

MARLBORO COUNTY COUNCIL
MARLBORO COUNTY CONFERENCE ROOM

TUESDAY, FEBRUARY 9, 2010

6 PM

CHAIR	DR. CAROLYN PRINCE
VICE-CHAIR	RON MUNNERLYN
ADMINISTRATOR	CECIL KIMREY
COUNTY ATTORNEY	HARRY EASTERLING, JR.

COUNCIL:

JEAN MCLEAN, RON MUNNERLYN, DR. CAROLYN PRINCE, STEVE BLACKMON, AND	WILLIE GLADDEN, CORRIE H. PLATO, KEN ALLEN, ANTHONY WOODS
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* ABSENT

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

Dr. Carolyn A. Prince, Chair advised she would like to add two presentations: Ms. Pat Henegan, Chair of the Library Board and Ms. Rita McCollum to the agenda. She advised she would also like to add an executive session at the end of the meeting for discussion of an Economic Development contractual issue.

Motion made by Mr. Steve Blackmon, seconded by Ms. Corrie Plato to add two presentations: Ms. Pat Henegan and Ms. Rita McCollum to the agenda. Also to add an executive session at the end of the meeting for discussion of an Economic Development contractual issue. Vote in favor. Unanimous. Motion carried.

PRESENTATIONS

Mr. Will Rogers, Fourth Circuit Solicitor addressed council to thank them for moving the payroll for his employees from Chesterfield County to Marlboro County and to thank the employees who were instrumental in doing this – Mr. Cecil Kimrey, Mr. Sam Sparkman, Hr. Harry Easterling, Jr., Mr. Grover McQueen, Ms. Judy McQueen, Ms. Kaye Liner, and Ms.

Delorice Barrington. Mr. Rogers stated that when an employee does something wrong you get ten calls about it, however when they do something right, you never hear about it. He felt it was important to advise council of how much he appreciated it and smoothly it was going.

Ms. Jean Wallace McLean advised her daughter Jessica, who worked in the Solicitor's Office called her one night to say the staff was still working at 10:00 p.m. and were doing an outstanding job. Mr. Rogers also stated the employees worked on weekends to complete the change over.

Ms. Pat Henegan, Library Board Chair – presented a Preliminary Planning Document for the Grand Opening of the Marian Wright Edelman Public Library to Council. She discussed the document briefly concerning Transportation and Parking Issues, Possible Street Closing, Direction Signage needs, Security, Reserved Seating, Tours, Performers, Technology, Ribbon Cutting, Picture Taking, Invitations, Reception, Recognition Plaques, etc. She requested Council's direction on whether to have the signs made by the Marlboro County High Drafting Class or be printed by a reputable company. She also advised the library board would pay for 500 reserved chairs. Ms. Henegan requested council's permission to use Mr. Ken Harmon for the ribbon cutting ceremony. All council members were agreeable. She advised she had already obtained two bids for the reception, however, she was waiting on one more. Ms. Henegan also advised she would provide council with invitations to send out or she would be glad to accommodate them if they wished her to handle.

Ms. Rita McCollum – made a presentation of a check in the amount of \$1000 in memory of her grandson Emanuel Branden Graham who died November 10, 2008 to be used for the Grand opening ceremony for the Marian Wright Edelman Public Library.

APPROVAL OF COUNCIL MINUTES - January 12, 2010

Mr. Harry Easterling, County Attorney advised on page four, Approval of Bids – Courthouse Vault – third paragraph should state responsive and responsible.

Motion made by Mr. Ron Munnerlyn, seconded by Ms. Jean Wallace McLean to approve the minutes of January 12, 2010 as amended. Vote in favor. Unanimous. Motion Carried.

OLD BUSINESS

ORDINANCE # 664 – AN ORDINANCE TO APPROVE A NONEXCLUSIVE EASEMENT TO THE CITY OF BENNETTSVILLE FOR THE CONSTRUCTION OF UTILITY IMPROVMENTS TO THE WASTEWATER COLLECTION SYSTEMS FOR THE CITY OF BENNETTSVILLE CONSISTING OF 612 LF OF 6" GRAVITY SEWER LINE REHABILITATION BY PIPE BURSTING, AND REHABILITATION OF 6 EXISTING SEWER SERVICES LOCATED ALONG JENNINGS STREET (S-35-18), FROM LYALL STREET TO HUDSON STREET,

AND WILL ENCROACH MARLBORO COUNTY RIGHT OF WAY AT THE JENNINGS STREET RAILROAD CROSSING – SECOND READING.

Motion made by Mr. Ken Allen, seconded by Mr. Willie Gladden , to approve the second reading of Ordinance # 664 - An Ordinance to approve an nonexclusive easement to the City of Bennettsville for the construction of utility improvements to the wastewater collection systems for the City of Bennettsville consisting of 612 LF of 6” gravity sewer line rehabilitation by pipe bursting, and rehabilitation of 6 existing sewer services located along Jennings Street (S-35-18), from Lyall Street to Hudson Street, and will encroach Marlboro County right of way at the Jennings Street railroad crossing. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 665 – AN ORDINANCE AUTHORIZING THE SETTLEMENT OF THE FEE-IN-LIEU-OF-TAX (“FILOT”) AND THE INFRASTRUCTURE CREDIT LIABILITY OF MUSASHI SOUTH CAROLINA, INC. (“COMPANY”) TO MARLBORO COUNTY, SOUTH CAROLINA (“COUNTY”); TO PROVIDE FOR THE RE-TRANSFER FROM THE COUNTY TO THE COMPANY OF CERTAIN REAL AND PERSONAL PROPERTY SUBJECT TO THE FILOT ARRANGEMENT DATED AS OF DECEMBER 15, 2000, AS AMENDED; TO PROVIDE FOR THE REMOVAL OF CERTAIN REAL AND PERSONAL PROPERTY SUBJECT TO THE FILOT ARRANGEMENT DATED AS OF DECEMBER 14, 2006; TO PROVIDE FOR THE TERMINATION OF THE AFOREMENTIONED FILOT ARRANGEMENTS AND CERTAIN INDUCEMENT AND MILLAGE RATE AGREEMENTS RELATED THERETO; AND TO PROVIDE FOR THE TERMINATION OF THAT INFRASTRUCTURE CREDIT AGREEMENT BETWEEN THE COUNTY AND THE COMPANY DATED MARCH 1, 2003; AND OTHER MATTERS RELATED THERETO. – SECOND READING.

Motion made by Mr. Anthony Woods, seconded by Mr. Steve Blackmon, to approve the second reading of Ordinance # 665 - An Ordinance authorizing the settlement of the Fee-in-lieu-of-tax (“FILOT”) and the infrastructure credit liability of Musashi South Carolina, Inc. (“Company”) to Marlboro County, South Carolina (“County”); to provide for the re-transfer from the County to the Company of certain real property subject to the FILOT arrangement dated as of December 15, 2000, as amended; to provide for the removal of certain real and personal property subject to the FILOT arrangement dated as of December 14, 2006; to provide for the termination of the aforementioned FILOT arrangements related thereto; and to provide for the terminations of that infrastructure credit agreement between the County and the Company dated March 1, 2003; and other matters related thereto. Vote in favor. Unanimous. Motion carried.

NEW BUSINESS

PRESENTATION AND ACCEPTANCE OF AUDIT REPORT ENDING JUNE 30, 2009.

Mr. Robert Jordan, CPA Hill & Jordan LLC made the Audit presentation for fiscal year ending June 30, 2009. He briefly discussed page 3 (Auditors' Report), page 15 (Balance Sheet Governmental Funds), page 16 (Statement of Revenues), page 30 (New Accounting Rules – Post Employment Benefits) advised due to Actuarial study - \$12,309 present balance – will be phased in over thirty years, page 34 (Funding Progress Post Retirement Benefits Plan) advised unfunded liability was \$1,878,806, page 33 (Budgetary Comparison) advised only exceeded budget by approximately \$10,000, page 47 (Report on Internal Control) advised report points out a situation in the Treasurer Office which the Auditors would like to see change, page 49 (Internal Control - Grants) advised no exceptions, and page 51 (Summary of all results) advised auditor believes Treasurer is making progress, stated current Treasurer inherited problems.

Dr. Carolyn Prince, Chair questioned the fund balance. Mr. Jordan advised the county needed to cover the shortfalls and cuts which are coming from Columbia.

Mr. Ron Munnerlyn questioned whether the county had a Tax Anticipation Notice. Mr. Jordan advised the county had not had one in a few years. He congratulated Mr. Cecil Kimrey, County Administrator and staff for keeping expenses down.

Dr. Carolyn Prince advised council would have a budget work session in March.

Dr. Carolyn Prince recognized Ms. Delorice Barrington, County Treasurer who was present to address the audit. Ms. Barrington advised she had received a call at 3 p.m. on council meeting day to receive a heads up on what was to be said at the meeting concerning the audit. She had only received a copy of the audit the same day. Ms. Barrington stated that no one had said anything to her concerning what needed to be done, no one had requested a budget report or trial balance from her. She stated the previous year things were mentioned which needed to be done in the General Ledger – she along with Mr. Tommy Carabo, the county's consultant, Ms. Kaye Liner had worked to get it in line with the new accounting laws. Ms. Barrington stated that no one had requested the General Ledger. She stated the audit was not completed until March the previous year – they are due by December 31. She advised she had received letters stating that state funding would be frozen if the audit is not received. Ms. Barrington stated she was not happy with the words in the audit which referred to her. She requested the Council Finance Committee work with her.

Mr. Rob Jordan responded to state that the remarks in the audit were not written to say the Treasurer was not doing a good job because she was.

Motion made by Mr. Ron Munnerlyn, seconded by Mr. Willie Gladden, to accept the Audit Report Ending June 30, 2009 as presented. Vote in favor. Unanimous. Motion carried.

APPROVAL OF AIRPORT PAVEMENT MAINTENANCE ESTIMATES FOR CRACK SEALING, REJUVENATING, AND MARKING RUNWAY 6/24 AND THE PARALLEL TAXIWAY.

The following estimates were presented to council by the Airport Maintenance and NAVAID's Engineer for consideration to include: (1) Rejuvenate Runway 6/24 @ 41,700 sy - \$45,870, (2) Remark runway 6/24 @ 16,800 sf - \$5,040, (3) Rejuvenate parallel and stub connector taxiways @ 26,700 sy - 29,370, (4) Remark taxiways @ 3,800 sf - \$1,900, and (5) Crack seal pavements @ 20,827 lf - 12,500. Total of all projects - \$94,680 with 10% overrun estimate - \$9,500 with a grand total of \$104,180. The airport sponsors 25% match would be \$26,045. Mr. Jamey Kempson, Engineer requested council review the estimates and advise which projects they wished to participate in. He advised they could be staged over time to assist with local and state funding issues.

Dr. Carolyn Prince, Chair advised the county's match of \$26,045 would be taken from Railroad funds as Economic Development.

Motion made by Mr. Anthony Woods, seconded by Ms. Jean Wallace McLean to approve the expenditure for the \$26,045 match for the airport project using railroad funds. Vote in favor. Unanimous. Motion carried.

APPROVAL OF HVAC ENERGY GRANT FOR OLD LIBRARY

Dr. Carolyn Prince, Chair advised the estimated cost to replace the HVAC units at the old library totaled \$46,860, with a grant of \$30,980 and the county's match estimated to be approximately \$15,880. He advised the replacement of the units would save the county approximately \$77,450 over a period of 20 years.

Council were in agreement that the building was needed. The county's match would be taken from other charges – special projects. Mr. Cecil Kimrey, County Administrator advised the work would have to be bid. Council members were in agreement to go ahead and accept the grant funds and then decide if or how they were going to use them. If the funds were not accepted within thirty (30) days, the county would lose them. Mr. Kimrey advised the funds were part of the stimulus funds. It was agreed the Public Service Committee would review how the building would be used in the future.

Motion made by Mr. Ken Allen, seconded by Ms. Jean Wallace McLean to accept the grant funds. Vote in favor. Unanimous. Motion carried.

APPROVAL OF AIRPORT LEASE WITH THE DEPARTMENT OF THE ARMY.

It was noted the army would use the property for training exercises. Mr. Kimrey advised the county attorney had reviewed the agreement and simplified it.

Motion made by Mr. Steve Blackmon, seconded by Mr. Willie Gladden to approve the airport lease with the Department of the Army. Vote in favor. Unanimous. Motion carried.

APPROVAL OF NEUTECH AGREEMENT

Mr. Jamie Sellers requested his fee be increased from \$1267 per month to \$1500 per month. Mr. Cecil Kimrey recommended council agree to a \$50 increase per month until the end of the fiscal year and then review Mr. Sellers fee at that time. He advised Mr. Sellers had agreed.

Motion made by Mr. Anthony Woods, seconded by Ms. Jean Wallace McLean, to approve the request to increase the Neutech Agreement fees from \$1267 per month to \$1317 per month until the end of the fiscal year, then review for next year budget. Vote in favor. Unanimous. Motion carried.

APPROVAL OF FIRE DEPARTMENT REQUEST

The Fire Departments requested the use of their fire account to include the following as quoted by Communications Technology: provide and install a new repeater and duplexer at the cablevision tower; install a new control station with antenna which will allow the E911 center to use the new repeater; move the radio from the cablevision tower to E911 and tie it in to be used as a backup for all VHF channels, reprogram all radios for the five (5) fire departments of Blenheim, Brightsville, Clio, McColl and Wallace; provide and install a new generator at the cablevision tower to provide backup power for the new fire repeater, sheriff's repeater, rescue repeater, and the climate control for the radio building. The total which included all parts labor, shipping, and taxes was \$22,529.00. It was advised the price was good for thirty (30) days from date of letter 2/1/2010.

Mr. Roy Allison, E-911 Director advised he was standing in for Mr. David Rogers on behalf of the Fire Departments. He advised will go through re-banding in 2013, some of the radios will not work unless they are up-graded. Mr. Allison advised he attended the meetings and all fire departments were in agreement. He advised the \$22,529.00 was State Contract prices.

Motion made by Mr. Willie Gladden, seconded by Mr. Steve Blackmon, to approve the request from the fire departments to use the funds from the fire account in the amount of \$22,529.60 for the requested improvements. Vote in favor. Unanimous. Motion carried.

APPROVAL OF DARLINGTON AND MARLBORO COUNTY COOPERATIVE SERVICE AGREEMENT.

This is the yearly cooperative agreement between Darlington and Marlboro Counties with the Wildlife Services for the purpose of continuing the beaver control program. Marlboro County is responsible for \$27,500 of the total \$ to cover the costs for a full-time position in the counties.

Motion made by Mr. Anthony Woods, seconded by Mr. Steve Blackmon, to approve the Darlington and Marlboro County Cooperative Service Agreement. Vote in favor. Unanimous. Motion carried.

APPROVAL OF TRANSPORTATION COMMITTEE EXPENDITURES.

SCDOT approved a request of the Marlboro County Transportation Committee in the amount of \$35,000 for a project known as the upgrade to the Marlboro County road highway study/index. SCDOT and the Transportation committee have requested the county receive the funds under PCN 39721 and pay the bills for LPA to conduct an update of county roads.

Motion made by Mr. Steve Blackmon, seconded by Ms. Jean Wallace McLean, to approve the request to accept the funds from SCDOT and pay the bills for LPA to conduct an update of county roads. Vote in favor. Unanimous. Motion carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

No appointments were made.

REPORTS

COMMITTEE REPORTS

Tim Brown – Justice Complex – advised the asphalt, paving, and landscaping were delayed due to the weather. He advised a dry week was needed to proceed. He advised the contractor was finishing up with the interior with cleaning and touch up painting. All furniture had been delivered in put in place. The computers for the Sheriff and Magistrate's offices had been ordered and should be delivered the following week. He advised there was a switch which had to be ordered in the approximate cost of \$1200 - \$1300. Mr. Brown stated the final completion date was March 17, 2010. He also advised the project should be right on budget.

Library – advised the exterior work was also delayed due to weather. He advised they were trying to pour the concrete for the sundial, but needed dry weather. Mr. Brown stated the City of Bennettsville replaced approximately 100 feet of damaged sidewalk in front of the Murchison Building, while the contractor replaced approximately 25 feet. The City of

Bennettsville also upgraded the fire hydrant. He advised the books had been delivered and staff was placing them on the shelves. Mr. Brown advised the Marlboro County Maintenance Crew, Mr. Billy Freeman and staff had done a tremendous job with the assembly and placement of furniture. He also stated that Ms. Pat Henegan, Library Board Chair and board members had been there every day to work.

Dr. Carolyn Prince, Chair thanked Mr. Cecil Kimrey for working with the Library Staff to get the furniture put together.

ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, COUNTY ADMINISTRATOR

CMRS Funds - The county will be receiving \$159,998.60 in CMRS funds from the compliance portion of the CMRS E-911 surcharge fund for reimbursement of its costs in implementing and providing CMRS Phase 2 Enhanced 911 services. Roy Allison worked hard to get reimbursement for these expenses.

Positions Available – the administrator advised the need to replace two detention center officers who have resigned and one E-911 Telecommunicator.

Agreement - Dillon county did not approve the I-95 Mega Site agreement.

Sanitation Pickup - Due to the age and condition of the old sanitation truck, we will have to use an alternate method of sanitation pickup.

Utilities - The utility bill increased by \$11,000 over last month.

Award - Marlboro County received a first place award for reporting Workmen's Compensation claims from the SC Association of Counties.

Plaques - All council members need to approve the memorials for the Library and Sheriff/Magistrate complex.

FEMA - Staff is reviewing the FEMA Digital Flood Insurance Rate Map and Flood Insurance Study Report.

Statement of Economic Interests – Council were reminded the forms must be filed by April 15, 2010.

Court House Vault - The notice to proceed for the vault is scheduled to be effective February 20, 2010. The contractor should start around the first of March.

Employee Recognition - Employees with at least 5 years service through the end of January include: Susan Alderman, Timothy Brown, Dwayne Byers, Lisa Frazier, Mary Herndon, Fred Knight, Grover McQueen, and Melissa Skipper.

Expenditures – were at 52% of budgeted expenditures through the end of January 2010. Revenues were 23 % through the end of December 2009 of budgeted revenue.

Library – projected expenditures are about \$135,000 greater than cash on hand for the library. It may be necessary to access the loan to pay the contractor the final pay request.

Commissary – The S.C. Commission for the Blind would like to discuss the opportunity to develop a commissary or other approved sales for Marlboro County.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

Mr. Gino Russi – addressed council again to follow up on his complaint concerning the truck noise on Hwy 912. Dr. Carolyn Prince, Chair suggested the County Attorney look into the matter for Mr. Russi. She did advise Mr. Russi that council did not know how long it would take to resolve the situation, but the matter would be looked into.

RECOGNITION OF COUNCIL MEMBERS

Mr. Anthony Woods – made a request on behalf of the Clio Area Recreation Department. He advised Ms. Sally Calhoun agreed to give the Clio Area Recreation Department a building for \$1.00 per year lease with the condition they pay for the insurance on the building. Mr. Woods advised he had talked with Mr. Williams (McIntyre & Williams Insurance Agency Inc.) and was advised insurance coverage could be provided for \$600 per year. He stated the Clio Recreation Department currently did not have a building for signups or equipment storage. Mr. Woods requested the county help with the electric bills and the first year insurance (liability & theft) – they hoped to have furniture donated. He advised plans were for the Clio Area Recreation Department to be self supportive after the first year. The building would also be used for activities. Council members questioned whether the County Recreation Department had the funds available. Council members were in agreement for Mr. Woods to discuss the situation with Mr. Gary Harrington, Recreation Director and Mr. Harry Easterling, County Attorney and then bring it back to council.

Mr. Willie Gladden – stated that District 2 did not have anything, every other district had something. He stated Marlboro County needed to do something for his district, the people in his district wanted something. Dr. Carolyn Prince, Chair advised Mr. Gladden to outline a plan to include land, buildings, amounts. She advised him to talk with Mr. Woods and Mr. Harrington and provide tangible information.

Mr. Ron Munnerlyn – stated the Annual Report provided by Mr. Kimrey was good.

Mr. Jean Wallace McLean – stated the trash pickup in her area was doing better. **Mr. Steve Blackmon** stated he had a few complaints, however, it was coming around.

EXECUTIVE SESSION

Motion made by Ms. Jean Wallace McLean, seconded by Mr. Steve Blackmon, to enter Executive Session for discussion of a contractual issue. Vote in favor. Unanimous. Motion carried.

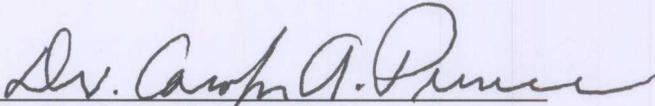
Motion made by Mr. Anthony Woods, seconded by Ms. Corrie Plato to leave executive session and re-enter open session. Vote in favor. Unanimous. Motion carried.

Dr. Carolyn Prince, Chair advised no decisions had been made, no votes had been taken.

ADJOURN

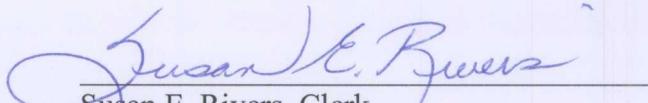
No further discussion was heard. The meeting was adjourned.

(SEAL)



Dr. Carolyn A. Prince, Chair
Marlboro County Council

ATTEST:



Susan E. Rivers, Clerk
Marlboro County Council

Date Adopted: March 9, 2010