

MARLBORO COUNTY COUNCIL

MARIAN WRIGHT EDELMAN PUBLIC LIBRARY KINNEY MEETING ROOM

TUESDAY, SEPTEMBER 13, 2011

6 PM

CHAIRMAN	RON MUNNERLYN
VICE-CHAIR	DR. CAROLYN PRINCE
ADMINISTRATOR	CECIL KIMREY
COUNTY ATTORNEY	HARRY EASTERLING, JR.
COUNCIL:	
JASON STEEN, RON MUNNERLYN, DR. CAROLYN PRINCE, STEVE BLACKMON, AND	WILLIE GLADDEN, CORRIE H. PLATO, KEN ALLEN, ANTHONY WOODS

* Absent

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

Add item j under New Business – Resolution # 09-11-02 – A Resolution approving the execution of a certificate of landlord by Marlboro County, South Carolina for the benefit of certain lenders to Flakeboard America Limited in connection with the Fee in Lieu of taxes transaction between Marlboro County, South Carolina and Flakeboard America Limited.

Add item k under New Business – Resolution # 09-11-03 – A Resolution accepting the South Carolina Department of Commerce Rural Infrastructure Fund Grant # RIF11350268 in the amount of \$350,000 for land acquisition.

Motion made by Dr. Carolyn Prince, seconded by Ms. Corrie Plato for the approval of the agenda items with items j and k added to new business. Vote in favor. Unanimous. Motion carried.

PUBLIC HEARING

ORDINANCE # 693 – AN ORDINANCE TO APPROVE THE AIRPORT GROUND LEASE FOR HANGAR USE AGREEMENT BETWEEN MARLBORO COUNTY, SOUTH CAROLINA AND RARE AIR, INC.

No comments were made.

ORDINANCE # 685A – AN ORDINANCE TO AMEND THE BUDGET ORDINANCE # 685 TO ALLOW MARLBORO COUNTY COUNCIL TO CHANGE THE MILLAGE RATE BY RESOLUTION FOR THE FISCAL YEAR 2011 – 2012 IF NECESSARY DUE TO TAX REVALUATION.

No comments were made.

The Public Hearing was closed.

APPROVAL OF COUNCIL MINUTES - AUGUST 9, 2011

Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods, to approve the minutes of August 9, 2011. Vote in favor. Unanimous. Motion Carried.

OLD BUSINESS

ORDINANCE # 618B – AMENDING ORDINANCE # 618A ENTITLED “ AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING FOUR MILLION DOLLARS (\$4,000,000) GENERAL OBLIGATION BONDS OF MARLBORO COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO” IN ORDER TO PROVIDE THAT RENOVATIONS OF THE CURRENT ADMINISTRATION BUILDING; OFFICES CURRENTLY PROVIDING ADMINISTRATIVE FUNCTIONS TO MARLBORO COUNTY; RENOVATIONS OF THE ECONOMIC DEVELOPMENT BUILDING; AND TO PROVIDE FUNDS FOR THE CONSTRUCTION OF A NEW ANIMAL SHELTER SHALL BE AN ADDITIONAL USE OF PROCEEDS OF THE BONDS AUTHORIZED THEREIN, AND OTHER MATTERS RELATING THERETO. – THIRD READING.

Information from Mr. Hal Fuller, Architect with FW Architects was distributed to council members with an estimated costs for demolition, roofing, and renovation of the ground floor level. Council members will have to approve the plans and bids for the building. Dr. Carolyn Prince requested the County Administrator contact the Bennettsville Downtown Development Association to get another opinion on the building since it is a historical building. Mr. Jason Steen advised he would like to see the overall plan for the building.

Mr. Ron Munnerlyn, Chairman advised council needed to put the funding in place. He advised changes could be made to amend the ordinance.

Motion made by Mr. Jason Steen, seconded by Mr. Ken Allen, to approve the third reading of Ordinance # 618B - Amending Ordinance # 618 A entitled “ An Ordinance to provide for the issuance and sale of not exceeding four million dollars (\$4,000,000) General Obligation Bonds of Marlboro County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto” in order to provide that renovations of the Current Administrative Building; Offices currently providing administrative functions to Marlboro County; renovations of the Economic Development Building; and to provide funds for the construction of a new animal shelter shall be an additional use of proceeds of the Bonds authorized therein, and other matters relating thereto. Vote in favor: Mr. Anthony Woods, Mr. Jason Steen, Mr. Willie Gladden, Mr. Ron Munnerlyn, Mr. Steve Blackmon, and Mr. Ken Allen. Abstain: Dr. Carolyn Prince and Ms. Corrie Plato. Vote: 6/0/2. Motion carried.

ORDINANCE # 693 – AN ORDINANCE TO APPROVE THE AIRPORT GROUND LEASE FOR HANGAR USE AGREEMENT BETWEEN MARLBORO COUNTY, SOUTH CAROLINA AND RARE AIR, INC. – SECOND READING.

Motion made by Mr. Anthony Woods, seconded by Ms. Corrie Plato, to approve the second reading of Ordinance # 693 – An Ordinance to approve the airport ground lease for hangar use agreement between Marlboro County, South Carolina and Rare Air, Inc. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 685A – AN ORDINANCE TO AMEND THE BUDGET ORDINANCE # 685 TO ALLOW MARLBORO COUNTY COUNCIL TO CHANGE THE MILLAGE RATE BY RESOLUTION FOR THE FISCAL YEAR 2011 – 2012 IF NECESSARY DUE TO TAX REVALUATION. – SECOND READING.

Motion made by Ms. Corrie Plato, seconded by Mr. Steve Blackmon, to approve the second reading of Ordinance # 685A – An Ordinance to amend the budget ordinance # 685 to allow Marlboro County Council to change the millage rate by resolution for the fiscal year 2011 – 2012 if necessary due to tax revaluation. Vote in favor. Unanimous. Motion carried.

NEW BUSINESS

ORDINANCE # 650A – AN ORDINANCE AMENDING THE PURCHASING POLICIES FOR MARLBORO COUNTY BY AMENDING SECTION 1 – IN GENERAL BY ADDING A SECTION FOR THE INCLUSION AND IDENTIFICATION OF MINORITY OWNED BUSINESSES. – FIRST READING.

Motion made by Dr. Carolyn Prince, seconded by Mr. Willie Gladden, to approve the first reading of Ordinance # 650A – An Ordinance amending the purchasing policies for Marlboro County by amending sections 11 and 12 by adding a section for the inclusion and identification of minority owned businesses. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 694 – AN ORDINANCE PROHIBITING THE ADVERTISEMENT, POSSESSION, PURCHASE, SALE, OR USE OF “BATH SALTS”, “BATH-SALTS-LIKE SUBSTANCES” AND “SYNTHETIC MARIJUANA” WITHIN THE UNINCORPORATED AREAS OF MARLBORO COUNTY. – FIRST READING.

Mr. Harry Easterling, Jr., County Attorney advised the proposed ordinance was based on the ordinance passed by Chesterfield County. He advised Marlboro County is using the normal policy procedure for passing ordinances with three readings because there has been no justification for an “emergency” ordinance which would expire after sixty-one days. .

Motion made by Mr. Willie Gladden, seconded by Mr. Jason Steen, to approve the first reading of Ordinance # 694 – An Ordinance prohibiting the advertisement, possession, purchase, sale, or use of “Bath Salts”, “Bath-Salts-Like Substances”, and “Synthetic Marijuana” within the unincorporated areas of Marlboro County. Vote in favor. Unanimous. Motion carried.

RESOLUTION # 09-11-01 – A RESOLUTION APPROVING THE INDEPENDENT CONTRACTOR AGREEMENT BY AND BETWEEN THE COUNTY OF MARLBORO AND GO-GREEN, USA.

Motion made by Mr. Steve Blackmon, seconded by Mr. Jason Steen, to approve Resolution # 09-11-01 – A Resolution approving the Independent Contractor Agreement by and between the County of Marlboro and Go-Green, USA. Vote in favor. Unanimous. Motion carried.

DISCUSSION OF LAND ACQUISITION FOR MARLBORO COUNTY AIRPORT.

Mr. Cecil Kimrey, County Administrator advised one property owner has agreed to sale, one has denied selling, and staff is still waiting on the decision of the other property owner.

APPROVAL OF MARLBORO ELECTRIC COOPERATIVE CHECK TRANSFER OF \$23,052.14 TO THE MARLBORO COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP FOR INDUSTRIAL PARK FIBER OPTICS.

Mr. Ron King, Economic Development Director advised this was necessary in extending the fiber optic internet to the buildings in the Industrial Park.

Motion made by Dr. Carolyn Prince, seconded by Mr. Jason Steen, to approve the Marlboro Electric Cooperative check transfer of \$23,052.14 to the Marlboro County

Economic Development Partnership for Industrial Park Fiber Optics. Vote in favor. Unanimous. Motion carried.

APPROVAL OF EXHUMATION AND AUTOPSY EXPENSES PER COURT ORDER.

An expense in the amount of \$4,445.00 was incurred for the exhumation and autopsy for the deceased, Brandy Simmons. The State Law Enforcement Division coordinated the exhumation and autopsy. Services were completed by Smith Funeral Home of Florence, SC. Judge Paul M. Burch ruled in the Court of General Sessions. The Order stated that the County of Marlboro shall make payment to Smith Funeral Home of Florence for the services provided (\$4,445.00). Mr. Cecil Kimrey, County Administrator advised the county may be able to recover some of the funds, but must pay the costs up front.

Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to approve the exhumation and autopsy expenses in the amount of \$4,445.00 per court order. Vote in favor. Unanimous. Motion carried.

DISCUSSION OF MURCHISON BUILDING ROOF.

Mr. Cecil Kimrey, County Administrator advised the building has been leaking and costs of repairs would exceed \$10,000. Per research by Mr. Harry Easterling, Jr., it was noted the county still owns the building. Mr. Kimrey requested permission to bid out the roof repairs and award the bid with an approval up to \$15,000 for repairs.

Motion made by Dr. Carolyn Prince, seconded by Mr. Willie Gladden to authorize the county administrator to put a bid out for roof repairs to the Murchison Building and award the bid up to an amount of \$15,000. Vote in favor. Unanimous. Motion carried.

APPROVAL TO TRANSFER PUBLIC WORKS REPEATER.

Mr. Cecil Kimrey, County Administrator advised the county has been advised the license for the repeater shows it should be located in the same area as the others. It is in violation of regulations and needed to be relocated. He advised the estimated cost to relocate was approximately \$5,500.

Motion made by Mr. Steve Blackmon, seconded by Mr. Jason Steen, to approve the transfer of the Public Works Repeater. Vote in favor. Unanimous. Motion carried.

PERMISSION TO CLOSE RDA/ECONOMIC DEVELOPMENT ACCOUNT AND TRANSFER TO RAILROAD ACCOUNT.

Mr. Cecil Kimrey, County Administrator requested permission to close the RDA/Economic Development Account and to transfer the funds to the railroad account. It was requested he check on using these funds for repair to the Murchison Building Roof.

Motion made by Mr. Anthony Woods, seconded by Dr. Carolyn Prince, to approve the request to close the RDA/Economic Development Account and transfer to the Railroad account. Vote in favor. Unanimous. Motion carried.

RESOLUTION # 09-11-02 – A RESOLUTION APPROVING THE EXECUTION OF A CERTIFICATE OF LANDLORD BY MARLBORO COUNTY, SOUTH CAROLINA FOR THE BENEFIT OF CERTAIN LENDERS TO FLAKEBOARD AMERICA LIMITED IN CONNECTION WITH THE FEE IN LIEU OF TAXES TRANSACTION BETWEEN MARLBORO COUNTY, SOUTH CAROLINA AND FLAKEBOARD AMERICA LIMITED.

Mr. Harry Easterling, Jr., County Attorney advised Marlboro County holds the title and must approve the refinancing by Flakeboard.

Motion made by Mr. Ken Allen, seconded by Mr. Steve Blackmon, to approve Resolution # 09-11-02 - A Resolution approving the execution of a certificate of landlord by Marlboro County, South Carolina for the benefit of certain lenders to Flakeboard America Limited in connection with the Fee in Lieu of taxes transaction between Marlboro County, South Carolina and Flakeboard America Limited. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 09-11-03 – A RESOLUTION ACCEPTING THE SOUTH CAROLINA DEPARTMENT OF COMMERCE RURAL INFRASTRUCTURE FUND GRANT # RIF11350268 IN THE AMOUNT OF \$350,000 FOR LAND ACQUISITION.

Motion made by Ms. Corrie Plato, seconded by Dr. Carolyn Prince, to approve Resolution # 09-11-03 - A Resolution accepting the South Carolina Department of Commerce Rural Infrastructure Fund Grant # RIF11350268 in the amount of \$350,000 for land acquisition. Vote in favor. Unanimous. Motion carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Other Boards & Commission

No appointments were made.

Appointment to Grievance Committee

The following employees were recommended for appointment to the Marlboro County Government Grievance Committee for FY 2011 – FY 2012: Mark Heath – Probate Office, Roy Allison – E911 Office, Lewis Cooper – Environmental Control, Gary Harrington – Recreation Department and Beverly McKiver – Magistrate Office. Alternatives: Judy McQueen – Administration Office and Kathea Pegues – Library.

Motion made by Mr. Anthony Woods, seconded by Mr. Jason Steen, to approve the appointment of the recommended Marlboro County Grievance Committee. Vote in favor. Unanimous. Motion carried.

OPENING & ACCEPTANCE OF BIDS

Boro Site Fence – bids received were: **Taylor Landscaping** (\$66,560.00), **RW Nunnery Roofing** (\$114,584.00), **Fence It** (\$47,700.00), **JF Contractors** (\$55,985.00), **A1 Fence Co** (\$44,200.00), **CSS Goode Fence** (\$62,055.00), **Henley's Construction** (\$39,500.00), **Davis Exteriors** (\$49,808.00), and **B & W Fence** (\$54,356.00). The lowest bid was provided by Henley's Construction. The vendor must retain his bid for sixty days as the county completes the purchase.

Motion made by Mr. Anthony Woods, seconded by Dr. Carolyn Prince, to approve the bid as presented by Henley's Construction in the total amount of \$39,500.00 for the Boro Site Fence. Vote in favor. Unanimous. Motion carried.

REPORTS

COMMITTEE REPORTS

Dr. Carolyn Prince, Public Safety Committee – advised the committee had met to discuss the Hospital Security Issue. She advised the committee is seeking an opinion from legal counsel and other counties. She advised the committee should have a recommendation in approximately two weeks.

Dr. Prince advised Mr. Earl Hood, Warden for the Detention Center had brought a sample of the meals served at the Detention Center for the committee. The meals served are sound in providing the nutrients and are within State guidelines. She stated the portions are small but, are the proper portions. Special diets are accommodated when necessary. She advised council members are welcome to go to the Detention Center at any time for a meal. Mr. Willie Gladden advised he wished council members to go by every four to five months and check it out for breakfast, lunch or dinner. He did not think the inmates were getting what they needed.

Mr. Jason Steen addressed an issue with the 911 Command Center and HAZ MAT trailer. He advised he had visited and inspected both on the previous Monday and neither were up to date. He requested the County Administrator take care of the situation immediately. Mr. Kimrey requested Mr. Steen provide him with a list of specifics. He advised specifics would be communicated to the county administrator by the following morning. He advised the HAZ MAT suits needed to be tested annually.

Mr. Ron Munnerlyn – Lake Paul Wallace Committee – advised the Committee of Mr. Steve Blackmon, Dr. Carolyn Prince, Mr. Willie Gladden, and himself would need to meet. He advised he had sent a letter to DNR the previous March. The committee had met with

DNR May 23, 2011 and everything went well. The following Tuesday, Senator Gerald Malloy filed a bill with legislation. Mr. Munnerlyn advised the committee needed to look at the situation and report back to full council.

ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, COUNTY ADMINISTRATOR

Expenditure & Revenue report was provided to Council for the month ending August, 2011.

Employee Recognition – Employees with at least five years service through the end of August included: Stephen Akers (13 years), Michael Brigman (5 years), Benetrice Ferguson (13 years), Terry Malloy (5 years), Beverly McKiver (11 years), Celia Patterson (6 years), Susan Rivers (11 years), Timothy Shaw (10 years), Shane Sligh (5 years), John Walters (6 years), Janilla Williams (5 years), and Sharon Wilson (11 years).

Carolina AAC – the preconstruction conference for the project was scheduled for September 22, 2011.

Industry Appreciation – was scheduled for September 22, 2011.

Winn Dixie Building – the purchase of the building was completed by the county. Plans were in place to address maintenance issues.

Landfill – Council attendance was requested for the hearing scheduled for November 21, 2011 at 10:00 a.m. at the Courthouse.

Sunnydale Area – surveys has been completed for CTC.

Public Works truck – lease purchase was finalized at 1.50 percent.

Hazard Mitigation Plan – a public hearing will be held at the October 11, 2011 council meeting. Council was advised the committee is meeting regularly to complete the plan. The county has received \$12,000 in reimbursement for the cost of the plan.

Training – for the operation of the HAZ MAT trailer and Command Post was scheduled for October 4, 2011.

Medical Insurance Premiums – will increase by at least 4.5 percent January 1, 2012.

Convenience Center – since there were restrictions on the proposed site, staff and Councilman Steen are looking for other sites.

Personnel – the Administrator requested the Revenue Enhancement Co-ordinator position be reduced to Administrative Assistant. He also presented copies of the fire Co-ordinator and

Administrator Assistant/Grant Co-ordinator/Accounting job descriptions to council. It was advised council would review at the next meeting.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

Ms. Grace Jennings, Marlboro County Arts Council – thanked council for use of the Courthouse grounds for the “Fall for Marlboro” festival scheduled for October 29, 2011 beginning at 3 p.m. until 6 p.m. She advised the Arts Council and RALI Marlboro are sponsoring the event.

Mr. Ronnie Smith – addressed council concerning the status of Norwood Acres. He stated the drainage problems were ongoing. He was advised to contact the county administrator.

Paul Wallace – addressed council and the citizens concerning Lake Paul Wallace. He requested the County and the City come together to make the best decisions for the people of Marlboro County. He wanted everyone to work together. Mr. Wallace volunteered to help with the lake and stated he was willing to help with heavy lifting.

Ms. Mary Brown – addressed council concerning Norwood Acres. She stated the last storm washed rocks into her yard and it took a week to get them out. She stated the problem was not being solved.

RECOGNITION OF COUNCIL MEMBERS

Mr. Anthony Woods – advised there was a football game scheduled for the night. He advised they had to combine some age groups because a lot of children did not sign up.

Mr. Woods advised a couple of businesses had opened in Clio within the last few months.

Ms. Corrie Plato – No comments.

Mr. Jason Steen – No comments.

Mr. Willie Gladden – addressed several issues. He stated he wanted a meeting for the Recreation Committee. He discussed Norwood Acres and stated he had spoken with Ms. Brown and the rain washing the rocks from the dirt road into her yard. He stated the draining problems are back and needed working on. Mr. Gladden stated the ditches needed to be cleaned out.

Mr. Gladden also addressed the Brightsville Community Park. He advised he wanted a Ribbon Cutting Ceremony on Friday, October 14th and Grandopening with a cookout for the community on Saturday, October 15th. He wanted to invite the legislators and wanted council to attend both events. Dr. Carolyn Prince requested the date possibly be changed because of a conflict with the SCAC Fall Coalition Conference meeting on the 14th. No decisions were made.

Dr. Carolyn Prince – thanked the various organizations which donated items for “Back to School”. She thanked Mr. Cecil Kimrey, County Administrator and Mr. Ron Munnerlyn, Council Chairman for the redistricting maps. Dr. Prince also advised she was concerned with Senator Gerald Malloy’s bill regarding Lake Paul Wallace. She stated it would put the financial burden on the city and county.

Dr. Prince reminded council of the SCAC Fall Coalition meeting on October 14th and encouraged attendance. She requested anyone going let the clerk know.

Mr. Steve Blackmon – no comments.

Mr. Ken Allen – no comments.

Ron Munnerlyn, Chairman – stated the county could possibly spend up to \$2000 for uniform signs identifying all of the county parks.

Advised any items which council members needed listed on the agenda needed to be given to Administration no later than the Monday the week before the council meeting.

NON-AGENDA ITEMS

ADJOURN

No further discussion was heard. The meeting was adjourned

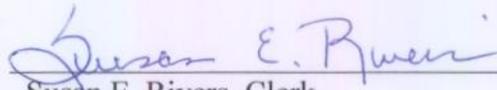
Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to adjourn the meeting. Vote in favor. Unanimous. Motion carried.

(SEAL)



J. Ronald Munnerlyn, Chairman
Marlboro County Council

ATTEST:



Susan E. Rivers, Clerk
Marlboro County Council

Date Adopted: October 11, 2011