



Clarendon County Regular Council Meeting
Monday, October 9, 2017 - 6:00 PM
Clarendon School District One Board Room, Summerton

Those in attendance:

Chairman Dwight L. Stewart, Jr.
Councilman Billy G. Richardson
Councilman Benton Blakely
Clerk to Council, Dorothy M. Levy

Vice Chairman W.J. Frierson
Councilman AC English
County Administrator, David W. Epperson

Press in attendance: Jim Hilley, The Item

Others in attendance included:

Lynden Anthony	Seth Land	George Kosinski	Maria Rose	Vicky Williams
Ericka S. Floyd	Matt Evans	Kevin Gantt	Willie Briggs	Damien Brayden
Patricia Pringle	Linda Lemon	Tom Terrell	Sam Judd	Brent Niemen
Johnny Harrington	Wade McLeod	And other Clarendon County Residents		

Chairman Stewart called the meeting to order at 6:00 pm with opening comments. Councilman Richardson led the invocation. The Pledge of Allegiance was recited in unison.

I Approval of the Agenda

Chairman Stewart asked for a motion to approve the agenda.

On motion by Councilman Blakely and Seconded by Councilman Richardson, Council voted Unanimous Approval to the agenda for October 9, 2017.

II. Approval of Minutes

On motion by Councilman English and Seconded by Vice Chairman Frierson, Council voted Unanimous Approval to the council meeting minutes for the Regular Council Meeting, which was held on September 14, 2017.

III. Presentation from USDA – Vicky Williams

Ms. Vicky Williams, Grants Coordinator, began by stating that Ms. Nickie Tomes was not present for the meeting and that Ms. Tomes has the letter of conditions to purchase two vehicles for the Sheriff's Office in an amount not to exceed \$92,000. Ms. Williams concluded that the vehicles would be used in the Summerton Area.

IV. Presentation – Kevin Gantt, SC Department of Transportation (SCDOT).

Mr. Gantt began his presentation by outlining SCDOT plans for using new funding from the gas tax that was passed by the General Assembly. He stated that there would be a 12-cents gas tax increase over a six-year period, which would generate \$600 million by the time the full 12 cents is fully implemented in six years. He continued by stating that the additional funds that Clarendon County would receive for the C-Fund Program would be approximately 1.6 million dollars per year.

Mr. Gantt continued his presentation by stating that the County would have to spend 33% of those funds on state roads whereas, the County is spending 25% of C-Funds on State roads now. He further stated that DOT is developing a 10-year plan, which would consist of the following: Resurfacing, Rural Safety, Widening, and Bridges. Mr. Gantt continued by stating that out of the 8400 bridges in South Carolina, 700 needs to be repaired or replaced.

- Chairman Stewart asked how would you improve rural roads and make them safer.
- Mr. Gantt responded by stating that rural roads can be widened

He stated that there would be a tax break, you would be able to deduct your gas tax, and tax on tires that were purchased that year but you must have the receipts. The plans are to resurface 100 miles of road a year and 140 miles of Interstate would be widened.

- Councilman Richardson asked what is the status on Old River Road.
- Mr. Gantt replied by stating that Old River Road was built on private property and although the state owned the roadway, it does not own the property or the right of way. He continued by stating that State law would not allow reconstruction of the road over the dam unless the property owner repairs the dam and brings it up to DOT Specifications.
- Councilman Blakely asked could we get the right of way.
- Mr. Gantt replied by stating that he would not recommend that because of the large number of dams that would make the same request and DOT would not have the funding.

V. Clarendon County Transportation Committee (CCTC)

Chairman Stewart stated that the CCTC is now in Session. The CCTC began at 6:49 pm.

Administrator Epperson presented the CCTC with a request for approval to resurface three roadways at a cost not to exceed \$757,000:

George Harvin Rd.	\$425,000
Rambay Road	\$297,500
Powell Circle	\$ 34,000

On motion by Vice Chairman Frierson and Seconded by Councilman Blakely, Council voted Unanimous Approval to the request, for the CCTC, made by Administrator Epperson requesting funding in an amount not to exceed \$757,000 to resurface three roadways, George Harvin Road, Rambay Road, and Powell Circle.

Chairman Stewart stated that the CCTC would close. The CCTC closed at 6:53 pm.

VI. Public Hearing for Ordinance 2016-05 (Project Gordon I)

Chairman Stewart stated that he was recusing himself from the discussion on Project Gordon.

Vice Chairman Frierson stated that the Public Hearing is now open for discussion on Project Gordon I, which is now Summerton Solar Farm, LLC. The public hearing began at 6:53 pm.

Administrator Epperson stated that Ordinance 2016-05, An Ordinance Authorizing (1) the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement by and between Clarendon County, South Carolina (“County”), Summerton Solar Farm, LLC, a company previously identified as Project Gordon I Operating Company, and Panola Enterprises, L.P., a company previously identified as Project Gordon I Landowner, each acting for itself, one or more current or future affiliates, and other project sponsors, pursuant to which the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes with respect to the establishment of certain facilities in the County (“Project”); (2) certain special source revenue credits with respect to the Project; (3) the enlargement of the boundaries of an existing multi-county industrial or business park to include therein certain additional property in connection with the Project; and (4) other matters relating thereto.

Vice Chairman Frierson asked if there were any comments, hearing none, he stated that the public hearing will close. The public hearing closed at 6:57 pm.

VII. Ordinance 2016-05

On motion by Councilman English and Seconded by Councilman Richardson, Council voted Unanimous Approval to the Third and Final Reading of Ordinance 2016-05 -An Ordinance Authorizing (1) the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement by and between Clarendon County, South Carolina (“County”), Summerton Solar Farm, LLC, a company previously identified as Project Gordon I Operating Company, and Panola Enterprises, L.P., a company previously identified as Project Gordon I Landowner, each acting for itself, one or more current or future affiliates, and other project sponsors, pursuant to which the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes with respect to the establishment of certain facilities in the County (“Project”); (2) certain special source revenue credits with respect to the Project; (3) the enlargement of the boundaries of an existing multi-county industrial or business park to include therein certain additional property in connection with the Project; and (4) other matters relating thereto.

VIII. Public Hearing for Ordinance 2016-06 (Project Gordon II)

Vice Chairman Frierson stated that the Public Hearing is now open for discussion on Project Gordon II, which is now Clarendon Solar Farm, LLC. The public hearing began at 6:58 pm.

Administrator Epperson stated that Ordinance 2016-06 – an Ordinance authorizing (1) the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement by and between Clarendon County, South Carolina (“County”) and Clarendon Solar Farm, LLC, a company previously identified as Project Gordon II Operating Company, and Panola Enterprises, L.P., a company previously identified as Project Gordon II Landowner, each acting for itself, one or more current or future affiliates, and other project sponsors, pursuant to which the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes with respect to the establishment of certain facilities in the County (“Project”); (2) certain special source revenue credits with respect to the Project; (3) the enlargement of the boundaries of an existing multi-county industrial or business park to include therein certain additional property in connection with the Project; and (4) other matters relating thereto.

Vice Chairman Frierson asked if there were any comments, hearing none, he stated that the public hearing will close. The public hearing closed at 6:59 pm.

IX. Ordinance 2016-06 (PROJECT GORDON II)

On motion by Councilman Richardson and Seconded Councilman English, Council voted Unanimous Approval to the Third and Final Reading of Ordinance 2016-06 - An ordinance authorizing (1) the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement by and between Clarendon County, South Carolina (“County”) and Clarendon Solar Farm, LLC, a company previously identified as Project Gordon II Operating Company, and Panola Enterprises, L.P., a company previously identified as Project Gordon II Landowner, each acting for itself, one or more current or future affiliates, and other project sponsors, pursuant to which the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes with respect to the establishment of certain facilities in the County (“Project”); (2) certain special source revenue credits with respect to the Project; (3) the enlargement of the boundaries of an existing multi-county industrial or business park to include therein certain additional property in connection with the Project; and (4) other matters relating thereto.

X. Public Hearing for Ordinance 2017-05

Chairman Stewart stated that the Public Hearing is now open for Ordinance 2017-05 - An Ordinance to Authorize and establish an Organizational Structure of the Clarendon County Development Board and to set forth its Duties and Responsibilities. The Public Hearing opened at 7:02 pm

Chairman Stewart asked if there were any comments. Hearing none, he stated that the Public Hearing will now close. The Public Hearing closed at 7:03 pm

XI. Ordinance 2017-05

On motion by Councilman English and Seconded by Councilman Blakely, Council voted Unanimous Approval to the Third and Final Reading of Ordinance 2017-05 – An Ordinance to Authorize and establishes an Organizational Structure of the Clarendon County Development Board and to set forth its Duties and Responsibilities.

XII. Public Hearing for Ordinance 2017-06

Chairman Stewart stated that the Public Hearing is now open for Ordinance 2017-06 - An Ordinance of the County Council, Clarendon County, South Carolina to amend the County's Official Zoning Map Designation for Tax Map Parcel #'s 087-00-01-004-00 & 086-00-01-001-00; From Agriculture I (AGI) to Agriculture II (AGII) and Providing an Effective Date. The Public Hearing opened at 7:04 pm

Chairman Stewart asked if there were any comments.

Administrator Epperson stated that the Planning Commission voted to not recommend the request to amend the County's Official Zoning Map changing from AGI to AGII to be used for a Solar Farm. He said it meets the criteria and the objective of the Comprehensive Plan.

- **Maria Rose**, Planning Director, began by showing Council the Parcels on a map and she stated that the landowners would have to maintain a buffer in areas where there were no buffers.

Chairman Stewart stated that the Public Hearing is now open. The Public Hearing opened at 7:04 pm.

- **Mr. Tom Terrell**, Strata Solar-North Carolina, began by stating that Strata is the biggest Solar Developer in the South East. He showed Council what the solar panels would look like, he said that they would be low to the ground, they do not generate traffic, dust or noise, and there would be no lights, they are very simple and very clean. Mr. Terrell continued by stating that the neighbors asked for a 200-foot buffer and Strata gave them a 200-foot buffer. He stated that they are trying to work with the neighbors. He continued by stating that there would be about 400 jobs during the construction and no experience is required, you would be trained. Mr. Terrell further stated that Strata would be hiring locally. He stated that now, this 400 acres of land is generating \$3,000 annually in property tax, after Strata Solar is up and running the revenue to the county would be a much greater sum than \$3,000 annually. Installing Solar Panels would not destroy the soil because they are not permanent and can be removed. He concluded that Strata Solar would put this in writing and there is nothing about Solar that is hazardous.
- **Councilman English** asked if Financing was in place.
- Mr. Terrell responded by stating that yes financing is in place for Strata to construct a Solar Farm.
- Administrator Epperson asked about the noise level.
- Mr. Terrell responded that it sounds like the humming of your refrigerator and the background noise of the wind, birds, traffic, or crickets is louder than the humming if you are standing 50 feet away. It is an inaudible hum.
- **Mr. Wade McLeod**, Mayor of Paxville, we have discussed this for a month and we came up with some conclusions, one of the conclusions is there needs to be a Bond. There is a dump that was said to be safe, and will never leak but it did, that is why we need a bond. We need more support from the County. During construction, traffic and added people would be very heavy. We need more law protection, we need our fire station to be manned, and we need more sidewalks. We need assistance in applying for grants because we do not know how to do it. We want the County to dedicate some of the money, from the tax revenue, to the Town of Paxville. We were solidly against the Solar Farm but now we see it could possible work if it is done right.
- **Mr. Johnny Herrington** began by stating that he owns and resides on property adjacent to the Solar Farm and he has concerns. He said that he met with Strata Solar and they addressed some of his concerns but he has not seen anything in writing confirming that this stuff would be done. Mr. Herrington asked Council would you want a 400 acres Solar Farm in your back yard because it is literally in his back yard. We are talking about a 30-year lease with a 10-year option on the power. If we do not have everything in writing, how can you make a decision without knowing what you

are deciding on. There would be no guarantee that everything will be cleaned up. Before you make a decision, make sure you have everything that these men said in writing.

- **Maria Rose** – This is the first step in the process, if Council approves third reading it will have to go before the Planning Commission for site plans and at that time the Planning Commission will enforce the codes and ordinances where they have to put in the buffers and where they have to decommission it and the Planning Commission has fines and penalties.
- **Mr. Tom Terrell** – asked Mayor McLeod if there is a building in Paxville where they can have a job fair for the citizens in Paxville.
- **Seth Land** – Speaking for the Chambers of Commerce and in favor of the rezoning. We want businesses coming to Clarendon County. It is an asset in reference to businesses and tax revenue. I think it is great to have something high tech here in Clarendon County. This would also benefit our schools for field trips and knowledge. He concluded by asking Council to vote in favor of rezoning that area for a Solar Farm.
- **Patricia Pringle**, Auditor, How would you keep the deer from the Solar Panels.
- **Mr. Tom Terrell** - he responded by stating that there would be a very high fence around the Solar Panels.
- **Willie Briggs** – I do not know how you would house electricity, but there was a power plant next to a school in New Jersey in which they accused the power plant for causing some of the kids to get some form of cancer so they closed the school down. How would you house the electricity?
- **Brent Niemen**, Strata Solar, there is an electromagnetic field and the electrons dissipate quickly the further you move away from it. Your cell phone is far more dangerous than the solar array. A solar farm is a very safe entity. There is no effect after ten years.

Chairman Stewart stated that if there were no other comments, the public hearing will close. The public hearing closed at 7:44 pm

XIII. Ordinance 2017-06

On motion by Councilman Richardson and Seconded by Vice Chairman Frierson, Council voted Unanimous Approval to the Third and Final Reading of Ordinance 2017-06 – An Ordinance of the County Council, Clarendon County, South Carolina to amend the County's Official Zoning Map Designation for Tax Map Parcel #'s 087-00-01-004-00 & 086-00-01-001-00; From Agriculture I (AGI) to Agriculture II (AGII) and Providing an Effective Date.

XIV. Public Hearing for Ordinance 2017-07

Chairman Stewart stated that the Public Hearing is now open for Ordinance 2017-07 - An Ordinance to Authorize the Merger of the Clarendon County Delinquent Tax Collector's Department with the Office of the Clarendon County Treasurer and Other Matters Related thereto. The public hearing opened at 7:45 pm.

- **Administrator Epperson** stated that due to the upcoming Personnel Change in the Delinquent Tax Office, we would like to Merge the Delinquent Tax Collector's Office with the Treasurer Office.
- **Matt Evans** stated that it would increase efficiency and it would be more of a service to the public and we will cross train for better customer service.
- **Willie Briggs** stated that if you already have trained employees, how is switching to a different office better.
- **Matt Evans** – stated that it would be more efficient and the Treasurer Office accepts installment payments but the delinquent tax office does not. They would also be able to counsel citizens so that their taxes do not go into delinquent status.
- **Willie Briggs** asked what happens to those two positions in the Delinquent Tax office.

- **Administrator Epperson** – stated that the deputy position would be transferred over to the Treasurer’s Office and the other position would be transferred over to another department. No one will lose their job.
- **Willie Briggs** – I do not see a need to combine the offices since they are both working efficiently now.
- **Vice Chairman Frierson** – stated that when he came to Council, both offices were under the Treasurer’s Office.

Chairman Stewart asked if there were any more comments, hearing none, he stated that the public hearing will close. The Public Hearing closed at 7:57 pm.

XV. Ordinance 2017-07

On motion by Councilman Richardson and Seconded by Councilman Blakely, Council voted Unanimous Approval to the Second Reading of Ordinance 2017-07 – An Ordinance to Authorize the Merger of the Clarendon County Delinquent Tax Collector’s Department with the Office of the Clarendon County Treasurer and Other Matters Related thereto.

XVI. Public Hearing for Ordinance 2017-08

Ordinance 2017-08 -An Ordinance to Authorize the Merger of the Clarendon County Animal Control Department with the Office of the Clarendon County Sheriff and Other Matters Related thereto. He stated that due to a change in the Animal Control Department, Sheriff Baxley made a request that the Animal Control Officer be a deputy reporting to the Administrator.

Chairman Stewart stated that the public hearing is now open. The Public Hearing opened at 7:58 pm.

Administrator Epperson stated that due to a change in the Animal Control Department, Sheriff Baxley made a request that the Animal Control Officer be a deputy reporting to the Administrator. Administrator Epperson stated that by doing this, we would have a more proactive Animal Control Department that gets involve with Litter Control.

Chairman Stewart asked if there were any comments, hearing none, he stated that the public hearing will close. The public hearing closed at 8:00 pm

XVII. ORDINANCE 2017-08

On motion by Councilman English and Seconded by Vice Chairman Frierson, Council voted Unanimous Approval to the Second Reading of Ordinance 2017-08 -An Ordinance to Authorize the Merger of the Clarendon County Animal Control Department with the Office of the Clarendon County Sheriff and Other Matters Related thereto.

XVIII. Public Hearing for Ordinance 2017-09

Chairman Stewart stated that the public hearing is now open for Ordinance 2017-09. An Ordinance to Authorize the Appointment and Commission of Clarendon County Code Enforcement Officers Pursuant to Section 4-9-145 of the South Carolina Code of Laws and Other Matters Related thereto. The Public Hearing opened at 8:01 pm.

Chairman Stewart asked if there were any comments, hearing none, he stated that the public hearing will close. The public hearing closed at 8:02 pm,

XIX. ORDINANCE 2017-09

On motion by Councilman Blakely and Seconded by Councilman English, Council voted Unanimous Approval to the Second Reading of Ordinance 2017-09 An Ordinance to Authorize the Appointment and Commission of Clarendon County Code Enforcement Officers Pursuant to Section 4-9-145 of the South Carolina Code of Laws and Other Matters Related thereto.

XIV. Financial Report

Mr. Lynden Anthony, CFO, began his report by stating the following:

- **The General Fund** had Expenditures of \$1,555,495 and Revenue figures were not available as of September 30, 2017.
- **Water and Sewer Department** had Operating Revenue of \$194,603 and Operating Expenses of \$146,276 as of September 30, 2017. He stated that after depreciation, Bond interest expense, and interest income the Water and Sewer Department had Net Utility Loss of \$51,987.
- **Weldon Auditorium** total Revenue for the month ending September 30, 2017 was \$1,022, and total Expenses were \$27,205. He stated that after a transfer from the Hospitality Tax Fund, the Weldon Auditorium ended the month of September 2017 with a \$0 balance.
- **The C-Fund Program** for the month of September 2017 had a Cash Balance of \$1,443,887 of which \$758,396 has been committed to remaining local paving projects, State Construction Projects in Progress and State Proviso Funds. He concluded his report by stating that the C-Fund Program had an Uncommitted Balance of \$685,491 as of the end of September 2017.

XV. Administrator's Report

Administrator Epperson began his report by giving Council an update on the following projects:

- **DSS Complex** – Construction is moving along on schedule. Anticipated completion date is the end of 2017.
- **Wyboo Fire Station** – Clearing has been completed. Large trees remain that would need to be removed. The County Engineering Department is working with CCFD to finalize a project plan.
- **FTC** – All parties have filed their prehearing statements and these statements explain each entity's argument in the case.
- **I-95 Mega Site** – **The Mega Site Board held a meeting** recently and updates were provided by the group's engineer regarding route planning and preliminary site work on the proposed rail. They also discussed funding opportunities from the state and finalization of the rail design.

XVI. Chairman's Report

Chairman Stewart began his report by stating that COG has made a final decision on the Executive Director and the candidate was voted on today. He stated that Duck Fest will be held this weekend in Summerton. Chairman Stewart stated that he was on WLTX News 19 last Wednesday.

Chairman Stewart stated that he and Councilman Richardson serve on the Pinewood Development Project and they attended a meeting in which, the Pinewood Development Project has around 2 million dollars that was established when Laidlaw closed and that money can be spent within a 5-miles radius. He stated that Pinewood wants to expand their water system in the Pinewood-Rimini area and the committee allocated \$75,000 for an Environmental Study. He concluded by stating that the committee would be taking the next step to see if the Pinewood Authority can provide funding, along with grants and loans as well as USDA.

Councilman Richardson –stated that those projected line would be able to provide water to almost everyone in the Rimini area of Clarendon and Sumter Counties. This would be a great thing for the citizens in that area. Many people in that area have shallow wells.

Administrator Epperson stated that the plans call for Fire Protection in that area.

Councilman Blakely – stated that we need water throughout the County, Is anything being done on that line.

Administrator Epperson – stated that Pinewood made a request for water to come in that part of the County. We made an agreement to let other entities in the County come in and provide water in other areas if they have the means. We are working on other areas but we will not be able to provide water to everyone. You have to have the funds up front for the construction cost.

Willie Briggs – can a study be done to find out why so many people in Clarendon County are dying from cancer.

Councilman Richardson – I remember being in a meeting with Congress Clyburn and it was said that around the I-95 Corridor, people are getting sick. Therefore, we need good clean drinking water.

XVII. Executive Session

Chairman Stewart asked for a motion to go into Executive Session to discuss a Personnel Matter in the Planning and Zoning Department.

On Motion by Vice Chairman Frierson and Seconded by Councilman Richardson, Council voted Unanimous Approval to go into Executive Session to discuss a Personnel Matter in the Planning and Zoning Department. The Executive Session began at 8:25 pm.

XVIII. Open Session

On Motion by Councilman English and Seconded by Councilman Blakely, Council voted Unanimous Approval to come out of Executive Session and back into Open Session. The Executive Session ended at 8:46 pm

Chairman Stewart stated that in Executive Session Council discussed a Personnel Matter in the Planning and Zoning Department and action would be taken. He stated that he needed a motion giving Administrator Epperson the authority to make an employment offer of \$47,000.

On Motion by Councilman English and Seconded by Vice Chairman Frierson, Council voted Unanimous Approval to give Administrator Epperson the authority to make an employment offer of \$47,000.

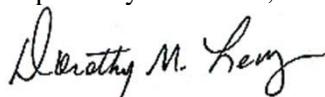
XIX. Adjournment

Chairman Stewart stated that we have exhausted our agenda and he asked for a motion to adjourn the Council Meeting.

On motion by Vice Chairman Frierson and Seconded by and Councilman Richardson, Council voted Unanimous Approval to adjourn the Council Meeting.

The Council Meeting ended at 8:46 pm.

Respectfully Submitted,



Dorothy M. Levy
Clerk to Clarendon County Council, CCC

