

MINUTES
LAURENS COUNTY COUNCIL
APRIL 8, 2014 – 5:30 P.M.
HISTORIC COURTHOUSE – COUNTY COUNCIL CHAMBERS - PUBLIC SQUARE

ATTENDANCE: COUNCIL MEMBERS PRESENT - County Council Chairman Jim Coleman and Vice Chairman Edward McDaniel; Council Members, Diane Anderson, David Pitts, Ted Nash, and Joe Wood.

COUNCIL MEMBER ABSENT: Council Member, Keith Tollison (out of state / work).

ADMINISTRATIVE STAFF: Laurens County Administrator, Ernest Segars; Laurens County Clerk to Council, Betty C. Walsh and Sandy Cruickshanks, Laurens County Attorney.

ATTENDING - LAURENS COUNTY DEPARTMENT HEADS: Laurens County Public Works Director, Scott Holland; Lisa Kirk, Director, Laurens County Finance and Greg Lindley, Laurens County Director of Fire Service.

PRESS: The *Laurens County Advertiser*, Corey Engle; Vic McDannald, *Clinton Chronicle*; Iva Cadmus, WLBG-Radio and Billy Dunlap, GoLaurens.

SCHEDULED SESSION AGENDA ITEMS – (1) Approval of Agenda, April 8, 2014; (2) Approval of Minutes from the March 25, 2014 Regular Session; (3.) Discussion, Laurens County Owings Industrial Park, Phase II (Octagon II) FILOT Apportionment Note; (4) Appointment – District #3 - Laurens County Disability and Special Needs Board; (5) Resolution #2014-06 – Allocation of Funds – Durbin Creek Fire Department Upgrades; (6) Update – Laurens County Fire Service Rural Stations; (7) Administrative Report – Ernie Segars, County Administrator; (8) 6:00 P.M. (time approximate); (9) Public Comment, Fifteen Minute Period (not to exceed five minutes per topic); (10) Comments from Council Members; (11) Adjournment.

MEETING NOTIFICATION - The County Council Members, Press and requested public notifications were informed of the meeting in a timely and appropriate manner.

CALL TO ORDER – Chairman Coleman called the April 8, 2014 regular scheduled meeting of Council to order at 5:30 P.M. in the Council Chambers of the Laurens County Historic Courthouse. Chairman Coleman invited all to stand for the Pledge of Allegiance followed by the invocation provided by Councilman Pitts.

APPROVAL – AGENDA – APRIL 8, 2014 – Upon a MOTION from COUNCILMAN NASH and a SECOND from COUNCILWOMAN ANDERSON; the agenda was approved with no deletions or additions; VOTE 6-0.

APPROVAL – MINUTES – MARCH 25, 2014 – REGULAR SESSION OF COUNCIL – Upon a MOTION from VICE CHAIRMAN MCDANIEL and a SECOND from COUNCILMAN PITTS, the minutes from the March 25, 2014 meeting was approved as presented; VOTE 6-0.

DISCUSSION – LAURENS COUNTY OWINGS MULTI COUNTY INDUSTRIAL PARK PHASE II (OCTAGON II) FILOT – Administrator Segars explained, “This represents Phase II of the Octagon Park on the North side of the Park where a large portion is in the Greenville County School Districts. Right now there is a spec building in place and there is truly nothing on the tax books for taxing purposes. This is primarily a means of acquiring Council discussion toward addressing modifying the apportionment rates”.

The following document was prepared by the County Attorney so as to explain the apportionment rates:

The following are examples of FILOT distributions
These assume there is no distribution agreement in place

These are figured using proposed new distribution
For newly added property only

Example 1:

MCIP FILOT Revenue of \$200,000
Park Expenses of \$10,000

\$200,000 (MCIP FILOT revenue)
-10,000 (Park expenses)
\$190,000

1% partner county= \$1,900

For distribution/allocation:
\$188,100
Laurens County-35% \$ 65,835
Greenville SD- 65% 122,265

These are figured using the current OIP distribution agreement

Example 3:

MCIP FILOT Revenue of \$200,000
Park Expenses of \$10,000

\$200,000 (MCIP FILOT revenue)
-10,000 (Park expenses)
\$190,000

1% partner county= \$1,900

For distribution/allocation:
\$188,100
Laurens County-40% \$ 75,240
Greenville SD- 50% 94,050
Reinvestment 10% 18,810

Example 2:

MCIP FILOT Revenue of \$200,000
Park Expenses of \$0

1% partner county- \$2,000

For distribution/allocation:
\$198,000
Laurens County-35% \$ 69,300
Greenville SD- 65% 128,700

Example 4:

MCIP FILOT Revenue of \$200,000
Park Expenses of \$0

1% partner county- \$2,000

For distribution/allocation:
\$198,000
Laurens County-40% \$ 79,200
Greenville SD- 50% 99,000
Reinvestment 10% 19,800

Example 5:

MCIP FILOT Revenue of \$200,000
Park Expenses of \$10,000

\$200,000 (MCIP FILOT revenue)
-10,000 (Park expenses)
\$190,000

1% partner county= \$1,900

For distribution/allocation:
\$188,100
Laurens County-70% \$131,670
Greenville SD- 5% 9,405
Reinvestment 25% 47,025

Example 6:

MCIP FILOT Revenue of \$200,000
Park Expenses of \$0

1% partner county- \$2,000

For distribution/allocation:
\$198,000
Laurens County-70% \$ 138,600
Greenville SD- 5% 9,900
Reinvestment 25% 49,500

The logic behind the new allocation plan for the property that is only in the Greenville School District is that Laurens County and the LCDC are the facilitators and investors in developing and maintaining the park. All of the marketing, certification and development of the park has come directly or indirectly from funding sources totally within Laurens County. In order for the LCDC and the County to maintain and sustain an inventory of product (land and certified sites) in the county, it would be wise to allocate sufficient funding for these purposes. In addition, the reinvestment funds are restricted by Council resolution as to the use and application of the funds.

Administrator Segars explained that Example 1 reflect the apportionment rates now; Example 3 reflects ten percent (10%) Reinvestment (Laurens County Development Corporation) – fifty percent (50%) School District and forty percent (40%) Laurens County.

Councilman Wood questioned why the noted Greenville School District should not be the Laurens School District. Attorney Cruickshanks said, “The proposal notes that if the property is in the Greenville County School District, the split would be at fifty percent (50%) for Greenville County using the formula as it is now. Anything that develops north of the existing ZF Transmissions Plant, fifty percent (50%) would go to the Greenville County School District because the property is located in the that School District. District 55 would get nothing”.

Administrator Segars explained that under State Law, a County Council has the authority to set apportionment rates on Multi-County Industrial Parks located within that Council’s jurisdiction. Examples five (5) and six (6) are simply examples of what the apportionments could be changed to so as to keep more of the funds in Laurens County.

Councilman Pitts asked, “Could not the Council designate a portion of the appropriations to District #55”? Attorney Cruickshanks replied that the Council could but it would have to subcategorized from under the County portion and that the only taxing entities affecting that land would be Laurens County and the Greenville School District.

Chairman Coleman noted that the multi county industrial parks is a tool that the Department of Commerce started when one County partners with another County to obtain job credits.

Councilman Nash said, “This location is in Laurens County but is represented by the Greenville School District #52. I have paid District #52 school taxes all my life along with my parents before me. Simply because there is no school in that area funded by Laurens County. The progressive part of Laurens County right now is in the Northern most areas. Laurens County needs to build schools for this area because the children attending the Laurens School have to drive well over thirty minutes to get to school each day. One

saving grace is that Greenville County has scheduled to build more schools to off set the overcrowding now in the High School. The County funds the Laurens County Development Corporation three hundred sixty thousand dollars (\$360,000) from the County budget and then they get the reinvestment credits from industrial taxes. With Keith Tollison not present, I would prefer these discussions to be sent to a County Council Committee and then back to County Council for their recommendations”.

Chairman Coleman stated that he did not ask for this to be brought to Council, the staff has brought it to Council for consideration.

Chairman Coleman assigned the County Council Committee on Finance and Administration the task of reviewing the proposed modification of the Fee-in-lieu-of-tax apportionment rate for Octagon Park.

APPOINTMENT – DISTRICT #3 – LAURENS COUNTY DISABILITY AND SPECIAL NEEDS BOARD - As per the request from Vice Chairman McDaniel, Mrs. Gwen Kinard, has resigned from the Laurens County Disability and Special Needs Board and he wishes to make another nomination for consideration.

As a MOTION VICE CHAIRMAN MCDANIEL requested Council approval of Ms. Jackie E. Williams as a replacement on this Board from County Council District #3. COUNCILMAN PITTS SECONDING; VOTE 6-0.

RESOLUTION #2014-06 – ALLOCATION OF FUNDS – DURBIN CREEK FIRE DEPARTMENT UPGRADES – Chairman Coleman stated that this was discussed at the last Council meeting with Durbin Creek Fire Department approving to allow Laurens County to assume ownership of the Durbin Creek Fire Station that is in need of major repair. Also the Board of Directors of the Durbin Creek Fire Department has approved a Resolution, conveying ownership to the County.

COUNCILMAN NASH made a MOTION to approve the Resolution with COUNCILWOMAN ANDERSON SECONDING for discussion.

Councilman Wood asked Mr. Lindley to elaborate as to what the fifty seven thousand dollars (\$57,000) would cover.

Mr. Lindley replied that option one would bring all building electrical up to code; removing the current dayroom and converting to bay area; removing / replacing all exterior walls, trim, base angles on all sides and install a new roof; includes adding a new dayroom / classroom on rear of building”.

Councilman Pitts stated that he had concerns with the County assuming ownership of the property from a liability standpoint.

Councilwoman Anderson asked if the Fire Department had any funds to assist with the construction. Mr. Lindley replied that they had only two thousand dollars (\$2,000) in their account.

Councilman Wood said, “I have no problem with helping out with this project, the problem I have is taking ownership of this building. The County would be owning this building and assuming all liabilities, all maintenance. There is a possibility that Durbin Creek will even ask for the County to come and cut their grass. We do not need to take on all this maintenance just to repair this building. We have already spent money on other rural departments in the past. Instead of giving money to the rural departments, the County needs to set up a maintenance account for situations like this”.

Administrator Segars said, “On the other side of this, we just lost well over a million dollars with the fire at the Ekom Station. The majority of the rural stations are thirty to forty years old. The only reason the ownership came up with this was that the Bond Attorney said any maintenance or upgrades on these buildings, it was not proper to use public monies on private properties”.

Councilman Wood stated, "In order to do maintenance or rehab the other thirty or so buildings, the County has to take ownership before any monies can be spent? How can we agree to do this tonight without an ordinance? I would like for the County Attorney to create a policy for this to take place".

As a matter of clarification, Administrator Segars said, "The County has paved parking lots, put roofs on buildings. We did this based on an ordinance passed in the early nineties where the County would provide basic maintenance on the buildings".

Councilman Nash questioned the possibility of a special tax district. Attorney Cruickshanks replied that that is what the districts have now.

COUNCILWOMAN ANDERSON withdrew her second to the motion and asked to table the discussion until more information is obtained and for all Council Members are present.

The earlier motion died to the lack of a second.

VICE CHAIRMAN MCDANIEL made the MOTION to table the discussion with COUNCILWOMAN ANDERSON SECONDING; VOTE 5-1 (Councilman Nash was is objection).

Chairman Coleman instructed the County Attorney to provide Council with a policy for acquiring ownership of the rural facilities.

UPDATE – LAURENS COUNTY RURAL FIRE SERVICE STATIONS – Administrator Segars informed Council that a series of meetings involving the Fire Director, the Building Official, Members of the staff and the County Administrator discussing a systematic approach to the needs of all the buildings. Eighteen (18) fire departments have been reviewed as to roofing, structure and electrical needs with seven (7) more to do. The structural engineer will also be looking at several more list of repairs that need to be made

Councilman Wood asked for confirmation that eighteen (18) buildings would need to be taken ownership of before any repairs can be made. Administrator Segars said that he thought that all was on the right track in conducting these inspections. Chairman Coleman stated that it all comes back to issuing bonds for these repairs or depleting the accounts we have now.

ADMINISTRATIVE REPORT – ERNIE SEGARS, COUNTY ADMINISTRATOR - Administrator Segars stated that he did not have anything to report at this time.

PUBLIC COMMENTS – Chairman Coleman opened the floor for public comments at 6:30 P.M. Having no one present wishing to address Council, Chairman Coleman closed the session at 6:31 P.M.

COUNCIL COMMENTS:

Chairman Coleman acknowledge the recent announcement for a Federal Grant of six (6) million dollars over the next four (4) years for the Laurens County District Schools towards "Workforce Development".

ADJOURNMENT – With no further business, Chairman Coleman adjourned the meeting of Council at 6:34 P.M.

Respectfully Submitted,



Betty C. Walsh

Betty C. Walsh
Laurens County Clerk to Council