



Minutes
Clarendon County Council
Regular Council Meeting
December 13, 2010, 6:00P.M.
F.E. Du Bose Career Center Auditorium
Manning, South Carolina

COUNCIL MEMBERS PRESENT:

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

MEDIA PRESENT:

-Darren Price, The Item Newspaper

RESIDENTS PRESENT:

-Approximately 15-20 present

COUNTY STAFF MEMBERS PRESENT:

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

COUNTY EMPLOYEES PRESENT:

- Linda P. Lemon, Dir. of Human Resources
- Sandy Tucker- Weldon Auditorium
- John Truluck, Director of CC Development Board
- Patricia Pringle, CC Auditor

- I. **Chairman Stewart called to order at 6:02 P.M.**
- II. **Invocation was performed by Chairman Stewart**
- III. **Pledge of Allegiance was recited in unison.**
(With a moment of silence in honor of the late Rep. Cathy B. Harvin)
- IV. **Approval of Council Agenda:** After reviewing the agenda as presented, a motion by Councilman Frierson, seconded by Councilman Richardson to accept the December 13, 2010 council meeting agenda with one (1) change to the agenda; the Proclamations are moved to the first item on the agenda with all other items remaining as presented. **ACTION:** Motion passed unanimously.
- V. **Approval of November 8, 2010 Meeting minutes:** Council was presented with the minutes of the November 8, 2010 Council meeting minutes for review and editing. With no comments, questions, or changes, Chairman Stewart entertained a motion to accept the minutes as presented. **ACTION:** A motion made by Councilman English, seconded by Councilman Frierson to accept the minutes of November 8, 2010 Council meeting as presented. **Motion passed unanimously.**
- VI. **Proclamations: (a)** Chairman Stewart began the proclamation ceremony by introducing the members of the Clarendon County Economic Development Board: Skip Osborne, Barry Ham, Bill Buyck, Blake Gibbons, and John Truluck. Chairman Stewart advised the public that the Economic Development Board was present to celebrate the 50th Anniversary of Mr. Frank Parker with the William Powell Company and to present a Proclamation to him. Chairman Stewart continued by saying, Parker has been a member of the Economic Development Board a number of years and an employee of the William Powell Company for fifty years. Mr. Parker has worked in the Clarendon County Industrial Park at Starflow Corporation for 30 of his 50 years with the William Powell Company. As Chairman Stewart prepared to read the proclamation, he advised that he would only read a portion of it because there is another to be read as well. Mr. Osborne, a Development Board member thanked Chairman Stewart and began to present the second proclamation. He advised that then proclamation presented today was the last proclamation signed by the late house Representative Cathy B. Harvin. After Mr. Osborne read the proclamation in its entirety, Mr. Parker thanked everyone present and stated that he could not do what he has been able to do without the people of Clarendon County. **(b)** Chairman Stewart presented a proclamation to Sandi Tucker, Director of

Weldon Auditorium in honor of Weldon's opening night with the Columbia City Ballet of The Nutcracker Ballet. Chairman Stewart advised Ms. Tucker that although the proclamation was being read at the council meeting, it would be formally presented to the Columbia City Ballet on Tuesday night (December 14, 2010) before the show was to begin. After reading the proclamation Chairman Stewart gave the proclamation to Ms. Tucker and resumed the council meeting.

VII. **PUBLIC HEARING:**

1. **Public Comment for (2) Grant applications.** Grants Administrator, Vicki Williams, presented before Council two (2) Grant applications that required public hearing and comments. The two applications are to: the U.S. Department of Justice, Office of Program's Bureau of Justice Assistance under the Edward Byrne Memorial Justice Assistance Grant FY2010 Program and the Justice Assistance Grant Program FY2011. After Ms. Williams read the application requirements in its entirety, the floor was opened for comments or questions from council and from the public. At 6:18p.m. the floor opened to council for questions or comments. With no questions or comments from council, the floor opened to the public at 6:20p.m.; no comments or questions received from the public. Chairman Stewart closed the floor for public comment on this matter and moved to the next item under public hearing.
2. **Ordinance No. 2010-13-**Authorizing the Ratification of the Existing Multi-County Park (MCP) Agreement Between Clarendon County, South Carolina and Sumter County, South Carolina; Ratifying the Existing Park Boundaries, Authorizing the Execution and Delivery of a Revised and Restated Multi-County Park Agreement; and Other Related Matters. Chairman Stewart turned the floor over to Attorney Epperson who reviewed the ordinance and the purpose by restating of the reason for restating this ordinance. He advised council that the ordinance is reviewed every few years. Attorney Epperson explained that the ordinance is an agreement by and between Clarendon County and Sumter County. He further said that the "Multi-County Park" is not a physical park or location, but are parcels of property agreed upon by both counties in the agreement. Mr. Epperson stated that the Multi-County Park Agreement allows companies established within the multi-county parks offered incentives like: FILOT credit and or a State based job credit. He added that some counties have multiple parks 2, 3, or even as many as 5 parks in one county. Chairman Stewart thanked Mr. Epperson, then opened the floor for comments or questions from council. With no questions or comments from council Chairman Stewart opened the Public Hearing for Ordinance No. 2010-13 at 6:21p.m. One question from Auditor, Patricia Pringle: "Does this ordinance include Clarendon County and Sumter County?" Attorney Epperson replied, "Yes, this particular ordinance is an agreement between Clarendon and Sumter County."

*With no further questions or comments from council or the public, Chairman Stewart officially closed the Public Hearing portion of the meeting at 6:22p.m. **No action was taken during the Public Hearing***

- VIII. **Second Reading of Ordinance No. 2010-13-** Authorizing the Ratification of the Existing Multi-County Park (MCP) Agreement Between Clarendon County, South Carolina and Sumter County, South Carolina; Ratifying the Existing Park Boundaries, Authorizing the Execution and Delivery of a Revised and Restated Multi-County Park Agreement; and Other Related Matters. Chairman Stewart stated that ordinance no. 2010-13 is the ordinance Attorney Epperson recently reviewed during public hearing and stated that if there were no questions, he would entertain a motion to accept second reading of ordinance no. 2010-13.

ACTION: A motion was made by Councilman Blakely, seconded by Councilman Richardson to accept second reading of ordinance no. 2010-13 as presented. ***Motion passed unanimously.***

- IX. **Consideration of Emergency Ordinance No. 2010-14-** An Ordinance authorizing amendment to Ordinance No. 2010-07 the Ordinance providing for the Control and Regulation of Animals in Clarendon County and Other Related Matters. Chairman Stewart turned the floor over to County Administrator Bill Houser to explain ordinance no. 201-14. Mr. Houser stated that earlier in the year county council passed ordinance no. 2010-07 which authorized the county to implement regulations to control the animals within Clarendon County. Mr. Houser stated that the effective date for Ordinance No. 2010-07 was currently January 1, 2011; however due to some unforeseen circumstances, he was requesting an emergency ordinance be passed to delay the effective date of 2010-07 Ordinance. Mr. Houser stated that the Animal Shelter ran into financial difficulty which threatened their operations. Mr. Houser commented that at the “10th hour” before the county was to begin breaking ground on the Animal Shelter, the Animal Shelter of Clarendon County asked for re-negotiations in hopes that with County support they could remain open. He stated that council authorized him to enter into negotiations with the Animal Shelter again and should an agreement be met it would open the door for the county to once again work with the Shelter. The county and Shelter were able to form an agreement, however that agreement would also delay the January 1st Ordinance effective date. Houser stated that the Procurement Department is working with contractors to establish the “county-side” animal housing units at the Shelter and currently it is not likely that it will be up and running by January 1st. Mr. Houser concluded by stating that he is requesting a sixty-day (60) Emergency Ordinance, effective upon its passing to allow more time to ensure the Shelter is up and running efficiently before it opens. **Question from the public:** Mr. Don Edwards asked, “Have you all talked with the surrounding counties to see how they are handling their animal problem?” Mr. Houser replied, “Yes, we have talked with and met with the surrounding counties like Sumter, Williamsburg, and n Orangeburg County to see how they have established their Animal Shelters.” **Councilman Blakely commented:** “I think it’s a great opportunity to work together with the citizens of the county.” With no further questions or comments from council, Chairman Stewart entertained a motion to accept and pass Emergency Ordinance No. 2010-14 as presented.
ACTION: A motion made by Councilman Richardson, seconded by Councilman Blakely to accept and pass Ordinance 2010-14, to be effective upon its passing, December 13, 2010. *Motion carried unanimously.*
- X. **Resolution-** Resolution Authoring the Five-year lease with Caterpillar Financial Services Corporation for PAN Equipment. Administrator Houser reviewed this Resolution, stating that this is actually a lease agreement for large motor grader equipment used in the Public Works Department. He stated that the county leases the equipment for five (5) years and then turns it in for an updated model. Administrator Houser stated that the language in the agreement had not changed and that this is a procedure of the leasing agreement. Chairman Stewart thanked Administrator Houser and stated that if there were no questions from council h would entertain a motion to approve the PAN equipment Lease-Resolution.
ACTION: A motion was made by Councilman English, seconded by Vice-Chairman Frierson to accept and approve the PAN Equipment Lease/Resolution for another 5-year term. *Motion passed unanimously.*
- XI. **Board Appointments-** Clarendon County Re-Assessment Appeals Board- Clerk to County Council, Mia Jackson presented before council the application of board appointment of Delton Michael Huggins. She stated to council that Mr. Huggins is the former Assessor for Charleston County, and resides in Summerton, South Carolina. She stated that he has experience in working in this field and is willing to serve a one-year term on the Appeals Board. Clerk Jackson advised council that should Mr. Huggins be appointed to the Appeals Board, the board would then be complete with five

members and the board will begin holding appeal hearings for the current property tax year appeals. Chairman Stewart thanked Clerk Jackson and advised council that he would entertain a motion as to whether council would accept the application of Mr. Huggins to the Re-Assessment Appeals Board.

ACTION: A motion was made by Councilman Richardson, seconded by Vice-Chairman Frierson to accept the application of Mr. Delton Michael Huggins and appoint Mr. Huggins as Board Member to the Clarendon County Re-Assessment Appeals Board for the 2010-2011 Term. *Motion carried unanimously.*

XII. **Approval of 2011 Council Meetings-** Administrator Houser stated that for the past several years county council has held the regular council meetings at the F.E. Du Bose Career Center. He stated that council also visits district 1 and 3 in the fall and spring of every year, meeting in Turbeville and Summerton, SC. Administrator Houser stated that since the Weldon Auditorium has opened, utilizing the Weldon Auditorium as the site for Councils regular council meetings would allow the citizens an opportunity to view Weldon and it would gain some exposure to many of our residents who may not otherwise visit Weldon Auditorium. Mr. Houser reminded council and the public that the county recently acquired the building formally known as the Bi-Lo building, which was purchased for the purpose of establishing a County Administration Building complete with County Council Chambers. He advised council that there is no definite date of completion, stating that the Contractor/Architect selection process is still underway. He estimated that it may be about a year before the new building will be open for business. **Councilman English asked,** “Where in the Auditorium would Council sit?” Mr. Houser replied, “In the main auditorium, where, that would be up to the Council to choose, the stage can be set up for you all to sit up there; or tables and chairs can be set up on the floor in front of front row. There is an excellent sound system in the auditorium either way council can be accommodated.” With no further questions or comments, Chairman Stewart entertained a motion to accept the 2011 Council meeting Schedule complete with change of meeting venue.

ACTION: Motion made by Councilman Richardson, seconded by Councilman English to accept the 2011 Clarendon County Council meeting schedule with change in meeting venue. *Motion carried unanimously.*

XIII. **Administrator’s Report-** Administrator Houser thanked Chairman Stewart and proceeded with the financial statements for the month ending November 30th, 2010:

Clarendon County Finances -As of November 30, 2010

November Monthly Financial

November Revenue	<i>Not Available</i> (Has not been provided to date)
November Expenditures	- \$1, 373, 204

Year to Date TOTALS

YTD Revenue TOTAL	<i>Not Available</i> (Has not been provided to date)
YTD Expenditure TOTAL	\$7, 078, 621 or 40%

Remaining Budget

Remaining Revenue Budget	<i>Not Available</i> (Has not been provided to date)
Remaining Expenditure Budget	\$10, 836, 906

Clarendon County Water & Sewer-As of November 30, 2010

TOTAL Operating Revenue	\$139, 986
TOTAL Operating Expenses	\$123,665
TOTAL Depreciation	\$ 14, 700
TOTAL Income/(Loss)	\$ 1, 620

C-Fund Report-As of October 2010 (State reports 2 months behind)

Cash Balance	\$974, 621
State Construction	\$ 30, 124
Funds Available November 1, 2010	\$944, 497
State Projects	-\$388, 490
Local Projects	-\$296, 053
TOTAL Committed Funds	\$684, 543

TOTAL Available December 1, 2010 \$259, 954

Administrator Houser reviewed the **financial statements for the county** making mention that the report from the Treasurer's office had not been received, however based on the approved budget and current expenditures, he did not foreseeing any problems. He stated the **Water and Sewer Department** began to see a profit of \$16, 000 since equipment was replaced and other expenses were covered. He reminded council that the Water and Sewer Department will be a self sustaining enterprise; however the start-up costs and equipment depreciation factors must be recovered before the department will begin to see a more consistent monthly profit. Mr. Houser stated that the **C-Fund Report** is reported by the state to the county every 60 days. Mr. Houser stated that many times his reports excludes the state expenditures information. After reviewing the financials for the month Mr. Houser discussed the current projects underway throughout the county. **Weldon Auditorium** recently had the opening GALA and is anticipating the opening night which would be held on Tuesday, December 14, 2010 with the performance of the Nutcracker. Mr. Houser stated that approximately 1100 Clarendon School District 1, 2, and 3 children attended the performance of Rudolph by the Columbia City Ballet. He stated that currently he is still working with the contractors and bonding companies for the completion of some minor projects throughout the building. He stated that he anticipates a full house for the Nutcracker Ballet; many of the tickets have been sold out including the balcony. **New Administrative Building** currently, the bonds have been sold, he stated that the price was a bit higher than many expected, however the county received a great rating and from that also received several discounts and credits towards the bonds. Administrator Houser stated that the bond closing should be complete this week, he stated that he signed the bond closing documents the afternoon before the council meeting and that the bids for the Architect/Contractors went out, and the county has a panel of community citizens that have reviewed the bids and the procurement department will be scheduling the top rated bids to return for oral presentations by early January. He said that the project should be up and underway in the coming months. **HWY 260/USDA Waterline Project** is progressing well stated Mr. Houser. He said that the project is in its final prepping stage before going out to bids. He advised council that currently Bob Dennis, Director of Water and Sewer is working diligently to have all the easements signed. He stated that Mr. Dennis had run into many properties with multiple owners, owners deceased, or owners who are just refusing to sign the easements. Mr. Houser briefly explained the procedures and necessity of the easements again, and advised that currently the goal was to begin to break ground March 1st. **Animal Control Department/Shelter** Mr. Houser mentioned that the Emergency Ordinance that was recently passed discussed a lot of the progress and setbacks with the Animal Control Department. Restating the recent renegotiations with the Second Chance Animal Shelter caused some delay, however he stated that he applauds the Shelter, for seeing the need and the greater good of both the county and the shelter. Mr. Houser asked was there any questions or comments, with none; he concluded his report.

- XIV. **Chairman's Report-** Chairman Stewart advised council that his report was included in their packets and that he would like to thank county council for a productive year on council and looks forward to next year. Chairman Stewart advised the public that Ms. Cathy Gilbert, Reporter for the Clarendon Citizen was currently in Florence Hospital, undergoing treatment for leg wounds. He stated that she had been battling an illness for quite some time. Mr. Stewart asked Town Administrator Pat Goodwin if he had any further information on her current status. He stated that he knew that she was looking to go home soon, and the doctors are hoping to find out why she cannot remain off antibiotics for more than 10 days without getting another one. He did not have any further details but asked that she is kept in everyone's prayers. Chairman Stewart thanked Mr. Goodwin and proceeded to the next item on the agenda.

Prior to Executive Session, Chairman Stewart pointed out several residents and business owners in the audience. He advised the men present that any requests or presentations during county council meetings, the public is required to contact the Clerk to County Council or the County Administrator 10-days prior to the meeting to request being placed on the agenda. He further advised the men that county council cannot vote or decide on anything without the public's prior knowledge of the item. He stated that he understands that there are several men present (all men were sitting together as in a group) and he would allow then a three minute time to be heard and asked that there be one spokesman for the group. **Mr. Patel** America's Best Hotel, Summerton, SC owner stood and said that you Chairman Stewart. Mr. Patel stated that he along with the men present (Patel asked the other men to stand) were all business owners in Clarendon County. He stated that many of them either owner a hotel or store and has seen a dramatic decline in business over the past several years, but the price of their taxes seem to increase. He asked council if there was something that could be done about the taxes, or was there some assistance that can be given during the tough economic times they are experiencing. **Chairman Stewart** replied and stated that he understood the tough times they are experiencing and that he believes everyone is having this tough time as well. He briefly discussed some of history on the beautification grants the county received to revitalize I-95 exit 115; and questioned if their hotels were in that area or in Summerton. The reply was that the hotels were located at both exit 115 as well as exit 108. Chairman Stewart turned the floor to Administrator Houser who advised the men standing that in the coming weeks he would be in contact to further discuss the issues and to see if there is anything the county could do to assist.

XV. **Executive Session-** Chairman Stewart asked for a motion to enter into Executive Session to discuss a contractual matter and to receive a legal briefing from the county attorney.

ACTION: At 6:48p.m. a motion was made by Vice-Chairman Frierson, seconded by Councilman English to enter into Executive Session. **Motion passed unanimously.**

8:16p.m. County Council returned from Executive Session. Motion made by Vice-Chairman Frierson, seconded by Councilman Blakely to exit Executive Session and return to open session. Chairman Stewart reviewed what was discussed in Executive Session. He stated that council received a legal briefing from Attorney Epperson; however no action was needed nor was be taken on that matter. He stated that the contractual matter was in reference to authoring County Administrator Houser to enter into negotiations for the purchase of 2 water systems in the Summerton area. The authorization would also allow Houser the use of the unrestricted, unreserved funds of the county to purchase the water systems. Without any questions or objections Chairman Stewart asked for a motion to allow Administrator Houser to purchase the (2) Water Systems in Clarendon County utilizing the Unrestricted, Unreserved funds of the county.

ACTION: A motion made by Councilman English, seconded by Councilman Richardson to allow Administrator Houser to purchase the 2 Water Systems utilizing the unrestricted, unreserved county funds. **Motion passed unanimously.**

XVI. **Adjournment.**

There being no further business, Council adjourned at 8:19P.M. without objection.

Respectfully Submitted,

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

Date: December 20, 2010

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 December 13, 2010, 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: December 10, 2010

MEDIA NOTIFIED: Yes

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

DATE NOTIFIED: December 10, 2010

PUBLIC HEARINGS ADVERTISED: Advertised in the Item Newspaper.

Respectfully submitted,

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