



Minutes
Clarendon County Council Meeting
Monday, March 14, 2011
CSD Number Three Administrative Building
Turbeville, South Carolina

COUNCIL MEMBERS PRESENT:

1. County Council Chairman Dwight L. Stewart, Jr.
2. County Council V-Chairman W. J. Frierson
3. County Councilman A.C. English, Jr.
4. County Councilman Billy Richardson
5. County Councilman Benton Blakely

COUNTY STAFF MEMBERS PRESENT:

- William F. Houser, County Administrator
- Mia R. Jackson, Clerk to Council
- David W. Epperson, County Attorney
- Linda P. Lemon, Dir. of Human Resources
- Lynden Anthony, Controller
- Sandi Tucker, Events Administrator

MEDIA PRESENT:

Jason Leslie- The Manning Times

I. Chairman Stewart called to order at 6:03pm

Chairman Stewart thanked council and the public for attending the meeting. He expressed councils thanks to Ms. Bagnal, Finance Officer of Clarendon District Number Three and asked that she thank the School Board members as well as Dr. Dennis for allowing county council to utilize the school board chambers.

II. Invocation was performed by Council Richardson.

III. Pledge of Allegiance which was recited in unison.

**Chairman Stewart welcomed Administrator Bill Houser back from medical leave. Administrator Houser thanked Chairman Stewart, and expressed his enthusiasm about returning. He stated that currently he working about half days and still undergoing some physical therapy several times per week.

IV. Approval of Council Agenda:

After council was given the opportunity to review the agenda, Chairman Stewart asked if there be any revisions to the agenda. Being none, **motion made by Councilman English, seconded by Councilman Blakely was received to accept the March 14, 2011 agenda as presented. Motion passed unanimously.**

V. Approval of Regular Minutes:

Upon council being given an opportunity to review the minutes from the February 14, 2011 council meeting, Chairman Stewart asked if were any revisions to the minutes; with none he entertained a motion for approval. **Upon motion by Councilman English, seconded by Vice-Chairman Frierson, to accept the minutes of February 14, 2011 council meeting was accepted as presented. Motion passed unanimously.**

VI. Presentation of Proclamation:

A proclamation was presented to the Clarendon County Army National Guard Battery C representative, Sergeant Darrell Mc Elveen. Chairman Stewart expressed his gratitude for the continuing sacrifices of many Americans in order to protect the lives here in America. Upon reading the proclamation in its entirety, Chairman Stewart thanked Sgt. McElveen and asked that he forward Clarendon County Council's appreciation and gratitude to the soldiers of Battery C. **Sgt. McElveen** began by thanking council and expressed how much this will mean to all the soldiers of Battery C. Sgt. McElveen, reiterated his deepest appreciation and recognition the soldiers receive throughout the county. He stated the Law Enforcement of the county escorts the soldiers in and out of the county when deploying and upon returning home. He stated that the soldiers will be very happy to see this proclamation and again thanked council. Sgt. McElveen mentioned how Clarendon County has always extended such a love and recognition and that the men and women of Battery C will be very proud of this honor given them. Chairman Stewart also expressed his gratitude to Colonel Larry Coker, stating that although he was unable to attend, Colonel Coker relayed that he was also grateful and honored that council recognized the soldiers. Chairman asked that we pray for all soldiers who protect this nation.

VII. PUBLIC HEARING:

At 6:13pm Chairman Stewart convened the Public Hearing for discussion on the following matter:

Ordinance No. 2011-01-An Ordinance Authorizing pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, The Execution and Delivery of a Fee-In-Lieu of Taxes Agreement, by and Between Clarendon County, South Carolina, and [Project Whole], as Sponsor, and one or more Sponsor Affiliates, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive, to Provide for the "Manufacturer's Abatement" and Other Related Matters.

Chairman Stewart began by acknowledging that the ordinance successfully passed first reading during the February 14, 2011 council meeting. He stated that the ordinance is being presented for consideration to authorize a Fee in Lieu of Tax Agreement between a potential investor currently named Project Whole and Clarendon County. He stated that this ordinance is a customary agreement that the state allows as an incentive to attract prospective investors to various counties. Mr. Stewart introduced Attorneys Sam Moses and Steven Roddy of Parker Poe Law Firm. He advised that both attorneys have been working with John Truluck, Economic Development Director, on the agreement and have come to the meeting to answer any questions from the public or council regarding this matter. **Being no questions or comments from council or the public, Chairman Stewart declared the public hearing closed on this matter at 6:19pm.** *With no further items for discussion under Public Hearing, council closed the Public Hearing portion of the council meeting and resumed open session at 6:20pm.*

VIII. Consideration of Second Reading of Ordinance No. 2011-01:

An Ordinance Authorizing pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, The Execution and Delivery of a Fee-In-Lieu of Taxes Agreement, by and Between Clarendon County, South Carolina, and [Project Whole], as Sponsor, and one or more Sponsor Affiliates, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive, to Provide for the "Manufacturer's Abatement" and Other Related Matters.

Chairman Stewart stated that the ordinance before council for consideration just completed its public hearing. He reiterated that there were no questions or comments from the public. Being no

further questions during the second reading the Chairman entertained a motion for approval. **Hearing no further discussion: Upon motion by Vice-Chairman Frierson, seconded by Councilman English, to accept second reading of Ordinance 2011-01. Council voted unanimously to approve the second reading of Ordinance No. 2011-01.**

IX. Consideration of (2) Out of State Travel Requests:

Chairman Stewart turned the floor over to Administrator Houser for the following requests:

i. Procurement Department: Tamika Malone & Joyce Strothers- To attend the National Institute of Governmental Purchases (NIGP) Forum & Expo on August 25th thru the 29th in National Harbor, MD. **Administrator Houser** began by stating that he would be amending the request due to upcoming travel constraints within the budget. He continued by saying that budget factors will be discussed in detail at a later date, however the request for travel will utilize funding in the current budget as well as into the next. He stated that he would like to amend the request to reflect one member from procurement attend the training. Houser stated that as it stood, next year's budget shows a need for deeper constraints and one constraint will be a reduction in spending for travel. He stated that he would allow the Procurement Director, Tamika Malone to decide who from her department will attend. **Being no further discussion: Upon motion by Councilman Richardson, seconded by Councilman Blakely; Council voted unanimously to approve the out of state training request for the Procurement Department. ***Let the record show that the approval is for ONE member from procurement. This is due to challenges within this year and next year's fiscal budget.***

ii. Sheriff's Office: Detective Sean Briley & Detective Lenell Allen- To attend the Tactical Narcotics Techniques Training on April 25th thru the 29th in Miami Beach, FL. Administrator Houser reviewed the request submitted by Vicki Williams, Grants Administrator. Houser stated that all costs associated with the training will be paid for through the Department of Justice a JAG Grant. **Being no further discussion: Upon motion by Councilman Richardson, seconded by Vice-Chairman Frierson; Council voted unanimously to approve the out of state travel for Detective Sean Briley and Detective Lenell Allen. Motion passed unanimously.**

IX. Consideration of Appointments for the Clarendon County Board & Commission:

Clerk of Council Mia Jackson presented two applications for appointment and one application for re-appointment to the Local Tax Accommodations Advisory Commission. Clerk Jackson reviewed the applications of Arun Bivek and Bob Patel; both are owners of businesses within the county. Clerk Jackson explained the need for appointments were due to vacancies and expired terms. While reviewing the applications Chairman Stewart asked Ms. Jackson which districts each of the board members were from; Clerk Jackson replied that based on the applicants and current members addresses many lived in the Summerton area. Controller Lynden Anthony asked for the floor to provide further information. Upon approval, Controller Anthony reminded council that the Local Tax Accommodations Advisory Commission is a State Mandated Board and the requirements for the board are state regulated. He continued by telling council that the state requires the commission to have representatives from the industries of hospitality, lodging, and cultural organizations. He further commented that there has always been a challenge with getting qualified representatives equally from each of the council districts. Councilman Blakeley and Chairman Stewart both asked if they knew the requirements for the representatives. Not having that information available, Ms. Jackson stated that she would research and have ready at the next council meeting. After further discussion on the board vacancies Clerk Jackson stated that Ms. Henri Campbell a former member of the commission term expired in June 2010. She stated that

since Ms. Campbell's term expired, she submitted an application and was appointed to serve on the Behavioral Health Board during the November 8, 2010 council meeting. Ms. Jackson stated that with the three (3) applications before council, the commission still had another vacancy for a Cultural Arts Representative. Councilman Blakely requested that Clerk Jackson send him the criteria for the Cultural Arts Representative and that he would find someone in his area to serve. **With no further discussion: Upon motion of Councilman English, seconded by Councilman Richardson to appoint the applicants to the Local Tax Accommodations Commission. For clarification Clerk Jackson asked Chairman Stewart to repeat that what council approved. Chairman Stewart stated the vote was passed to re-appoint Lebon Joye as Commission Member; Arun Bivek and Bob Patel be approved to serve their first term as commission members on the Local Tax Accommodations Advisory Commission. Chairman Stewart also instructed Clerk Jackson to obtain the criteria for commission membership and forward it to Councilman Blakely.**

X. Administrator's Report:

Administrator William F. Houser thanked Chairman Stewart and proceeded with his report. Houser began by reviewing the county financial reports as follows:

- **MONTH END February 28, 2011**

February Revenue	\$937, 519
February Expenditures	\$1,299,308
<u>Year to Date TOTALS</u>	
Year to Date Revenue	\$11, 717,532 or 64% of Budget
Year to Date Expenditures	\$11, 603, 961 or 65% of Budget
- **Water & Sewer Department- 8 month Ended**

Operating Revenue	\$224, 366
Operating Expenses	-\$199, 968
Depreciation	\$(24, 854)
Income/(Loss)	\$545
- **C-Fund Report-**

Cash Balance as of January 2011	\$1, 019, 501
Funds committed to State Projects	-\$370, 697
Funds committed to Local Projects	-\$89, 090
Stated Required Reserve funds	-\$90, 000
TOTAL Committed C-Funds	\$549, 788
Uncommitted C-funds available	\$469, 713

Administrator Houser stated that although it seems that there was a lot of money uncommitted in the C-Fund account, he reminded council with spring coming Public Works would begin road paving and maintenance again soon. Administrator Houser continued his report by giving an update on the current county initiatives. **New Administrative Building:** Houser commented that the Architects with Meadors have met with all the department Heads and Elected Officials that will be moving into the new building. He stated that interviews were conducted in order to gain a perspective of their departmental needs and current spaces. Houser stated that the contractors have already cleared out/ gutted the entire building. He stated that he will be meeting with Meadors in the coming weeks and the project time line is to have a schematic sketch to council in the next two (2) months. He also stated that he plans to visit the Berkley County Administrative Offices to see their building and to hopefully gain some insight and ideas. **Hwy 260 Waterline:** Administrator Houser stated that he highly anticipated the project to officially begin as early as April 15th. He

continued that the USDA will probably make an appearance soon after the project begins to promote their efforts here in the county. Houser stated that the county Attorney is working very hard at completing the easements and said that at the time he believed we are looking at nineteen easements needing completion. Mr. Houser explained the easement/condemnation process to council stating that Mr. Dennis has run into numerous properties that have multiple owners. Many of them cannot be located or are deceased. He stated that the courts have provided an avenue to obtain the rights of the easement should the owners not make themselves available. He expects all nineteen easements to be complete by June 30th. Mr. Houser advised council that Deepal Eliatamby is present at the council meeting this evening to discuss this matter further in Executive Session. **Animal Control Department/Shelter:** Mr. Houser briefly stated that the Animal Shelter has done very well in the first month of operation. He stated that the Animal Control Officer has remained very busy and he personally has made several stops to the Shelter and it looks to be up and running very well. Mr. Houser stated that a report from the Animal Department Manager, Kathy Buchko, was received last week and based on the information in the report, the county has been able to save approximately 38% of the dogs brought in. **Renovations to the Archives Building:** Administrator Houser stated that the Archives Building was just about finished. He stated that Thomas Harvin, Facilities Manager reported that the skylight had to be refitted in the Charleston plant and sent back to Clarendon County. He stated that Thomas anticipated the building would be complete in the next few days. **Clarendon School District Two:** Mr. Houser stated that he received a letter from Superintendent Tindal requesting the use of EIA (Education Improvement Act) money to pay the school debt service obligations to allow the district to use the L.O.S.T. funds for capital improvements. Mr. Houser stated that the request is similar to the request District Three made during the February meeting. Administrator Houser stated to council that should they approve the request for District Two, they plan to use the EIA funds to pay their debt service obligations and use up to \$250, 000 from their reserves in L.O.S.T. funds for capital improvements. **With no further discussion: Upon motion of Councilman English, seconded by Vice-Chairman Frierson, Council voted unanimously to allow Clarendon School District Two to utilize the EIA funds to pay the debt service obligations and up to \$250, 000 in reserves for capital improvements. Motion passed.** Administrator Houser thanked council and concluded his report.

XI. **Chairman's Report:**

Chairman Stewart began by stating that his report could be found in the council packets. He also announced that during the last performance, Weldon encountered some visitors in need of wheelchair assistance. He asked the council and the public to contact Sandy Tucker, Weldon Administrator should they have or know someone who may have a wheelchair they would like to donate to Weldon Auditorium. He also mentioned that the Historical Society would be hosting Tom Fedders at the First Baptist Church in Manning. The meeting would be on Thursday, March 17th at 7pm. Chairman Stewart advised that Mr. Fedders will be giving a lecture on the Town of Ferguson that went under water around the 1930's. After Chairman Stewart concluded his report he stated that council would move on to the next item on the agenda.

****Prior to a motion to enter into Executive Session Attorney Epperson asked Chairman Stewart for the floor to make a brief statement.** Attorney Epperson stated that he wanted to make the public and the media aware of the incident involving the county tax bills. He stated that some tax payers may have received a duplicate bill for the month of March. Attorney Epperson stated that the March tax bills were reprinted in error and wanted to make a formal apology to

anyone who received a duplicate bill. He stated the Facilities Department recently took over the printing and mailing of the tax notices for the county. He stated that this was done in efforts to reduce cost of out sourcing this service. Mr. Epperson continued by saying that during routine maintenance performed by the printing company, Pitney Bowes, during the weekend, they reset the machine to the March 2011 tax bill. Attorney Epperson again apologized on behalf of Clarendon County to anyone who received a duplicate bill for March. He assured council and the public that safety measures are now in place to prevent this from happening again. Attorney Epperson acknowledged the County Auditor, Patricia Pringle and asked her if she wanted to say a few words on the matter. Ms. Pringle thanked Mr. Epperson and read a brief statement on the matter as well. She stated that this will not happen again in the future and any duplicate payments or errors will be corrected and adjusted accordingly. She thanked council and the public for their time.

XII. Executive Session:

Chairman Stewart announced that there were (3) items scheduled for discussion during Executive Session. Chairman Stewart recognized Ms. Norma Reardon, District Three School Board Member, who was present at the council meeting. He invited Linda Lemon, Human Resources Director, for the personnel matter and Deepal Eliatamby, Alliance Engineers, Inc. for Contractual Matters. **At 7:15pm Vice-Chairman Frierson motioned, seconded by Councilman English to enter in to Executive Session. Motion passed unanimously.**

Open Session:

At 7:55pm a motion by Vice-Chairman Frierson, seconded by Councilman English to exit Executive Session and resume Open Session. Chairman Stewart reviewed the items discussed during Executive Session.

Contractual Matter: Chairman Stewart stated that council was briefed on a matter regarding the Highway 260 Waterline project. He stated that council will need to vote on whether to authorize the execution of contract documents relevant to the project. **Upon motion by Councilman English, seconded by Vice-Chairman Frierson; council voted unanimously to authorize the execution of contractual documents relevant to the USDA Hwy260 Waterline project.**

Personnel: Chairman Stewart stated that there were two items discussed under personnel. (1) Chairman Stewart stated that a contract employee in the Assessor's Office will need a one year employment contract extension. **Upon a motion made by Councilman Blakely, seconded by Vice-Chairman Frierson, council unanimously voted to extend the one year employment contract for a current employee.** (Due to confidentiality council did not disclose employee identity). (2) Chairman Stewart explained that during the spring and summer season Recreation Department Director, Lebon Joye, opens the canteen to sell refreshments to the public. Chairman Stewart stated that Mr. Joye has requested (3) part-time temporary employees to operate the canteens at all the county recreation facilities during the spring and summer programs. Chairman Stewart stated that the temporary employees will be paid through the program fees collected within the department. **With no further discussion a motion made by Councilman Richardson, seconded by Vice-Chairman Frierson to authorize Human Resources to hire (3) part-time temporary employees to work in the recreation department. Motion passed unanimously.**

XIII. Adjournment:

There being no further business to discuss, council adjourned upon motion by Councilman Blakely, seconded by Vice-Chairman Frierson.

Respectfully Submitted,

By: Mia R. Jackson
Mia R. Jackson, Clerk to County Council

Date: March 31, 2011

By: Dwight L. Stewart, Jr.
Dwight L. Stewart, Jr., Council Chairman

CERTIFICATION OF PUBLIC AND MEDIA NOTIFICATION

I, Mia R. Jackson, Clerk to Council, Clarendon County Council, Manning, South Carolina, do hereby certify that public and media notification of the County Council Meeting of March 14, 2011, was given prior thereto by the following means:

PUBLIC NOTIFIED: Yes

MANNER NOTIFIED: Agenda placed on the bulletin board in the Clarendon County Courthouse and the Clarendon County Website

DATE POSTED: March 11, 2011

MEDIA NOTIFIED: Yes

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

DATE NOTIFIED: March 11, 2011

PUBLIC HEARINGS ADVERTISED: YES- Advertised in The Item Newspaper

Respectfully submitted,

Mia R. Jackson
Mia R. Jackson, Clerk to Council