



Clarendon County Council  
Regular Council Meeting  
Monday, June 13, 2011  
Weldon Auditorium, Manning, SC

**COUNCIL MEMBERS PRESENT:**

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

**COUNTY STAFF MEMBERS PRESENT:**

- David W. Epperson, County Attorney
- William F. Houser, County Administrator
- Mia R. Jackson, Clerk to Council

**MEDIA PRESENT:**

Bobby Baker - *The Item*  
Kathy Gilbert - *Clarendon Citizen*

- I. **Introductory remarks:** Chairman Stewart called the meeting to order at 6:01pm. Chairman Stewart began by welcoming Ms. Cathy Gilbert of the *Clarendon Citizen* back from an extended absence as well as Mr. Louis Griffith of the Bank of Clarendon. Mr. Stewart acknowledged Reverend O'Donald Dingle as a Special Guest and asked Rev. Dingle to perform the Invocation.
- II. **Invocation:** Reverend O'Donald Dingle.
- III. **Pledge of Allegiance:** Recited in unison.
- IV. **Approval of Council Agenda:** Upon motion from Councilman Richardson, seconded by Councilman Blakely; *Council unanimously approved the agenda for the June 13, 2011 council meeting.*
- V. **Approval of Minutes:** Upon motion from Councilman English, seconded by Councilman Richardson; *Council unanimously approved the Minutes of the May 9, 2011 council meeting.*
- VI. **Requests:**
  1. **SC Department of Corrections Designated Facilities Agreement.** Administrator Houser presented before council an annual agreement between the South Carolina Department of Corrections (SCDC) and Clarendon County Detention Center (CCDC). Administrator Houser explained that each year both agencies agree to enter into this agreement to assist the Detention Center and Sheriff's Office. He explained that the agreement allows the Detention Center and the Sheriff's Office to utilize SCDC inmates for various work details. *With no further discussion Vice-Chairman Frierson moved to authorize Administrator Houser to enter into the Designated Facility Agreement with the SC Department of Corrections; motion seconded by Councilman English. Motion unanimously passed.*

2. **Memorandum of Agreement (MOA) to secure detention services with the Department of Juvenile Justice for the Detention of Juveniles (DJJ):** Administrator Houser presented before council a MOA for the detention of juveniles. Mr. Houser explained that the MOA is a provision used by the county to secure detention services for juveniles awaiting return to another jurisdiction or awaiting trial or sentencing. He advised that there will be a \$50 per diem rate to house a juvenile with DJJ. *The question was raised as to the age of the juveniles.* Administrator Houser stated that this agreement is relative to minors 17 and under. **Cathy Gilbert** asked, "Do we generally have to spend that money and how much?" **Controller Lynden Anthony replied**, "Although I do not have the current figures available for FY2012, council has budgeted \$5,000 for this service." *With no further discussion Vice-Chairman Frierson moved to authorize Administrator Houser to enter into the Memorandum of Agreement with the Department of Juvenile Justice; motion seconded by Councilman English. Motion passed unanimously.*
3. **Consideration of Board Appointments:** Clerk Jackson presented before council two (2) applications for reappointment to the Library Board of Trustees. Ms. Jackson also advised council that aside from the two reappointments, the board also has five (5) vacant seats needing to be filled. She advised council that an ad was placed in the local papers advising citizens of the vacancies and that she has received numerous requests for applications. *With no further discussion, Vice-Chairman Frierson moved to reappoint Sylvia Ivey and Linda P. Lemon to serve another four (4) year term on the Library Board of Trustees; motion seconded by Councilman Richardson. Motion passed unanimously.*  
DISCUSSION: Chairman Stewart thanked all the board members that serve on various county boards and commissions for their time and service to the county.
4. **Request to execute contract.** Controller Lynden Anthony made a request before council to execute contract(s) relative to the relocation of the Ram Bay Fire Station. Mr. Anthony explained that due to recent changes in fire regulations, the current Ram Bay Fire Station is too far from the surrounding Industrial Park buildings. He also explained that without moving the fire station, many of the corporations located within the park would experience a steep increase in insurance costs. Mr. Anthony stated that along with requesting authorization for the execution of contract(s) relative to the station move, he would also request authorization for the Administrator to reallocate funds, not to exceed \$40,000, from the Summerton Fire Station Project to the Ram Bay Project fund. He stated that because of delays, construction of the Summerton Fire Station is not expected to begin until next spring. He assured council that the funds allocated for the Summerton Project will be replenished and the Ram Bay project will not pose any delays in Summerton. *With no further discussion, Councilman Richardson moved to authorize the County Administrator to (1) execute contract(s) relative to the relocation of the Ram Bay Fire Station and (2) to reallocate funds, not to exceed \$40,000, to affect such move; motion seconded by Vice-Chairman Frierson. Motion passed unanimously.*

## VII. **Resolution(s):**

1. **Consideration of Resolution.** Controller Lynden Anthony presented before council a resolution authorizing the transfer of funds from Clarendon County to the Business Development Corporation of Clarendon County (BDC). Mr. Anthony explained that recent regulation changes in Government Accounting Standards (GASB) require certain fund accounts to be incorporated into the county's general fund. The funds are used in connection with the acquisition or construction of real property within the Industrial Park. This resolution would authorize the

County Administrator to transfer such funds to the Business Development Corporation of Clarendon County (BDC). This transfer would allow the assets to continue to be used for its original purpose within the Industrial Park. *With no further discussion, Councilman Blakely moved to authorize the transfer of funds to the Business Development Corporation of Clarendon County, to be used in connection with the construction or acquisition of real property and other related matters; motion seconded by Councilman English. Motion passed unanimously.*

2. **Consideration of Resolution.** Controller Anthony presented a resolution before council requesting authorization to transfer funds to the Business Development Corporation of Clarendon County (BDC). He stated that changes in the GASB regulations would require the county to incorporate existing separate funds into the general fund. If the funds were incorporated into the general fund, they would not be able to be used for their intended purpose. The funds provide economic incentives to the local business community in the form of loans to companies within the county. He further advised that GASB regulations permit the county to transfer these assets to the BDC and allow the BDC to obtain the rights, title, and interest of any loan agreements currently in effect. *With no further discussion, Councilman English moved to authorize the transfer of funds to the Business Development Corporation of Clarendon County, to be used in connection with an economic incentive loan program and other related matters; motion seconded by Councilman Richardson. Motion passed unanimously.*

VIII. **Presentation of FY2012 Budget.** Administrator Houser began by stating that each department including our elected/appointed officials were charged with bringing a budget that reflected no growth, meaning returning the same budget as the current fiscal year. He continued by saying that during the second reading of the budget ordinance, the budget reflected a \$245,000 deficit and council charged him with returning to third reading with a balanced budget. He continued by saying that he was unable to present to council a balanced budget. He commended the finance team for working closely with each department to bring a budget reflecting zero growth; however, there are two departments that still show an increase; the Auditor's Office at \$732 over budget and the Sheriff's Office at \$89,928 over budget. He concluded by stating that he did not feel comfortable making a decision without council's direction as to how to proceed with the budget. He made the recommendations to council that they either allow him to proceed with balancing the budget, or move to table the budget and call a special meeting; however, he reminded council that a budget should be passed before July 1, 2011.

*Chairman Stewart accepted the request from County Auditor, Patricia Pringle to make a formal statement before council.* Ms. Pringle expressed several concerns regarding the FY2012 proposed budget that included reasons for her budget reflecting a \$732 increase. She noted the budget increases to particular departments, questioned her responsibility to absorb the increased cost of health insurance for her department. She concluded by requesting that her budget not be cut by \$732 and if council decided to do so; she asked that the decrease be reflected within her office supplies budget and not out of travel and training. She also reminded council that if she depletes her budget for office supplies while serving the citizens of the county, she will return to request from council an increase in order to maintain operation of her office.

*After discussion on spending and budget appropriations, the following information was provided:*

- Effective January 1, 2012, Human Resources will cover up to \$100 of the employee portion of health insurance, regardless of the type of insurance the employee chooses. Administrator Houser explained

that the intent of the change is for equality for all employees as well as providing a significant cost savings to the county.

- Vice-Chairman Frierson mentioned the need for a policy change in regards to the retiree insurance benefits.
- Questions were raised regarding the validity of the salaries (recently published in the local paper) of some of the county officials. Councilman Blakely questioned whether or not the county has performed a salary comparison of our surrounding county salaries. Chairman Stewart assured the Councilman that in 2006, a thorough study was performed of the surrounding counties. He reminded everyone that Act 388 imposes a freeze on the amount of property tax counties can raise and receive. He added that right now the county just does not have the revenue to do all that it would like to do or what it has done in the past. He concluded the discussion by stating that council will have to decide what are the most important issues and how best to address them.

**IX. FY2012 Budget recommendations.**

Chairman Stewart stated that in times like these, council is charged with making tough choices; however; council agrees that everyone must learn how to live within his/her prescribed budget. Chairman Stewart asked the councilmen if they had any questions or comments before giving a recommendation to the Administrator. *With no further questions or comments, County Council accepted the recommendation from the Administrator which stated that council would authorize the Administrator to proceed with balancing the FY2012 budget to reflect zero growth. The recommendation was stated by Chairman Stewart, motioned by Councilman English, and seconded by Vice-Chairman Frierson.*

**DISCUSSION:** Sheriff Garrett stated that he understood that council had a tough choice to make and that he will do all he has to do make sure the citizens of Clarendon County remain safe.

Council further directed Administrator Houser to closely monitor the budget for six (6) months and to present an update before council on the status of the budget to see if there are any changes or adjustments that can be made at that time. Chairman Stewart added that the Administrator should make this his most important role this year. Vice-Chairman Frierson stated that he spoke with the Auditor on the matter of her budget, and then recommended to the Administrator that the department heads should be more involved in the budgetary process, especially in notifying them of a rule or policy change that affects their budgets.

**X. Ordinance(s):**

**Consideration of 3<sup>rd</sup> and Final Reading of Ordinance No. 2011-04:** An ordinance to provide for a levy of taxes for county purposes of Clarendon County, South Carolina, for the fiscal year beginning July 1, 2011 and ending June 30, 2012; to direct the expenditures of said taxes and other matters related thereto including, the administrative accountability to be followed during implementation of the budget (operating and capital) for Clarendon County for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

Following the recommendations from county council for the FY2012 budget, Controller Lynden Anthony presented before council the third and final reading of Ordinance No. 2011-04 as follows:

<b>CLARENDON COUNTY TOTAL APPROPRIATION NEEDS FISCAL YEAR 2011/2012</b>	
<b>TOTAL COUNTY GENERAL OPERATIONAL BUDGET:</b>	<b>18,538,993</b>
<b>GENERAL COUNTY OBLIGATION DEBT:</b>	<b>390,162</b>
<b>SUB-TOTAL:</b>	<b>18,929,155</b>

<b>SPECIAL PURPOSE OPERATING FUNDS:</b>	
F.E. Dubose Vocational School	259,565
Fire	2,630,000
Library	_____
<b>TOTAL SPECIAL PURPOSE DISTRICTS OPERATIONAL BUDGET:</b>	<b>2,889,565</b>
<b>FIRE DISTRICT DEBT OBLIGATIONS:</b>	
Fire Debt:	88,660
<b>TOTAL FIRE DISTRICT DEBT OBLIGATIONS:</b>	<b>88,660</b>
<b>SUB-TOTAL (SPECIAL PURPOSE OPERATIONS &amp; FIRE DEBT)</b>	<b>2,978,225</b>

<b>TOTAL (COUNTY APPROPRIATIONS FOR EXPENDITURES)</b>	<b>\$21,907,380</b>
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<b>ENTERPRISE FUNDS:</b>	
Clarendon County Water & Sewer	393,677
Weldon Auditorium Complex	426,519

Controller Anthony stated that the budget presented before council reflects a balanced budget. Mr. Anthony discussed the following items that were to be included in the consideration of the ordinance:

- 1) A fund transfer in the amount of fifty thousand dollars (\$50,000) from the Hospitality Fee Fund to the Weldon Auditorium Fund to assist with the auditorium operations during FY2011-2012 budget year.
- 2) Tax Anticipation Note (TAN) in the amount of 1.5 million dollars. Controller Anthony advised that he did not anticipate the need of a TAN; however, authorization of a TAN is being requested should the need arise.
- 3) School District No. 1 requested to increase millage by 1.64% and a 1.0 million dollar TAN.
- 4) School District No. 2 requested to increase millage by 1.64% and a 1.0 million dollar TAN should the need arise.
- 5) District No. 3 requests a TAN of \$500,000 and no millage increase.

*With no further questions or comments Councilman English moved to accept the third and final reading of Ordinance No. 2011-04. Motion seconded by Vice-Chairman Frierson. Motion passed unanimously.* Chairman Stewart thanked Lynden Anthony and his staff as well as all those who participated in this year's budgetary process.

**XI. Administrator's Report:**

Administrator Houser reviewed the month end financials for the county as well as the C-Fund report.

**May 31, 2011-General County Financial Report**

Revenue \$15,181,279 or 85% of the Budget

Expenditures \$15,803,847 or 88% of the Budget

Administrator Houser pointed out that currently the county expenditures exceed the revenue. He continued by forecasting FY2011 will end with a deficit. **Cathy Gilbert** asked Administrator Houser, "when was the last time the county ended its fiscal year in a deficit?" **Controller L. Anthony** replied, "During the 2008-2009 budget year, the county experienced a deficit; however, that deficit was reflected within the audit."

**May 31, 2011-C-Fund Financial Report**

Cash Balance \$1,156,065

Project Commitments \$1,114,430 (Local \$599,766 + State \$514,665)

Remaining balance available \$41,634

Mr. Houser stated that the Public Works Department is currently working on Deberry Drive and the attorney is working on the easements for Parker Road.

He concluded his report by inviting council to the Annual Employee Picnic to be held on June 24<sup>th</sup> from 12-2 pm.

**XII. Chairman's Report:**

Chairman Stewart announced that his report could be found in the council packets each council member received.

**XIII. Executive Session** at 7:26 pm council voted unanimously to enter into Executive Session to discuss the following matters:

a. Personnel

b. Economic Development

At 9:02 pm after a unanimous vote to reconvene open session, council returned from Executive Session and reviewed the items discussed.

**Economic Development-** Chairman Stewart stated that council received an update on a contractual matter under Economic Development. *No action taken.*

**Personnel-** Chairman Stewart stated that Administrator Houser requested to enter into an employee agreement with a retiree. *Vice-Chairman Frierson moved to authorize the County Administrator to enter into an employee agreement with a retiree. Motion seconded by Councilman Richardson. Motion passed unanimously.*

**XIV. Adjournment**

After exhausting the agenda and there being no further items for discussion, Councilman English motioned to adjourn the council meeting of June 13, 2011, at 9:07 pm.

Date: \_\_\_\_\_

Respectfully Submitted,

*Mia R. Jackson*

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Mia R. Jackson,  
Clerk to County Council

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Dwight L. Stewart, Jr.,  
Council Chairman

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***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 June 13 ,2011, was given prior thereto by the following means:

<b>PUBLIC NOTIFIED:</b>	Yes
<b>MANNER NOTIFIED:</b>	Agenda placed on the Clarendon County Website, at the Clarendon County Courthouse, and at Weldon Auditorium
<b>DATE POSTED:</b>	June 10, 2011
<b>MEDIA NOTIFIED:</b>	Yes
<b>MANNER NOTIFIED:</b>	Agenda emailed to THE MANNING TIMES, THE ITEM, THE CLARENDON CITIZEN and THE FLORENCE MORNING NEWS
<b>DATE NOTIFIED:</b>	June 10, 2011
<b>PUBLIC HEARING ADVERTISED:</b>	N/A
<b>MANNER NOTIFIED:</b>	N/A

Respectfully submitted,

*Mia R. Jackson*

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Mia R. Jackson,  
Clerk to County Council