

MINUTES

FULL BOARD MEETING
COUNCIL OF GOVERNMENTS CONFERENCE ROOM
FRIDAY, MAY 24, 2013

MEMBERS PRESENT:

Ernest Riley, Dennis Claramunt, Jane Hall, Eddie Moore, Francis Crowder, Ed Elliott, Rufus Foster, Henry Jolly, Grady Butler, Don Godbey, Dan Rawls, Lillian Flemming, Gaye Sprague, Bennie Cunningham, Reg Dexter, Neil Smith, Jeff Martin, Mike Forrester, Dale Culbreth, O'Neal Mintz, Elbert Tillerson, and Jan Scalisi.

GUESTS PRESENT:

Sue Schneider and Rebecca West, Spartanburg Sanitary Sewer District; Alex Evins, Attorney for Spartanburg Sanitary Sewer District; Tommy Watson, Mayor of Wellford; Pete Roe, Greenville; Alan Johnson, Lyman Public Works Director; Rodney Turner, Mayor of Lyman; Leon Harmon and John Duggan, Town of Lyman Attorney's; Kam Turner, Rep. Trey Gowdy's Office; Katherine Hubbard, Spartanburg County Administrator, and Lisa Claxton, Spartanburg County Attorney.

STAFF PRESENT:

Steve Pelissier, Carol Andersen, Chip Bentley, Doug Burns, Karen Carter, Debra Brown and Mia Fuller.

The meeting was called to order by Chairman Riley. The invocation was offered by Mr. Tillerson. On motion by Mr. Godbey, seconded by Mr. Culbreth, the minutes of the April 26, 2013, minutes were unanimously approved.

Proposed Amendment to the Regional Water Quality Management Plan

Mr. Bentley addressed the Board to explain that the vote on the agenda item listed involving the Wellford 208 Amendment request would need to be postponed. He noted that a procedural issue was raised by the Town of Lyman's Attorney questioning whether proper procedures for the amendment were followed. The question revolved around staff's interpretation of Minor vs. Major Amendment and whether a public hearing was required prior to the decision.

Following review by staff, it appeared that the claim may have validity and proceeding at this time could create a situation in which the board's decision could be delayed or overturned in court due to procedural issues. As a result, staff decided that the best decision was to postpone board action. The primary considerations in postponing the vote were to ensure correct procedures are followed to provide for a fair hearing process, avoid legal challenges, and avoid any potential delays.

Mr. Bentley outlined the process for moving forward. He stated that staff would schedule a public hearing for June. Following the public hearing, the Regional Water Quality Advisory Committee will meet again to consider the public comments as well as the request. The Committee will provide a recommendation for the ACOG Board at their June meeting, at which time the Board would be asked to take action.

Amendment to the Regional Transportation Improvement Program (TIP) to Add Transit Projects.

Mr. Bentley stated that the S. C. Department of Transportation had recently approved grant funding for several transit requests in the Appalachian region. Under the new procedures, the projects must be included in the Appalachian TIP by vote of the Board of Directors and submitted to SCDOT for inclusion in the STIP. The following are the projects for Inclusion in STIP: Greenville County Disability and Special Needs Board for \$46,774; Anderson County Disabilities and Special Needs Board for \$37,420; and Charles Lea Center for \$32,640. A motion to include these items in the TIP was made by Mr. Godbey and seconded by Ms. Sprague. After some discussion, Mr. Smith requested a friendly amendment to include the Pickens County Disability and Special Needs Board, as well as any other projects that could be affected by the new procedures. The friendly amendment was accepted by Mr. Godbey and Ms. Sprague. The motion, as amended, was approved unanimously by the board.

South Carolina Legislative Report

Mr. Burns provided an overview of issues of importance to local governments that are being addressed during the 2013 session of the General Assembly. He stated that school choice tax incentives failed in the Senate as did Medicaid expansion. Mr. Burns stated that as of last night, the Senate added an additional \$30 million to the Local Government Fund.

There being no further business, the meeting adjourned at 12:00 noon.

Chairman

**THE SOUTH CAROLINA APPALACHIAN COUNCIL OF GOVERNMENTS
HAS COMPLIED WITH THE FREEDOM OF INFORMATION ACT IN
SCHEDULING AND CONDUCTING THIS MEETING.**