

## MINUTES

### LAURENS COUNTY COUNCIL JUNE 24, 2008 LAURENS COUNTY HISTORIC COURTHOUSE COUNTY COUNCIL CHAMBERS

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

**COUNTY STAFF:**      Laurens County Administrator, Ernest Segars; Laurens County Public Works Director Scott Holland and Laurens County Clerk to Council Betty Walsh.

**PRESS:**              Bristow Marchant, *The Clinton Chronicle*; Mark Brown, *The Laurens County Advertiser*; Billy Dunlap, GoLaurens.Com; Kecia Kirkland, WLBG-Radio

**SCHEDULED MEETING AGENDA ITEMS** - ① Approval of Agenda, June 24, 2008; ② Approval of Minutes from May 27, 2008 regular session; ③ Public Hearing, Laurens County Ordinance #655 – Manufactured Housing Ordinance; ④ Third Reading, Laurens County Ordinance #655 – Manufactured Housing Ordinance; ⑤ Public Hearing, Laurens County Ordinance #657 – Amending the Existing Agreement for the Development of a Joint County Industrial / Business Park; ⑥ Third Reading, Ordinance #657 – Amending the Existing Agreement for the Development of a Joint County Industrial / Business Park; ⑦ Public Hearing, Laurens County Ordinance #658, Executing and Delivery of a Fee Agreement Kainos Partners South Carolina, LLC; Third Reading, Laurens County Ordinance #658, Executing and Delivery of a Fee Agreement Kainos Partners South Carolina, LLC; ⑧ Public Hearing, Ordinance #659 – Budget Fiscal Year 2008-2009; ⑨ Third Reading, Ordinance #659 – Budget Fiscal Year 2008-2009; (10) Public Hearing, Laurens County Ordinance #660 - Amending Ordinance #465, applying funds for capital improvements Public Hearing, Laurens County Ordinance #660 - Amending Ordinance #465, applying funds for capital improvements; (11) Third Reading, Laurens County Ordinance #660 - Amending Ordinance #465, applying funds for capital improvements; (12) Public Hearing, Laurens County Ordinance #661 – Special Education Appropriation; (13) Third Reading, Laurens County Ordinance #661 – Special Education Appropriation; (14) Public Hearing, Laurens County Ordinance #662, Procurement Policy; (15) Third Reading, Laurens County Ordinance #662, Procurement Policy; (16) Second Reading, Laurens County Ordinance #663 – Sale of Property for the Expansion of Stagecoach Road; (17) Nomination for appointment, Laurens County Health Care System, Board of Trustees; (18) Approval, Laurens County Accommodation Tax agency funds; (19) Update, Laurens County Health Care System security request; (20) Propose Sale of Property, Laurens County Business and Professional Park; (20) City of Clinton request for assistance with the proposed Pharmacy School in Clinton.

**MEETING NOTIFICATION** - The County Council Members and the Press were informed of the meeting in a timely manner.

**CALL TO ORDER** – Councilman Coleman called the June 24, 2008 meeting of Laurens County Council to order at 5:30 P.M. in the Council Chambers in the Courthouse located on the Public Square in Laurens. Chairman Coleman then invited all to stand for the delivering of the invocation by Councilman Wood; everyone continuing standing for the Pledge of Allegiance.

**APPROVAL – AGENDA – JUNE 24, 2008** – COUNCILMAN NASH made the MOTION to approve the Agenda with any additions; SECONDED by VICE CHAIR ANDERSON. Administrator Segars requested the addition of a nomination for appointment with the Laurens County Health Care System; VOTE 7-0.

**APPROVAL – MINUTES – MAY 27, 2008** – VICE CHAIR ANDERSON made the MOTION to approve the minutes from the May 24, 2008 meeting with COUNCILMAN TOLLISON SECONDDING; VOTE 7-0.

**PUBLIC HEARING – ORDINANCE #655 – “MANUFACTURED HOUSING ORDINANCE”** – Chairman Coleman opened the floor for the public hearing at 5:36 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 5:37 P.M.

**THIRD READING - ORDINANCE #655 – “MANUFACTURED HOUSING ORDINANCE” –**  
COUNCILMAN TRIBBLE made the MOTION to approve Ordinance #655 upon third reading with  
COUNCILMAN TOLLISON SECONDING for discussion.

Councilman Tollison asked for clarification that this ordinance repeals and replaces all other manufactured housing ordinances. Attorney Cruickshanks replied that it does repeal and replace all others. COUNCIL VOTED 7-0 to approve the ordinance.

**PUBLIC HEARING - ORDINANCE #657 - “AN ORDINANCE TO AMEND THE EXISTING AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL / BUSINESS PARK BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND GREENVILLE COUNTY, SOUTH CAROLINA SO AS TO ENLARGE THE BOUNDARIES OF THE INDUSTRIAL PARK -** Chairman Coleman opened the floor for the public hearing at 5:38 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 5:39 P.M.

**THIRD READING - ORDINANCE #657 - “AN ORDINANCE TO AMEND THE EXISTING AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL / BUSINESS PARK BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND GREENVILLE COUNTY, SOUTH CAROLINA SO AS TO ENLARGE THE BOUNDARIES OF THE INDUSTRIAL PARK –** COUNCILMAN TRIBBLE made the MOTION to approve Ordinance #657 upon third reading as presented. VICE CHAIR ANDERSON SECONDING; VOTE 7-0.

**PUBLIC HEARING – ORDINANCE #658 - “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND KAINOS PARTNERS SOUTH CAROLINA, LLC –** Chairman Coleman opened the floor for the public hearing at 5:40 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 5:41P.M.

**THIRD READING – ORDINANCE #658 - “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND KAINOS PARTNERS SOUTH CAROLINA, LLC.” –** VICE CHAIR ANDERSON made the MOTION to approve Ordinance #655 upon third reading with COUNCILMAN TRIBBLE SECONDING; VOTE 7-0.

**PUBLIC HEARING – ORDINANCE #659 – “LAURENS COUNTY BUDGET FISCAL YEAR 2008-2009” –** Chairman Coleman opened the floor for the public hearing at 5:42 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 5:43 P.M.

**THIRD READING - ORDINANCE #659 – LAURENS COUNTY BUDGET FISCAL YEAR 2008-2009 -**

- 1.) **DETENTION CENTER** – Major Hudson of the Laurens County Detention Center addressed the concerns expressed by Council at a previous meeting concerning the need for a new dishwasher at the Detention Center.

Major Hudson provided Council and staff with pictures of the present kitchen workstation along with various Department of Health and Environmental Control inspection reports. Major Hudson said, “The present dishwasher is eleven years old. There are nine inmates that wash the pots and pans used. The inmates used to do this chore have to be sentenced with no past disciplinary actions taken. On an average day, there could be as much as two hundred sixteen trays handled three times a day. On the DHEC reports, one noted that the washing temperature of the present washer was at 143 degrees Fahrenheit and should be at 150degrees Fahrenheit; and the rinse cycle was at 121 degrees Fahrenheit and should be at 180 degrees Fahrenheit. The sink area is a three compartment unit where one is to wash, another to rinse and another to sanitize. The trays can not be hand dried; only air dried.”

Councilman McDaniel asked for evidence in the code where it actually requires a dishwasher within the Detention Center. Major Hudson replied that it does not say that we have to have a dishwasher and that he had called for more information about the requirements but has not had a return call.

Councilman McDaniel said, "With commercial kitchen regulations, those evaluating choose what they wish to write up on an agency. Don't get me wrong, I appreciate the job that you do for us and understand your restraints. I am a sixty two year old that was out in the one hundred degree heat cutting grass; and, those in jail were sitting comfortably in an air conditioned facility, watching tv or playing checkers and getting three meals a day. I personally have one person who does the cooking, serving and washing of the dishes; when we are talking here of none inmates that can not wash dishes. I just can not see eleven thousand dollars being spent for a dishwasher when we have inmates that can do the job as my one. Gentlemen, this is not a camp, this is a jail. Chairman, I would like to request that a Council Committee be assigned the responsibility of looking into this matter and the regulations that apply towards inmates being worked."

Major Hudson replied, "The inmates must be sentenced and the County has to pay workman's compensation of those that do work."

COUNCILMAN MCDANIEL made the MOTION for Council to remove the request for an eleven thousand dollar dishwasher from the capital requests. The MOTION DIED due to the lack of a SECOND.

- 2.) VETERAN AFFAIRS OFFICE – As a MOTION, COUNCILMAN WOOD requested for Council consideration of placing ten thousand dollars in the VA budget to allow for paying the part-time driver of the van. COUNCILMAN NASH SECONDDING for discussion.

Councilman Nash stated that Laurens County needs these services to get the veterans where they need to go.

Councilman Wood said, "I had asked Mr. Bolt to be here tonight but he was called out to assist an older veteran of Laurens County in the emergency room. We do have some pork in the budget this year. We can not depend on the federal government to help with everything, sometimes we have to do what we can. I have heard from a lot of people that say Laurens County has the best VA Office in the state and I am mighty proud of it."

Vice Chair Anderson said, "For the last three years, this Council has fulfilled a lot of requests from the VA Office. The VA Office has to do what the other offices are doing and work with what you have. There are now three full time employees and one volunteer van driver. I have conducted some research concerning this and have concluded that even the larger Counties with a vast population as Spartanburg on have four employees. We are meeting the needs of our veterans with the staff we have and if there is a need for more manpower, then seek out the needs of more volunteers. We as a Council have complied with the wishes of the VA Office and not other departments that are solely operated by the County."

Administrator Segars added that during the Committee meeting, he would like the Committee to discuss several other personnel matters regarding to pay.

Chairman Coleman assigned the research to the County Council Committee on Budget and Finance.

Councilman McDaniel noted that he has never seen any agency or any body spend their way out of debt.

COUNCILMAN TRIBBLE made the MOTION to approve the allocation of \$10,000 to the Veterans Affairs Office for van driver pay; COUNCILMAN TOLLISON SECONDDING for discussion.

Councilman Wood replied that he felt the Council was on a good path with a good budget until the extra fifty thousand was put into place.

COUNCIL VOTE – 7-0.

**PUBLIC HEARING – ORDINANCE #660 – “AN ORDINANCE TO AMEND ORDINANCE #465, FISCAL YEAR 2008-2009; AND TO FURTHER USE AND APPLY THESE FUNDS FOR THE CAPITAL IMPROVEMENTS IN LAURENS COUNTY AND OTHER MATTERS APPERTAINING THERETO.”**

Chairman Coleman opened the floor for the public hearing at 6:09 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 6:10 P.M.

**THIRD READING – ORDINANCE #660 - “AN ORDINANCE TO AMEND ORDINANCE #465, FISCAL YEAR 2008-2009; AND TO FURTHER USE AND APPLY THESE FUNDS FOR THE CAPITAL IMPROVEMENTS IN LAURENS COUNTY AND OTHER MATTERS APPERTAINING THERETO –**

Administrator Segars said, “This Ordinance allocates twenty nine percent of the total funds collected through the Local Option Sales Tax (LOST) to be used for capital expenditures. This is the maximum amount allowed by state law. The Ordinance can be amended on third reading to include any amount of the LOST funds up to 29%. Final disposition of the Ordinance will depend upon the amount, if any, of the LOST funds.”

VICE CHAIR ANDERSON made the MOTION to approve Ordinance #660. The MOTION DIED due to the lack of a second.

COUNCILMAN NASH made the MOTION for Council to table third reading until clarification was made. VICE CHAIR ANDERSON SECONDDING; VOTE 7-0.

**PUBLIC HEARING - ORDINANCE #661 –“PROVIDING A SPECIAL EDUCATION APPROPRIATION FOR FISCAL YEAR 2008-2009”** – Chairman Coleman opened the floor for the public hearing at 6:12 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 6:13 P.M.

**THIRD READING- ORDINANCE #661 –“PROVIDING A SPECIAL EDUCATION APPROPRIATION FOR FISCAL YEAR Year 2008-2009”** – Administrator Segars explained that this ordinance provides a tax levy of one mill for Piedmont Technical College and USC – Union at Laurens. Piedmont Tec will receive 90% of the proceeds of the tax levy and USC - Union will receive 10% of the proceeds.

VICE CHAIR ANDERSON made the MOTION to approve Ordinance #661 upon third reading as presented. COUNCILMAN TOLLISON SECONDDING; VOTE 6-1 (Councilman Wood was in opposition).

**PUBLIC HEARING - ORDINANCE #662 – “LAURENS COUNTY PROCUREMENT POLICY”** - Chairman Coleman opened the floor for the public hearing at 6:13 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 6:14 P.M.

**THIRD READING – ORDINANCE #662 - LAURENS COUNTY PROCUREMENT POLICY”** - There was a CONSENSUS (7-0) of Council to approve Ordinance #662 upon third reading.

Councilman Nash stated that he hoped to see the policy being enforced.

**PUBLIC COMMENTS** – Chairman Coleman opened the floor for comments at 6:15 P.M. Having no one wishing to address Council, Chairman Coleman closed the session at 6:16 P.M.

**SECOND READING – ORDINANCE #663 – “AN ORDINANCE TO SELL AND CONVEY REAL ESTATE CONTAINING NOT MORE THAN .134 ACRES (5,848 Square Feet) FOR THE EXPANSION OF STAGECOACH ROAD.”** - VICE CHAIR ANDERSON made the MOTION to approve Ordinance #663 upon third reading as presented. COUNCILMAN NASH SECONDDING; VOTE 7-0.

**NOMINATION – LAURENS COUNTY HEALTH CARE SYSTEM BOARD OF TRUSTEES** – County Council Committee Chairman Diane Anderson noted that the Committee had met on May 13<sup>th</sup> and again today, June 24<sup>th</sup> to review possible appointments to the Laurens County Health Care System.

Those presented for consideration were:

- a.) Dr. T. Eston Marchant, III (Bud) of 705 Calvert Avenue - Clinton, South Carolina 29325. Dr. Marchant will fill the unexpired term of Samuel M. Lowery, who has resigned and whose term will end September 30, 2008. At that time, Dr. Marchant will then begin service in his in full term on the Board of Trustees, from October 1, 2008 through September 30, 2012.
- b.) Mr. J. Alton Davis, Jr., 200 Mayflower Drive, Laurens, South Carolina 29360. Mr. Davis will take the place of Dr. Norman Scarborough of Clinton when Dr. Scarborough's term expires on September 30, 2008. Mr. Davis' term will extend from October 1, 2008 until September 30, 2012.

As a recommendation from the Committee formulating the MOTION and a SECOND; there was a CONSENSUS of Council to approve the recommendations for appointment by the Governor.

**LAURENS COUNTY ACCOMMODATION TAX FUNDING REQUESTS** – Mr. Bill Erkes, Director, Laurens County Parks, Recreation and Tourism appeared before Council with official requests as approved collectively by the Laurens County Parks, Recreation and Tourism Commission and the Laurens County Accommodation Tax Advisory Committee for the expenditure of funds to promote tourism.

The following is the recommendations were as follows:

AGENCY	FUNDED 2007-2008	REQUESTED FUNDING	RECOMMENDED FUNDING
LAURENS COUNTY CHAMBER OF COMMERCE	\$ 32,000.00	\$ 50,719.99	\$ 18,000.00
JOANNA TEXTILE FESTIVAL	\$ 1,700.00	\$ 4,000.00	\$ 1,402.52
MUSGROVE MILL STATE HISTORIC SITE	\$ -	\$ -	\$ -
LAURENS COUNTY 4-H HORSE CLUB	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00
LAURENS COUNTY BEAUTIFICATION COMMISSION	\$ -	\$ -	\$ -
WARE SHOALS CATFISH FEASTIVAL	\$ 1,700.00	\$ 2,500.00	\$ 1,000.00
LAURENS COUNTY COMMUNITY THEATER	\$ 2,000.00	\$ 2,500.00	\$ 1,800.00
MAIN STREET LAURENS USA	\$ 4,000.00	\$ 8,000.00	\$ 5,400.00
FOUNTAIN INN CHAMBER	\$ 1,600.00	\$ 2,000.00	\$ 1,000.00
MAIN STREET CLINTON	\$ 4,000.00	\$ 3,000.00	\$ 5,400.00
TOWN OF CROSS HILL	\$ -	\$ 6,000.00	\$ -
HICKORY TAVERN YOUTH RECREATION	\$ -	\$ 1,000.00	\$ 354.00
HOSPICE - LIGHT OF THE DOVE	\$ -	\$ 5,000.00	\$ 500.00
LAURENS COUNTY CIVIC BALLET	\$ -	\$ 15,640.00	\$ 500.00
LAURENS COUNTY MUSEUM	\$ -	\$ 5,000.00	\$ 1,000.00
GRAY COURT OWINGS HISTORICAL SOCIETY	\$ 1,500.00	\$ 11,125.00	\$ 1,500.00
THE ARTIST'S COOP	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
	\$ 19,000.00	\$ 62,265.00	\$ 39,856.52

*NO APPLICATIONS SUBMITTED PRIOR TO DEADLINE OF APRIL 20, 2007 @ 4:00 P.M.*

LAURENS COUNTY BEAUTIFICATION COMMISSION                      MUSGROVE MILL

COUNCILMAN TRIBBLE made the MOTION to approve the recommendations as presented. VICE CHAIR ANDERSON SECONDING; VOTE 7-0.

**UPDATE – PENDING SECURITY CONTRACT WITH THE LAURENS COUNTYH SHERIFF'S DEPARTMENT AND THE LAURENS COUNTY HEALTH CARE SYSTEM** – Administrator Segars informed Council that several meetings have been held to discuss the request for four officers to work within the hospital for security purposes. Attorney Cruickshanks added that the Hospital Board has approved the concept of a substation for the hospital just as we already have with municipalities.

COUNCILMAN WOOD made the MOTION to approve with COUNCILMAN TRIBBLE SECONDING.

Councilman Wood questioned the amount of monies that would be required and if this would have an impact on the county as a whole. Sheriff Chastain replied that the officers would still be employed by the County and would be on a contract basis with the hospital.

COUNCIL VOTED 6-1 (Councilman McDaniel was in opposition).

**LAURENS COUNTY BUSINESS AND PROFESSIONAL PARK – PROPERTY SALE** – Public Works Director Scott Holland informed Council that this proposed property sale was discussed several months ago with Council. Mr. Richardson has just recently again contacted the County indicating that he has completed his research and is ready to proceed with the purchase.

VICE CHAIR ANDERSON made the MOTION to approve the request for purchase with COUNCILMAN TRIBBLE SECONDING; VOTE 7-0.

**CITY OF CLINTON - PHARMACY SCHOOL AT PRESBYTERIAN COLLEGE** – Mr. Josh Kay, Clinton City Manager, appeared before Council to officially request the assistance of the County towards the development of a Pharmacy School for Presbyterian College in the Town of Clinton, South Carolina.

Mr. Kay said, “This proposal has come before the City to assist with the location of the school at approximately \$1.5 million. We would like for the County to consider working with the City to help fund this development. This project is proposed to attract thirty new jobs along with the increased number of students for the area.”

COUNCILMAN TRIBBLE made the MOTION to approve the concept and for the County Attorney and the County Administrator to determine the best possible source of funds to use. COUNCILMAN TOLLISON SECONDING for discussion.

Councilman Tollison noted that a lot of preparation has already been put into place and that in the long term, the County proves to benefit.

Councilman Nash said, “This is not constitutional. Presbyterian College is a liberal arts college and I do not see using tax dollars for this project. It is clearly a violation of church and state.”

Councilman Wood stated, “I feel that there were ethic conditions with this project and that there were two Council spouses sitting on various Boards at PC. This is not a County Council decision to give away tax dollars.”

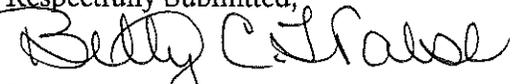
COUNCIL VOTED 5-2 (Council Members Nash and Wood were in opposition).

**COUNTY COUNCIL COMMENTS:**

Councilman Wood requested for the County Attorney to bring back to Council an explanation as to how Laurens County can legally assist in the establishment of a Pharmacy School at Presbyterian College.

Councilman McDaniel noted Mr. Lumus Byrd who was recently elected to the South Carolina State College Chairman of the Board.

**ADJOURNMENT** – BY CONSENSUS the meeting was adjourned at 7:00 P.M.

Respectfully Submitted,  
  
Betty C. Walsh  
Laurens County Clerk to Council