



Clarendon County Council Meeting
Monday, October 10, 2011, 6:00P.M.
Clarendon School District I Administration Bldg., Summerton, SC
Meeting Minutes

Those in attendance:

County Council Chairman, Dwight L. Stewart, Jr.
County Council Vice Chairman, William J. Frierson
Councilman, Billy Richardson
Councilman, Benton Blakely
Councilman, A. C. English
County Administrator, William Houser
County Attorney, David Epperson

Press in attendance: Sharon Haley, The Citizen, Robert J. Baker, The Item and Vic MacDonald, The Manning Times.

Others in attendance:

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|---------------|------------------|----------------|-----------------|
| Sandy Tucker | Pete Sharpe | Charles Smith | Fred Tucker |
| Pat Goodwin | Paula McNair | Eleazer Carter | Joy Alford |
| Willie Briggs | Carolyn Branson | Lyndon Anthony | Robert McFadden |
| Jay Alford | Judy Ross | Linda Lemon | Archie Lemon |
| J. McKenzie | Gregory Holliday | Nancy Cave | |

Chairman Stewart called the meeting to order at 6:00PM. Following brief introductory remarks from Chairman Stewart, invocation was led by Councilman Richardson. The Pledge of Allegiance was recited in unison.

IV. Approval of Agenda

Before voting to approve the agenda, Mr. Houser requested adding an item to the agenda. Under agenda item IX, he asked that council add a discussion related to the state allocation of C-Funds. Attorney Epperson requested that council add a discussion relating to economic development under agenda item XIV.

On motion by Councilman English and seconded by Councilman Richardson, council voted unanimous approval to adding the agenda items as requested by Mr. Houser and Attorney Epperson.

On motion by Councilman English and seconded by Councilman Blakely, council voted unanimous approval to the agenda as amended.

V. Approval of Minutes

On motion by Councilman English and seconded by Councilman Richardson, council voted unanimous approval to council meeting minutes for the following dates, with minor corrections as needed:

August 25, 2011 Special Council Meeting
September 12, 2011 Regular Council Meeting

VI. Presentations

Ms. Regina Huff appeared before council to inform them that she was the new ranger at Woods Bay State Park. This park is located in Olanta, approximately six miles from Turbeville. She continued by stating that Woods Bay is classified as a Carolina bay. The bay is a unique, elliptical depression found only in the eastern coastal plains of the Carolinas, Georgia, Florida, and Maryland. An underground spring feeds the bay and keeps it wet year round. Its diverse habitats create home to several endangered species including a new frog species recently discovered in the park, according to Ms. Huff.

Woods Bay's future project is to further extend the boardwalk and build an observation tower at the center of the bay to give visitors a 360-degree view of the bay's undisturbed sand rim grasslands.

Chairman Stewart thanked Ms. Huff for her presentation and council accepted it as information.

VII. Ordinances

On motion by Vice Chairman Frierson and seconded by Councilman Richardson, council voted unanimous approval to the first reading of an ordinance authorizing the issuance and sale of a \$4,048,000 Water System Improvement Revenue Bond (Phase IB and II) for the purpose of defraying the cost of improvements to the Clarendon County Water System.

On motion by Councilman English and seconded by Vice Chairman Frierson, council voted unanimous approval to third reading of Ordinance 2011-03 indefinitely suspending Sunday work prohibitions and other related matters.

On motion by Councilman Blakely and seconded by Councilman Richardson, council voted unanimous approval to third reading of Ordinance 2011-07 giving authority to provide procurement guidelines known as the Procurement Regulations Code.

Chairman Stewart stated that a decision from September's council meeting to check into a proposal submitted by the National Association for the Advancement of Colored People (NAACP) to create seven new voting districts with seven council members

reaffirmed his earlier belief that such a change would require a referendum. Chairman Stewart said, "Based on our legal research, we feel the purpose of submitting a plan to the Department of Justice is not so they can pick which plan is better than the other. All they require is that the plan submitted comply with the Voting Rights Act of 1965."

He further stated that the plan submitted by the NAACP might comply with the act, but we do believe there has to be a referendum before we can even bring it forward. Adding districts would change the way council members are elected, according to Chairman Stewart. He continued by saying that such a change would be a change in the form of government.

Mr. McFadden and Attorney Carter both objected to Chairman Stewart's statements and asked to speak to council members and the public again. Chairman Stewart denied their request by stating that the public hearing portion of this process is over.

On motion by Councilman English and seconded by Vice Chairman Frierson, council voted unanimous approval to the third reading of Ordinance 2011-08 to adopt Clarendon County Council Electoral Districts based upon the 2010 census.

On motion by Councilman Richardson and seconded by Vice Chairman Frierson, council voted unanimous approval to the third reading of Ordinance 2011-09 to provide for noise control in the unincorporated areas of Clarendon County; and to provide penalties thereof. The ordinance becomes active as of November 1, 2011.

On motion by Councilman Blakely and seconded by Vice Chairman Frierson, council voted unanimous approval to the first reading of an ordinance, by title only, authorizing the execution and delivery of a Fee-In Lieu of Tax Agreement for Project Miranda.

On motion by Councilman English and seconded by Councilman Blakely, council voted unanimous approval to the first reading of an ordinance, by title only, to prohibit the use, possession, and sale of synthetic cannabinoids commonly known as Spice and K2.

On motion by Councilman English and seconded by Councilman Richardson, council voted unanimous approval to the first reading of an ordinance, by title only, to prohibit advertisement, possession, use, purchase, or distribution of "Bath Salts" for ingestion/consumption.

VIII. Requests

On motion by Vice Chairman Frierson and seconded by Councilman Richardson, council voted unanimous approval to an operation and maintenance renewal agreement between Clarendon County and the City of Manning for the operation and maintenance of the Clarendon County Water and Wastewater System.

On motion by Councilman Richardson and seconded by Councilman Blakely, council voted unanimous approval to proclaiming the month of October 2011 as Archive Month in Clarendon County.

On motion by Councilman Blakely and seconded by Vice Chairman Frierson, council voted unanimous approval to a resolution authorizing a mutual aid agreement between the Clarendon County Sheriff's Victims Advocate Office and the Town of Turbeville Police Department.

On motion by Councilman English and seconded by Vice Chairman Frierson, council voted unanimous approval to reappoint the following individuals to the Clarendon County Re-Assessment Appeals Board for 2011-2012:

Roy C. Fletcher
Mike Huggins
J. Charlton Watts, Jr.
Ted Gardner (Chm)
Julie Rickenbacker

On motion by Councilman English and seconded by Councilman Richardson, council voted unanimous approval to use up to \$100,000.00 from Hospitality Tax funds to complete the Weldon Complex. The county is to use the same contractor presently working on the project.

IX. Request to Convene the Clarendon County Transportation Committee

On motion by Councilman Richardson and seconded by Vice Chairman Frierson, council voted unanimous approval to use \$225,000 in C-Funds for repaving the parking lot, curbing and public walkways for the new Clarendon County Administration Building.

On motion by Councilman Richardson and seconded by Vice Chairman Frierson, council voted unanimous approval to allocate \$275,000 of C-Funds to the South Carolina Department of Transportation for the repair and repaving of the Rev. J. W. Carter Road that runs between US Highway 301 and Davis Station.

XII. Administrator's Report

In his Administrator's report, Mr. Houser reported that Shelton Hughes, Clarendon County Detentions Director, was appointed by the South Carolina Association of Counties to serve an unexpired term on the Local Detention Committee.

Mr. Houser further reported that county expenditures were at 23% (\$3,403,430) of budget which is in line for this period in the budget year. The only department that may be facing budget issues is the Sheriff's Victim Advocates Office. Their expenditures are at 20%, however, an employee wrecked a vehicle and the cost for repairs was not budgeted.

He stated that the C-Funds received as of June 30, 2011 was \$92,814. The total uncommitted balance was \$251,844.00. Mr. Houser continued by stating that Clarendon County Water and Sewer operated at break even based on income and

expenses. Mr. Houser concluded by informing council that the preliminary draft audit report is not completed; however, he said we are expecting to report a sizable General Fund deficit of \$2.4 million. The budgeted deficit was \$1,155,000, so the un-budgeted portion is about \$1.2 million. This is directly associated with GASB 54 and our transfer of Industrial Park Fund assets to the Business Development Corp (BDC) that was approved in June 2011. Council authorized a transfer of cash and notes receivables of roughly \$1.75 million to the BDC just prior to fiscal year end. When we add the revenue associated with the Industrial Park of about \$500,000, the resulting impact of the BDC is a charge to the General Fund of about \$1,250,000.

XIII. Chairman's Report

In the Chairman's report, Chairman Stewart expressed appreciation to Mr. Houser and his staff for a job well done. He also thanked Sandy Tucker for her work at Weldon Auditorium. Chairman Stewart concluded by congratulating Sumter County for securing Continental Tire Company to build their new manufacturing facility in Sumter County near the Clarendon County line.

Chairman Blakely expressed his appreciation to the citizens and the news media for their support in efforts to stop the construction of a solid waste landfill being considered in Williamsburg County near the Clarendon County line.

XIV. Executive Session

On motion by Vice Chairman Frierson and seconded by Councilman Richardson, council voted unanimous approval to go into executive session to discuss contractual and personnel issues.

On motion by Councilman Blakely and seconded by Vice Chairman Frierson, council voted unanimous approval to come out of executive session.

On motion by Vice Chairman Frierson and seconded by Councilman Richardson, council voted unanimous approval to Administrator Houser negotiating with a Sheriff's Deputy concerning salary and returning to work after retirement.

On motion by Councilman English and seconded by Vice Chairman Frierson, council voted unanimous approval authorizing Mr. Houser to write a letter to Johnny Wright informing the Lake Marion Regional Water Authority (LMRWA) that Clarendon County would like to remain a party to the authority without the required financial obligation. If LMRWA does not allow the extension as requested Clarendon County will plan to withdraw from the LMRWA.

Chairman Stewart asked that Attorney Epperson keep council abreast on all issues and/or actions relating to the proposed Williamsburg County landfill.

Chairman Stewart reported that council had completed its formal evaluation for Administrator Houser. He said, "We are proud to have him with us. We are in excellent financial shape, we are expanding our water and sewer, and we will have a new administration building. We are giving him our vote of confidence."

XV. Adjournment

On motion by Councilman Blakely and seconded by Councilman English, council voted unanimous approval to adjourn.

Respectfully Submitted

Thomas L. Harvin, Jr.
Interim Clerk to Council
Clarendon County Council

CERTIFICATION OF PUBLIC AND MEDIA NOTIFICATION

I, Denise Fenters, an employee of Clarendon County, Manning, South Carolina, do hereby certify that public and media notification of the County Council Meeting of October 10, 2011 was given prior thereto by the following means:

PUBLIC NOTIFIED: Yes

MANNER NOTIFIED: Agenda placed on the Clarendon County Website, Clarendon County Courthouse and at Weldon Auditorium

DATE POSTED: October 7, 2011

MEDIA NOTIFIED: Yes

MANNER NOTIFIED: Agenda emailed to THE MANNING TIMES, THE ITEM, THE CLARENDON CITIZEN and THE FLORENCE MORNING NEWS

DATE NOTIFIED: October 3, 2011

Respectfully submitted,

Denise Fenters