

Clarendon County Regular Council Meeting Monday, November 18, 2013, 6:00 PM Clarendon County Council Chambers

Those in attendance:

County Council Chairman, Dwight L. Stewart, Jr.
County Council Vice Chairman, William J. Frierson, Sr.
Councilman, Billy G. Richardson
Councilman, Benton Blakely
Councilman, AC English
County Administrator, David W. Epperson
Clerk to Council, Dorothy M. Levy

Press in attendance: Sandi Tucker, The Manning Times Extra, Sharron Haley, Clarendon Citizen

Others in attendance included:

Lynden Anthony	Lee & Connie Bledsoe	Tammy Rodvansky
Fred Tucker	John D. R. Jones	Charlotte Johnston
Mr. & Mrs. Robert Johnson	Loretta Pollard	Cynthia B. Mack
Chris Price	Linda Lemon	And other Clarendon County Citizens
Maria Rose	Deepal Eliatamby	

Chairman Stewart called the meeting to order at 6:00 pm. He stated that this Friday would be the 50th Anniversary of the Assassination of President Kennedy. Vice Chairman Frierson led the invocation. The Pledge of Allegiance was recited in unison.

I. Approval of Minutes

On motion by Councilman English and seconded by Vice Chairman Frierson, Council voted Unanimous Approval to the council meeting minutes for the Regular Meeting which was held on October 14, 2013 with minor corrections.

II. Ordinance 2013-04

On motion by Vice Chairman Frierson and seconded by Councilman Richardson, Council voted Unanimous Approval to Third and Final Reading of Ordinance 2013-04, an Ordinance to amend Ordinance 2008-12, the Clarendon County Comprehensive Plan.

III. Ordinance 2013-05

On motion by Councilman English and seconded by Councilman Blakely, Council voted Unanimous Approval to Third and Final Reading of Ordinance 2013-05, an Ordinance to provide for the establishment of the Clarendon County Assessment Appeals Board.

IV. Request

Administrator Epperson requested Council's approval for Mr. John Truluck, Economic Development Director, to travel out of state.

On motion by Councilman Blakely and seconded by Councilman Richardson, Council voted Unanimous Approval for Mr. John Truluck to travel out of state.

V. Resolutions

Administrator Epperson presented Council with two resolutions recognizing and commending the Camellia Garden Club and the Azalea Garden Club on their 65th Anniversary.

On motion by Councilman Richardson and seconded by Councilman English, Council voted unanimous approval to Resolutions 2013-10 and 2013-11, Resolutions recognizing and commending the Camellia and the Azalea Garden Clubs on their 65th Anniversary.

VI. Financial Report

Mr. Lynden Anthony, Controller, began his report by stating that the Revenue is beginning to come in and the General Fund spent \$6,291,670 as of October 31, 2013. He stated that the County spent 33% of the budget appropriation year to date.

Mr. Anthony stated that the Water and Sewer Department had Operating Revenue of \$214,669 and total Operating Expenses of \$168,928 for the month ending October 31, 2013. He further stated that Depreciation and Interest Expenses were a total of \$53,411 leaving a Net Utility deficit of \$7,670.

Mr. Anthony stated that the Weldon Auditorium had Revenue of \$41,457 and Operating Expenses of \$78,237. He further stated that the Operating Expenses included a \$25,000 expense for a study on the Physical Structure of the Weldon. Mr. Anthony stated that the Weldon Auditorium general fund and expenses had a deficit of \$68,253. He concluded by stating that after transfers, the Weldon Auditorium ended October 31, 2013 with a surplus of \$46,747.

VII. Administrator's Report

Mr. Epperson began his report by stating that the construction on the County Court House should begin in January or February.

Mr. Epperson stated that the employee service awards would be given out at the December 9th Council meeting. He continued by stating that Mr. Anthony Mack, Director of Emergency Operations, was named the South Carolina 911 Director of the year and Mr. Mack also holds the position of Vice President of the South Carolina National Emergency Number Association. He further stated that we are very proud of all of our employees.

Mr. Epperson continued by stating that we have completed a GIS Project of the county maintained roads. He continued by stating that the county maintains a total of 370.6 miles of roads (43.7 paved and 326.9 unpaved). Mr. Epperson stated that 370.6 miles is the distance from Manning, SC to Richmond Virginia. He further stated that Mr. Hilliard and his staff do an outstanding job keeping up with the roads that the county maintains.

Mr. Epperson continued by stating that he was requested to look into establishing a Community Relations Council. He stated that he contacted other counties and there were counties that had a Community Relations Council at one time. Mr. Epperson stated that he and County Council feel that Clarendon County does not have a need for a Community Relations Council at this time because Clarendon County has the proper channels in place to address issues presented by the citizens of the County; furthermore, the Human Affairs Commission is

established to handle issues and concerns as well. Mr. Epperson concluded by stating that he does not recommend establishing a Community Relations Council at this time.

Mr. Epperson further stated that he looked into Gator Lake Road situation (formally Wilson Farms Road), which is a private road. He continued by stating that the plat for Gator Lake Road has a note on it that states:

THE COUNTY SHALL NOT BE RESPONSIBLE FOR, NOR EXPEND ANY PUBLIC FUNDS FOR THE MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF THE STREETS, ACCESS, OR EASEMENTS WITHIN THIS SUBDIVISION (Plat Book A0064).

Mr. Epperson continued by stating that the original deed that came from the developer to the first owner, which states that:

Each lot in the Wilson Farm, as shown in Plat Book A0064, of the Clarendon County, South Carolina Records, is serviced by a private roadway known as a Right-of-way, as shown on said Plat. The owner of each lot in said allotment shall share equally in, and shall pay, all costs, charges, and expenses incurred in the maintenance of said private roadway. A majority of owners by lot shall determine what maintenance and repair is necessary as to such private roadway, and may bind each lot owner to the cost or expense incurred in performing such maintenance, and may bring, in their own names, such actions as are necessary to recover costs or expenses incurred in the maintenance of such private roadway. This covenant and agreement shall run with the land and be deemed to be binding upon and to insure to the benefit of each owner of a lot or lots in the Wilson Farm.

Mr. Epperson further stated that with his research, Gator Lake Road is clearly a private road. He continued by stating that County Council approved an Ordinance 2002-08, which states that **“No work of any kind will be done on any road not recognized as being part of the Clarendon County Road System; nor will any work be done on private roads or driveways except under the following conditions:**

- 1) Affidavits are received from public organizations that (a) one or more disabled individuals are entitled to services from said organization and these individuals reside along said right-of-way; and that (b) organization is unable to provide services unless said right-of-way is improved by the County.**
- 2) All landowners of said right-of-way must sign an easement that he or she understands the nature of the easement prior to the provision of public services.**
 - Mr. Epperson stated that unless these conditions are met, the County cannot maintain Gator Lake Road. He continued by stating that unless the County is given an Affidavit stating that services would be stopped for a disabled individual, because of the conditions of the road, the County would not be able to maintain Gator Lake Road.
 - Chairman Stewart asked Administrator Epperson what would be his suggestion for the majority of landowners in order to enact this.
 - Administrator Epperson responded by stating that the majority of landowners can get together and decide how to move forward to maintain the road. He further stated that those

landowners have the right to take legal action against the other landowners to help cover the expenses of maintaining the road.

- Administrator Epperson stated that as long as the disability still exists, the county would be able to maintain the road. He further stated that the Ordinance would only allow maintenance on the road up to the property where the disabled person lives. Administrator Epperson further stated that the deed states that the conditions and restrictions will remain effective until January 2015.
- Vice Chairman Frierson stated that in order to assist the residents of Gator Lake Road, based on an emergency prospective, the conditions of the Ordinance that Council established must be met, and the disability must still exist.
- Chairman Stewart stated that if there are 20 lots, then eleven landowners would be the majority and they would be able to bind the other landowners to help bring the road up to the current County standards. He further stated that the landowners have to maintain the road to the County Standards for a year, then after a year of the road being maintained by the landowner, the County may be able to maintain the road thereafter.
- One citizen said that it would be impossible for an emergency service vehicle to get down that road.
- Administrator Epperson read a letter written by Mr. Buck Turbeville to Mr. Chris Price stating the conditions of Gator Lake Road.
- One citizen wanted to know could a part of Gator Lake Road be deeded over to the County.
- Chairman Stewart responded by stating that if the road is brought up to the County standards and added to the County systems, then after a year and everything is in place, then the county would be able to maintain the road.
- Vice Chairman Frierson stated that the residents of Gator Lake Road should submit an application based on the Ordinance that Council established in 2002 to see if the conditions are met for special services such as, meals on wheels and home health nurse.
- Chairman Stewart stated that the residents of Gator Lake Road should seek legal advice to see what options are available.

XII. Chairman's Report

Chairman Stewart began his report by stating that he attended the Chamber of Commerce annual dinner and he would be attending SCARC Conference in Myrtle Beach. He continued by stating that he would be attending the Christmas Tree Lighting Ceremony on December 1 at 5 pm on the grounds of the County Courthouse.

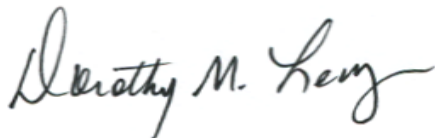
Chairman Stewart concluded by stating that we have exhausted our agenda.

XV. Adjournment

Chairman Stewart asked for a motion to adjourn.

On motion by Councilman Richardson and seconded by Vice Chairman Frierson, Council voted Unanimous Approval to adjourn the council meeting. The Council Meeting ended at 6:58 pm.

Respectfully Submitted



Dorothy M. Levy
Clerk to Clarendon County Council

