

MARLBORO COUNTY COUNCIL

MARIAN WRIGHT EDELMAN PUBLIC LIBRARY KINNEY MEETING ROOM

MONDAY, JUNE 14, 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

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\* Absent - Mr. Harry Easterling, Sr. filled in as  
County Attorney for Mr. Harry Easterling, Jr.

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

No items were added.

APPROVAL OF COUNCIL MINUTES - MAY 23, 2011

Correction to page 5 of minutes. Dr. Carolyn Prince noted the recording of the vote for Ordinance # 689 was missing. Votes were taken and the motion carried unanimously. The minutes were corrected to reflect the action taken.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to approve the minutes of May 23, 2011. Vote in favor. Unanimous. Motion Carried.**

PUBLIC HEARING

ORDINANCE # 688 – AN ORDINANCE APPROVING AN ALTERNATIVE ALLOCATION METHOD FOR THE DISTRIBUTION OF FEE-IN-LIEU OF AD

VALOREM TAX PAYMENTS AMONG THE TAXING ENTITIES WITHIN MARLBORO COUNTY WHICH ARE PAID BY ONE OR MORE COMPANIES LOCATED WITHIN A MULTI-COUNTY INDUSTRIAL PARK; AND OTHER MATTERS RELATED THERETO.

Mr. Cecil Kimrey, County Administrator gave a brief description of what the Ordinance entailed. No comments were made by the public.

OLD BUSINESS

ORDINANCE # 667A – AN ORDINANCE TO PROVIDE FOR A HOME DETENTION PROGRAM AND OTHER MATTERS RELATED THERETO. - THIRD READING.

**Motion made by Mr. Steve Blackmon, seconded by Mr. Jason Steen, to approve the third reading of Ordinance # 667A – An Ordinance to provide for a Home Detention Program and other matters related thereto. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 684 – OUTDOOR BURNING ORDINANCE – THIRD READING

**Motion made by Mr. Jason Steen, seconded by De. Carolyn Prince, to approve the second reading of Ordinance # 684 – Outdoor Burning Ordinance. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 685 – AN ORDINANCE TO ADOPT THE ANNUAL BUDGET AND TO MAKE APPROPRIATION FOR MARLBORO COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012. – THIRD READING.

Includes no property tax (millage) increase, includes road maintenance fee increase of \$2.50 (\$30.00 per vehicle), includes transfer of \$487,000 from reserve fund, includes \$120,000 for hospital security for mental health patients, and includes plan for adjustment to some long term employee salaries which would begin in December. Total approved budget approved was \$8,956,990 for general fund. Total budget funds were \$19,296,790.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods, to approve the third reading of Ordinance # 685 – An Ordinance to adopt the annual budget and to make appropriation for Marlboro County for the fiscal year beginning July 1, 2011 and ending June 30, 2012. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 686 – AN ORDINANCE TO ADOPT THE CAPITAL IMPROVEMENT PLAN FOR MARLBORO COUNTY FOR THE PERIOD OF FY 2012 – FY 2016. - THIRD READING.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods, to approve the third reading of Ordinance # 686 – An Ordinance to adopt the Capital Improvement**



**Plan for Marlboro County for the period of FY . Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 687 – AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE INCENTIVE AGREEMENTS BY AND BETWEEN MARLBORO COUNTY, SOUTH CAROLINA AND ECAPS CORPORATION, AND ONE OR MORE AFFILIATED OR RELATED ENTITIES, AS SPONSOR, TO THE EXTENT ALLOWED BY LAW, TO PROVIDE FOR A FEE IN LIEU OF TAXES INCENTIVE AND A PROJECT INFRASTRUCTURE GRANT; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; TO AUTHORIZE THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BY AND BETWEEN MARLBORO COUNTY, SOUTH CAROLINA, AND ECAPS CORPORATION FOR CERTAIN REAL PROPERTY AND IMPROVEMENTS THEREON; TO RATIFY, AUTHORIZE AND AFFIRM ALL PRIOR ACTS AND ACTIONS OF MARLBORO COUNTY AND ITS OFFICERS AND ELECTED OFFICIALS WITH REGARD TO THE FOREGOING, INCLUDING, WITHOUT LIMITATION, PRIOR LEGISLATIVE ENACTMENTS OF MARLBORO COUNTY COUNCIL AND THEIR CONTENT; AND TO ENTER INTO ANY OTHER NECESSARY AGREEMENTS WITH THE SPONSOR TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER RELATED MATTERS.

**Motion made by Mr. Anthony Woods, seconded by Mr. Jason Steen, to approve the second reading of Ordinance # 687 - authorizing the execution and delivery of one or more incentive agreements by and between Marlboro County, South Carolina and ECAPS Corporation, and one or more affiliated or related entities, as sponsor, to the extent allowed by law, to provide for a fee in lieu of taxes incentive and a project infrastructure grant; to provide for the inclusion of the project in a multi-county business or industrial park; to authorize the execution and delivery of a lease agreement by and between Marlboro County, South Carolina, and ECAPS Corporation for certain real property and improvements thereon; to ratify, authorize and affirm all prior acts and actions of Marlboro County and its officers and elected officials with regard to the foregoing, including, without limitation, prior legislative enactments of Marlboro County Council and their content; and to enter into any other necessary agreements with the sponsor to effect the intent of this ordinance; and other related matters. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 688 – AN ORDINANCE APPROVING AN ALTERNATIVE ALLOCATION METHOD FOR THE DISTRIBUTION OF FEE-IN-LIEU OF AD VALOREM TAX PAYMENTS AMONG THE TAXING ENTITIES WITHIN MARLBORO COUNTY WHICH ARE PAID BY ONE OR MORE COMPANIES LOCATED WITHIN A MULTI-COUNTY INDUSTRIAL PARK; AND OTHER MATTERS RELATED THERETO. – SECOND READING.

**Motion made by Mr. Anthony Woods, seconded by Dr. Carolyn Prince, to approve the second reading of Ordinance # 688 - An Ordinance approving an Alternative allocation method for the Distribution of fee-in-lieu of AD VALOREM Tax Payments among the**



**taxing entities within Marlboro County which are paid by one or more companies located within a Multi-County Industrial Park; and other matters related thereto. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 689 – AN ORDINANCE AUTHORIZING MARLBORO COUNTY TO CONTINUE AN AGREEMENT WITH THE MARLBORO COUNTY RESCUE SQUAD PROVIDING PARAMEDIC LEVEL EMERGENCY SERVICE AND TRANSFER SERVICE THROUGHOUT MARLBORO COUNTY. – SECOND READING.

**Motion made by Mr. Ken Allen, seconded by Mr. Jason Steen, to approve the second reading of Ordinance # 689 – An Ordinance authorizing Marlboro County to continue an agreement with the Marlboro County Rescue Squad providing paramedic level emergency service and transfer service throughout Marlboro County. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 690 – AN ORDINANCE APPROVING THE REQUEST OF WALLACE WATER COMPANY FOR AN ENCROACHMENT FOR THE INSTALLATION OF WATER LINES. – SECOND READING.

**Motion made by Mr. Jason Steen, seconded by Mr. Ken Allen, to approve the second reading of Ordinance # 690 – An Ordinance approving the request of Wallace Water Company for an encroachment for the installation of water lines. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 691 – AN ORDINANCE PROVIDING FOR DETERMINING WHAT CONSTITUTES A COUNTY PUBLIC ROAD AND SERVES A PUBLIC PURPOSE ALLOWING FOR COUNTY MAINTENANCE – SECOND READING.

Mr. Cecil Kimrey, County Administrator advised the ordinance pertains to public property and not private property.

**Motion made by Mr. Steve Blackmon, seconded by Mr. Ken Allen, to approve the second reading of Ordinance # 691 – An Ordinance providing for determining what constitutes a county public road and serves a public purpose allowing for county maintenance. Vote in favor: Mr. Anthony Woods, Mr. Jason Steen, Mr. Ron Munnerlyn, Mr. Steve Blackmon, and Mr. Ken Allen. Abstain: Dr. Carolyn Prince. Vote: 5/1/0. Motion carried.**

NEW BUSINESS

ORDINANCE # 692 – AN ORDINANCE TO APPROVE THE LEASE AGREEMENT BY AND BETWEEN THE COUNTY AND 5-STAR USA CORPORATION. – FIRST READING.

The lease agreement is for the areas of the Boro site which will be used by 5-Star USA Corporation.



**Motion made by Mr. Anthony Woods, seconded by Mr. Steve Blackmon, to approve the first reading of Ordinance # 692 – An Ordinance to approve the lease agreement by and between the County and 5-Star USA Corporation. Vote in favor. Unanimous. Motion carried.**

APPROVAL OF CITY OF BENNETTSVILLE'S REQUEST TO USE CARROLL FIELD FOR A JULY 4<sup>TH</sup> FIREWORKS DISPLAY.

Mr. Cecil Kimrey, County Administrator advised the City of Bennettsville had requested usage of Carroll Field for a July 4<sup>th</sup> Fireworks display. Mr. Harry Easterling, Sr. advised the county needed to confirm to its insurance carrier that a single event rider is in force for the event to protect the county. The cost of the insurance coverage should be passed on to the City. Council members agreed that the cost of the insurance coverage and clean up of the property should be passed on to the city.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to approve the City of Bennettsville's request to use Carroll Field for a July 4<sup>th</sup> Fireworks display with the provision the City provide insurance coverage for the event with confirmation to the county's insurance carrier and clean up the property afterward. Vote in favor. Unanimous. Motion carried.**

APPROVAL OF WALLACE FIRE DEPARTMENT REQUEST OF FUNDING IN THE AMOUNT OF \$6,500.00.

A Request in the amount of \$6,500.00 was received from the Wallace Fire Department to replace a skid unit for the brush truck. Mr. Jason Steen advised the Fire Department had a number of brush fires and needed the replace the old equipment they were using. Mr. Cecil Kimrey, County Administrator advised the funds would be taken from the Fire Department Capital Funds.

**Motion made by Mr. Jason Steen, seconded by Mr. Anthony Woods, to approve the Wallace Fire Department's request of \$6,500.00 to replace the skid unit for the brush truck. Vote in favor. Unanimous. Motion carried.**

APPROVAL OF REPLACEMENT OF AIRPORT BEACON AS RECOMMENDED BY TALBERT AND BRIGHT.

Two bids received for replacement of the airport beacon were: **Walker & Whiteside** - \$10,775.00 and **Barnes & Powell Electrical** - \$12,250.00. Talbert & Bright recommended acceptance of the Walker & Whiteside Bid in the amount of \$10,775.00. The County's portion would be \$2,694.00 which would be taken from Railroad funds.

**Motion made by Mr. Jason Steen, seconded by Dr. Carolyn Prince, to approve the bid from Walker & Whiteside in the amount of \$10,775.00 for replacement of the airport beacon as recommended by Talbert & Bright. Vote in favor. Unanimous. Motion carried.**



RESOLUTION # 06-11-01 – A RESOLUTION TRANSFERRING FUNDS FOR THE PURPOSE OF PURCHASING SHERIFF DEPARTMENT VEHICLES.

Mr. Cecil Kimrey, County Administrator advised the county would save a considerable amount of money by purchasing the vehicles out of this year's budget. \$40,000.00 would be transferred from Administrative Expenses (Contingency Funds) and \$22,500.00 would be transferred from the Detention Center Medical Expenses Funds. The Medical Contract is based upon usage. Dr. Carolyn Prince questioned the expenses for the special outfitting for vehicles with the decals and other expenses. Mr. Kimrey advised the county will only pay the funds approved.

**Motion made by Mr. Anthony Woods, seconded by Mr. Ken Allen, to approve Resolution # 06-11-01 – A Resolution transferring funds for the purpose of purchasing Sheriff Department Vehicles. Vote in favor. Unanimous. Motion carried.**

APPROVAL OF SC DEPARTMENT OF JUVENILE JUSTICE (DJJ) MEMORANDUM OF AGREEMENT FOR JUVENILE JUSTICE'S DETENTION CENTER FOR FISCAL YEAR 2011 – 2012.

This is a yearly agreement between Marlboro County and DJJ. The county will provide a purchase order number with a limit of \$5000.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods, to approve the SC Department of Juvenile Justice (DJJ) Memorandum of Agreement for Juvenile Justice's Detention Center for Fiscal Year 2011-2012. Vote in favor. Unanimous. Motion carried.**

APPOINTMENTS TO BOARDS AND COMMISSIONS

Hazard Mitigation Planning Committee

Mr. Cecil Kimrey, County Administrator requested Council appoint the LEPC Committee and the Mayors of the Municipalities of Marlboro County to the Hazard Mitigation Planning Committee.

**Motion made by Mr. Jason Steen, seconded by Mr. Steve Blackmon to approve the Administrator's request to appoint the LEPC Committee and Mayors of the Municipalities to the Hazard Mitigation Committee. Vote in favor. Unanimous. Motion carried.**

Other Boards & Commissions

No appointments were made.

OPENING & ACCEPTANCE OF BIDS

**Sale of Old Marlboro County Library** – no bids were received.

**Pest Control** – three bids were initially received from: **Seales Pest Control** (Bennettsville) - \$8,664.00, **Taylor Pest Control** (Bennettsville) - \$7,942.00, and **Cramer Pest Control** (Fortmills, SC) - \$3,576.00. The bid from Cramer was withdrawn June 7, 2011. The lowest bidder was Taylor Pest Control.

**Motion made by Mr. Steve Blackmon, seconded by Mr. Jason Steen, to award the Pest Control bid to Taylor Pest Control in the amount of \$7,942.00. Vote in favor. Unanimous. Motion carried.**

**Fuel** – bids received were: **Preston Moore Oil Company** (Bennettsville) - .05 gas & .05 diesel; **Jackson Oil Company** (Bennettsville) - .0175 gas & .0175 diesel; **Great Lakes Petroleum** (Cleveland, OH) - .15 gas & .15 diesel; and **RKA Petroleum Company** (Romulus, MI) - .1162 gas & .1590 diesel. The lowest bidder was Jackson Oil Company.

**Motion made by Mr. Anthony Woods, seconded by Mr. Steve Blackmon, to award the bid for fuel to Jackson Oil Company in the amounts of .0175 gas and .0175 diesel. Vote in favor. Unanimous. Motion carried.**

REPORTS

COMMITTEE REPORTS

No committee reports were given.

ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, COUNTY ADMINISTRATOR

**Expenditure & Revenue** report was provided to Council for the month ending May 2011.

**Employee Recognition** – Employees with at least five years service through the end of May include: Roy Allison (7 years), Jackie Baldwin (7 years), Prentiss Bostick (27), Larry Brigman (8 years), Johnny Fair (6 years), Cynthia Gibson (6 years), Robert Johnson (7 years), Tonya McCall (6 years), Edward Odom (5 years), Deborah Weldon (11 years), and Anita Williams (25 years).

**JAG** – Marlboro County was awarded funds from the Department of Justice Edward Byrne Memorial Assistance Grant (JAG) in the amount of \$12,764 with no match of funds for fiscal year 2011. Dr. Carolyn Prince questioned if the JAG funds went in the general funds and whether they were earmarked. Mr. Kimrey advised they had to be spent for the Sheriff Department and could only be used for specific items, could not be used for the cars.



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**Old Library** – advertisement was placed in the Marlboro Herald and on the county website, but the county did not receive any bids.

**Animal Control** – the county has been getting good comments on the improved operation at the shelter.

**Walmart** – the County Administrator and Sidney Wallace met with the Construction Manager at the site. There are two detention basins and two drainage outlets.

**Option to Buy** – the Winn Dixie Building Option has been revised and hopefully will be finalized soon.

**Wallace Water Project** – the environmental review process for the project has extended the timeline for the project.

**Road Maintenance** – the last weekly report ending January had the fee increase removed. The final version included the fee increased.

**HVAC** – the Murchison Building HVAC units were damaged by someone taking parts. Mr. Ken Allen recommended sending a letter to the school district concerning the Murchison Building.

**Millage** – The ATI law passed by the House and Senate contains a provision allowing millage rates to be banked for up to three years.

**Old Library** – the County Administrator met with Sissy Liner (Senior Catering) and Sarah Mussilwhite (Council on Aging) regarding potential moves to the Old Library. They are to report back on the interest in moving.

**I-95 Gateway** – the I-95 Gateway Industrial Board is requesting a 10 year commitment of \$50,000 per year for a spec building.

**Crush & Run** – the county did not purchase any crush & run in the 2010 – 2011 budget year. Mr. Ron Munnerlyn, Chairman advised he had sent a letter to the CTC requesting they reconsider their decision.

#### RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

No Citizens were heard.

#### RECOGNITION OF COUNCIL MEMBERS

**Anthony Woods** – advised he along with Mr. Cecil Kimrey, Mr. Joe Breeden (CTC), Mr. Dale Stewart (SCDOT) and the citizens of the Quail Run area met with PDCOG to discuss the easements and how to proceed.



Mr. Woods passed photos of the completed Brightsville area building and the completed roofs on the buildings in Clio for council to see. Everyone agreed all of the buildings looked good. Mr. Woods advised the county had met the deadline with the PARD funds. He advised the PARD funds for the next quarter were earmarked for Blenheim.

He advised the Allstars would be beginning at the end of the month and would include boys and girls in the 7-14 age group for participation.

**Mr. Jason Steen** – thanked members of his district for attending the meeting.

**Dr. Carolyn Prince** – questioned when the fence for the library which was approved at the previous month's meeting would be installed. Mr. Cecil Kimrey, County Administrator advised it should be started within the next ten days.

Dr. Prince stated she had another agency interested in helping to obtain grant funds to help with the Brightsville Park. She requested Mr. Woods along with Mr. Harrington work up a budget for what it would cost to install a baseball, softball, and football field to include of costs such as dugouts, fencing, goal posts, etc.

Dr. Prince advised she wished to start the redistricting process since the county has completed the budget process. Mr. Ron Munnerlyn, Chairman advised the county has requested the maps however we have not yet received them from the state.

**Mr. Steve Blackmon** – stated that Mr. Dale Stewart (SCDOT) and Mr. Joe Breeden (CTC) had looked at the Hood road in Blenheim. They are looking at the options of how to fix the problems.

**Mr. Ken Allen** – no comments.

**Ron Munnerlyn, Chairman** – no comments.

#### NON-AGENDA ITEMS

No items were added.

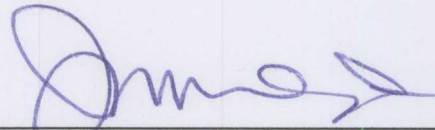


ADJOURN

No further discussion was heard. The meeting was adjourned

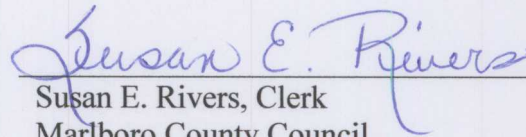
**Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to adjourn the meeting. Vote in favor. Unanimous. Motion carried.**

(SEAL)



J. Ronald Munnerlyn, Chairman  
Marlboro County Council

ATTEST:



Susan E. Rivers, Clerk  
Marlboro County Council

Date Adopted: July 12, 2011