

December 10, 2013

The Marion County Council held its regularly scheduled meeting, on Tuesday, December 10, 2013 at 9:00 A.M., in the City Council Chambers City Hall, Marion, South Carolina. Members present were Buddy Collins, Vice Chairman; John Q. Atkinson, Jr., Allen W. Floyd, Simon Jenkins, Thomas E. Shaw and Milton W. Troy, II. Also present were G. Timothy Harper, Administrator; Kent M. Williams, Deputy Administrator; Charles L. McLain, III, County Attorney; Sabrina Davis, Clerk to Council. A representative from the Star & Enterprise was not present and duly notified.

Vice Chairman Collins called the meeting to order and asked Councilman Simon Jenkins to lead the Invocation, after which he welcomed visitors and read the Freedom of Information Announcement.

Motion was made by Mr. Jenkins, seconded by Mr. Floyd, and carried unanimously, to approve as written, the minutes of the regular meeting held on November 12, 2013.

Vice Chairman Collins along with Council requested Mr. Jim Huggins to come forward for the presentation of a resolution. On behalf of Council the County Attorney read the resolution. The members of Council thanked Mr. Huggins for his dedication to the community.

There were no reports given by Committee #1 or Committee #2.

The County Attorney had nothing to report.

The Administrator told Council that the County received a grant from the South Carolina Aeronautics Commission for hangers and helipad. Mr. Harper stated that the grant total is \$500,000 representing 90% of the total project. He stated that the County will have a 10% match of that 10% in-kind can be used. Mr. Harper asked

Council's approval to apply to the Aeronautics Commission for this said grant. Motion was made by Mr. Troy, seconded by Mr. Floyd, and carried unanimously.

The Administrator updated Council on the New Administration Building. Mr. Harper told Council that the final stages have been submitted to Moseley Architect regarding the layout of the building.

The Administrator updated Council on the Capital Sales Tax. Mr. Harper told Council that the projects are moving forward. He stated that Grice's Recreation Center has been completed. He also stated that the courthouse should be completed by February.

The Administrator presented to Council a request from the City of Mullins asking the County to allow the city to use their procurement policy for the renovations to the Mullins City Hall. Motion was made by Mr. Floyd, seconded by Mr. Jenkins; Mr. Troy wanted to make sure he understood the reason for their request. Mr. Harper explained that the local contractor has the option, if they are not the low bid to take the bid of the lowest bidding contractor, which could be out of the County. After a brief discussion by members of Council; Mr. Troy mentioned revisiting the County's policy. The motion carried unanimously.

The Administrator asked Council's approval to contract with PMH Architects on the Britton's Neck Fire Department. Motion was made by Mr. Shaw, seconded by Mr. Jenkins, and carried unanimously.

The Administrator told Council that Mr. Benjie Andrew has request to lease the old landfill at Ariel Crossroad to farm cattle. Mr. Harper asked Council's approval to advertise the lease of the old landfill property at Ariel Crossroad for farming of cattle. Motion was made by Mr. Shaw, seconded by Mr. Floyd, and carried unanimously.

The Administrator presented to Council a request from Precision Southeast, Inc. to lease the Heritage Building. Mr. Harper told Council that PSI is expanding and need a facility to store their equipment. Mr. Harper asked Council's approval to grant PSI request. He also stated that PSI Attorney along with the County Attorney would prepare a lease agreement. Motion was made by Mr. Shaw, seconded by Mr. Atkinson; The County Attorney told Council that the Heritage property is controlled by the Forfeited Land Commission. Mr. McLain suggested a consensus vote stating that Council is ok if the property gets leased to PSI. He also stated that the lease needs to come from the Forfeited Land Commission. The motion carried unanimously.

The Administrator presented to Council a proposal to upgrade the time clocks. He stated that the current system is failing and upgrades are not available. Mr. Harper told Council that there were two bids. They are as follows: IntegriTime Solutions \$7,250 one time fee, monthly charges \$2,225 and American Time Data \$12,019 one time fee, monthly charges \$1,255. This system will be computer based and time

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clock's for departments not having computers. It will also store data on ATD's server. It was recommendation of the Administrator to award the bid to American Time Data. Motion was made by Mr. Floyd, seconded by Mr. Jenkins, and carried unanimously. The Administrator presented to Council a resolution authorizing the submission of an application by Marion County to the Marion County Healthcare Foundation. Mr. Harper asked Council's approval to adopt this resolution and apply for a Marion County Healthcare Foundation Grant in the amount of \$768,250.00 to aid in the construction and operational costs for three years of the Pee Dee Agriporium. Motion was made by Mr. Atkinson, seconded by Mr. Floyd, and carried unanimously.

The Administrator presented to Council a resolution authorizing the submission of an application by Marion County to the Economic Development Administration, United States Department of Commerce (EDA) grant. Mr. Harper asked Council's approval to adopt this resolution and apply for an Economic Development Administration Grant in the amount of \$2,800,000 to aid in the construction of the Pee Dee Agriporium. Motion was made by Floyd, seconded by Mr. Troy, and carried unanimously.

The Administrator told Council that \$2,500 was allocated in the budget for a Pauper Funeral. He stated that the \$2,500 have been depleted for this year. Mr. Harper asked Council's approval to move \$2,500 from the contingency fund into the Pauper Funeral account. Motion was made by Mr. Atkinson, seconded by Mr. Troy, and carried unanimously.

The Administrator passed out copies of a draft layout of the industrial park for Council's review. Mr. Harper told Council that Mr. Brandon Ellis the Emergency Management Director, has applied for an AFG grant through FEMA. Mr. Harper stated that a 10% match is required. He also stated that funds from the fire fees can be used for this match. Mr. Harper asked Council's approval to submit the AFG grant to purchase radios to replace the portable and mobile radios for EMS and the nine (9) fire departments across the County. Motion was made by Mr. Shaw, seconded by Mr. Floyd, and carried unanimously.

The Administrator provided Council information from MarCo Rural Water in reference to fire hydrants. He also told Council that they have been invited to MarCo's Annual Christmas BBQ on Thursday, December 19th at 12: 00 p.m.

The Administrator passed out copies of a newsletter from Marion County School District.

Mr. Troy brought up the incident between the California Actors and the Sheriff Deputy. Mr. Troy stated that Governor Hailey had issued an apology to the couple for the treatment they received. Mr. Troy stated that he is not aware of a response from Council regarding this said matter. He went on to say that a response came from the Minutes, December 10, 2013, Page 4

Sheriff which was inadequate. Mr. Troy mentioned several key factors and elaborated on the life of Nelson Mandela. He also mentioned requiring training on Diversity and Inclusion for each department head with the goal of every employee. Mr. Troy requested a moment of silence in remembrance of Nelson Mandela. Mr. Troy asked Council to encourage the Sheriff to require that each deputy get the training in Diversity and Inclusion.

Mr. Troy asked Mr. Harper for an update on the West Mullins Drainage Project. The County Attorney told Mr. Troy that a legal matter would be discussed in executive session.

Mr. Shaw invited Council to Britton's Neck Annual Christmas Parade on Saturday, December 13th at 11:00 a.m.

Motion was made by Mr. Floyd, seconded by Mr. Shaw, and carried unanimously, to go into executive session for a legal and an economic development matter.

Motion was made by Mr. Shaw, seconded by Mr. Jenkins, and carried unanimously, to close executive session and reopen the regular scheduled meeting. Vice Chairman Collins stated that no action was taken during executive session called a legal and an economic development matter.

The County Attorney asked Council's approval an authorization to issue a legal opinion in regards to the West Mullins Drainage Project. Mr. McLain explained the procedure of this said project. Mr. McLain stated that the County has a prescriptive easement for the ditch to exist and therefore the right to clean it out. He also stated that the SCDOT right away does not capture the complete scope of the drainage grant dictating the use of prescriptive easements. He stated however; the prescriptive easement does not exclude from future litigations against the County. Motion was made by Mr. Troy, seconded by Mr. Atkinson, and carried unanimously.

The Administrator wished Council a vey Merry Christmas.

Chaplain Jenkins said a special prayer for Chairperson Smith and family due to the passing of her brother and remembering the life of Nelson Mandela.

There being no further business to discuss, motion was made by, Mr. Troy seconded by Mr. Floyd, to adjourn the meeting at approximately 10:20 A.M.

(absent)

Elista H. Smith, Chairperson

Buddy Collins, Vice Chairman

John Q. Atkinson, Jr.

Allen W. Floyd

Simon Jenkins, Chaplain

Thomas E. Shaw

Milton W. Troy, II

G. Timothy Harper, Administrator

Charles L. McLain, III County Attorney

Sabrina Davis, Clerk to Council