

The Board of Zoning Appeals 1 vacancy
Connie Bowers resigning after December's meeting

Applicant: Mr. John Adams January 9, 2023-December 31, 2024

Planning Commission
Frances Wannamaker resigned in December

Applicant: Mrs. Candice Heatherly January 9, 2023-December 31, 2026

The Board of Architectural Review 1 vacancy for term 2023-2024
Fallon Brucke resigned

Thank you,
Charlene



City of Pickens Board Application Form

Thanks for your interest in applying for a City of Pickens board or commission. Applications are accepted throughout the year and are considered for appointment by City Council upon the term expiration date of a board and commission position (s) and upon vacancy of a seat prior to the term expiration date. Applications are maintained on file for two years from the date the application is received.

Please enter your home address when filling out the application below. You must be a resident of the City of Pickens or own a business within the City of Pickens.

Per the state of South Carolina law, you will be required to take a three-hour orientation within one year of your appointment and a one-hour annual continuing education every year you are on the board.

If you have any questions or concerns about your application, please contact Jennifer Vissage at vissage@scacog.org.

Which board are you interested in serving on? Please circle all that you are interested in. All boards meet once a month as needed.

- a. Planning Commission (planning commission handles all rezoning requests, text amendments to zoning ordinance and comprehensive plan)
- b. Board of Zoning Appeals (BZA handles all variance requests and appeals)
- c. Board of Architectural Review (BAR handles all sign applications and façade improvements within the Overlay Districts)

Name: John C. Adams

Address: 215 Rosemond St

Email Address: jadams516@gmail.com

Phone Number: (843) 860-2844

Employer: Retired Military/Federal Gov't

Occupation: Retired Military/Federal Gov't

Job Title: Retired Military/Federal Gov't

Professional License(s) : _____

Board of Zoning Appeals



Are you a resident of the City of Pickens? YES NO

Do you own a business in the City of Pickens? YES NO

If yes, please list the name of the business and address:

NA

Why would you like to serve as a volunteer for the City?

Pickens is a great place to live and I want to volunteer my time to help keep it great and make it better. I was born and raised in Pickens however I left when I joined the military. I recently moved back to Pickens after being away for 43 years. I want to give back any way I can to help our city maintain the charm that brought me back.

Do you presently serve on a board, committee, or commission for the City, County, or State?

If so, list all applicable groups.

No.



Have you previously served on a board, committee, or commission for the City, County, or State?

If so, list the position and date for each.

No.

Are you involved in any Community Activities?

If so, please list and describe each.

I am currently not involved with any community activities. I recently moved back in April 2022.

Please describe how your educational background, work experience, or other life experience qualify you to contribute to the mission of this board.

MA in Procurement & Acquisition Management - Webster University (Dec '18)
MA in Management & Leadership - Webster University (Dec '17)
Technical Project Management - Citadel School of Engineering (May '07)
Masters of Business Administration - Webster University (Dec '04)

Extensive and progressive experience in project mgt, strategic planning, quality assurance, environmental mgt, financial mgt and risk mgt. Additionally I've led large and small teams of military and civilian personnel throughout my career.



Certification

I certify that the information above is true and correct. I understand that the Information on this form will be considered public information.

John C. Adams
Signature

20 Dec 2022

Date

Office Use Only

Date Received: _____ Expires: _____

Resident : _____ Business Owner: _____

Approved by Staff: _____ Council Appointment: _____



City of Pickens Board Application Form

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- b. Board of Zoning Appeals (BZA handles all variance requests and appeals)
- c. Board of Architectural Review (BAR handles all sign applications and façade improvements within the Overlay Districts)

Name: Candice Heatherly

Address: 120 Florence St. Pickens, SC 29671

Email Address: ceharpe@clemson.edu

Phone Number: 864-430-8019

Employer: Clemson University Youth Learning Institute

Occupation: Director of Admin Services

Job Title: Director of Admin Services

Professional License(s) : _____

Planning Comm.



Have you previously served on a board, committee, or commission for the City, County, or State?

If so, list the position and date for each.

Keep Pickens County Beautiful - ~~2021~~ 2021 - 2024

Are you involved in any Community Activities?

If so, please list and describe each.

Volunteer with Second Baptist Church in Pickens, Team mom w/ Rec Dept., hoping to get involved in Rotary + Pickens Women's Association as well

Please describe how your educational background, work experience, or other life experience qualify you to contribute to the mission of this board.

As the Director of Administrative Services, I have my own team that I lead, so when we put policies & procedures in place, I have to think about the good of the whole group, not just myself. I am organized, reliable, & fair. I think my leadership & administrative experience would benefit the City of Pickens, and I would love the opportunity to showcase those skills.