

**CHESTERFIELD COUNTY COUNCIL
REGULAR MEETING
COUNTY COUNCIL MULTI-PURPOSE BUILDING
FEBRUARY 4, 2009 9:00 A.M.**

PRESENT: Chairman J. Matthew Rivers, Vice-Chair Lenora V. Powe, Council Members: Gerald L. Miller, G. Franklin Plyler, Bruce E. Rivers, Anne Brumley, Kenneth A. Johnson, Robert G. Cole, Crawford Moore, Administrator J. Ronald Thurman, Assistant Administrator Denise Douglass, and Clerk to Council Michelle Sellers. There were others attending the meeting who did not sign the sign-in sheet.

CALL TO ORDER AND PRAYER

Chairman J. Matthew Rivers welcomed everyone and Council Member Bruce E. Rivers asked Administrator J. Ronald Thurman to open the meeting with prayer.

ADOPTION OF AGENDA

Chairman J. Matthew Rivers stated that there were several legal and contractual matters that needed to be discussed in Executive Session. Council Member Brumley made a motion to adopt the February 4, 2009 meeting agenda with any approved changes. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous.

APPROVAL OF MINUTES

Council Member Johnson made a motion to adopt the January 7, 2009 Regular Meeting minutes. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous.

SIGNING OF BONDS, PAYROLL, AND AUTHORIZATIONS

None

APPOINTMENTS

a. Alton Jenkins, Citizen

Mr. Jenkins had requested to appear before Council to discuss an overcharging incident at a public place. Mr. Jenkins was not present at the meeting.

b. Bruce Jordan & Jessie Holder, Citizens (Same Issue)

Mr. Jordan and Mr. Holder requested to appear before Council on an issue pertaining to the loud sawmill in their neighborhood and how this pertains to the noise ordinance.

On the issues, Mr. Keith Benton, Codes Enforcement Director for Chesterfield County, has now acquired the same decibel measurement equipment used by the City of Myrtle Beach, SC. Mr. Benton has also received in-depth training on the use of this equipment by the law enforcement division of the Myrtle Beach Police Department that uses these instruments on a weekly basis. Mr. Jordan and Mr. Holder were not present at the meeting.

c. John Henderson, Director of Risk Management, SCAC

Mr. John Henderson of the South Carolina Association of Counties Worker's Compensation Trust requested to appear before Council to present Council with the Lowest experience MOD Award. Because of the inclement weather Mr. Henderson was not present but Peggy Smith, Human Resource Director and Richard Carnes; Risk Management Direct presented Council with the award.

Chesterfield County had the lowest Experience mod for figuring their Workers Comp premiums in the state of South Carolina. The Experience mod is a statistical calculation that compares an insured's expected losses to their actual losses over a 3 year period. The mod formula calculates what your losses should be based on the size and type of payroll. Therefore large counties and small counties are all on the same playing field. The lowest Experience Mod in the state is a .63. Not only is this the lowest mod for 08-09, but it is the lowest any county has ever had since the SC Association of Counties started keeping records 10 years ago. This .63 mod saved Chesterfield County over \$70,000 off our annual premium.

PUBLIC COMMENTS

a. Shilon Green – Council Member Town of McBee

Mr. Green appeared before Council to speak against spray field server plant and presented council with a letter.

b. Glenn Odom – Alligator Rural Water

Mr. Odom appeared before council to speak on DHEC permit progress and spray field server plant.

PUBLIC HEARINGS

None

ORDINANCE READINGS AND RESOLUTIONS

a. Land Transfer Ordinance – 2nd Reading

Council Member Plyler made a motion to pass 2nd reading. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous.

b. Bond Re-Allocation – 2nd Reading (Declined)

On January 7th Council passed first reading by title of the 1997 Bond Reallocation Ordinance. As a recommendation from the Finance Committee that the remaining 1997 bond money, approximately \$87,000, be re-allocated for the repair and upkeep of County buildings. Our independent auditors recommend this reallocation and the bond attorney approves this as a solution.

Upon further examination of the original ordinance (96-97-07), the bond counsel for Chesterfield believes that a reallocation ordinance is not necessary for the expenditure of funds. This is due to the wording of item (f) in section one of the original ordinance which states:

“The bonds shall be issued for any one or more of the following purposes: (i) construction of a new Health Department; (ii) renovation of the old Courthouse and the Jail/Detention Center; (iii) automation of the County Library; (iv) expansion of the Social Services Department; (v) purchasing various equipment, including but not limited to, an

ambulance, police vehicles, automobile and side-cutter; **(vi) such other projects as the County Council may determine (collectively, the “Projects”).”**

This being the case, Council may collectively, agree that the remaining funds be used for the roof repair/replacement on the DSS Building or Health Department or any other such project they desire.

STANDING COMMITTEE REPORTS

a. DSS Building Project Discussion – Building Committee, Council Member Plyler

This item is slated for discussion in Executive Session prior to action by council. After Executive Session, council Member Plyler will introduce this item for consideration of a vote by Council to proceed or not proceed.

ITEMS SUBMITTED BY COUNCIL

None

ITEMS SUBMITTED BY STAFF

a. Employee Handbook – Administrator Thurman

This item is slated for Executive Session discussion, but does not require an action by Council. After Executive Session discussion, some comments will be made by the Administrator informing Council of this implementation of this handbook by staff.

b. Vehicle Registration Report – Administrator Thurman

Council recently implemented a program to help crackdown on individuals who run out of state tags to register their vehicles in Chesterfield County. The size of the problem was unknown. Two weeks into taking a closer look at out-of-state tags and the number of vehicles not registered in the county but belonging to county residents was alarming. Chesterfield County Sheriff’s Department within the first three days of a trial run of the new program located 41 vehicles with out-of-state license plates that were owned by Chesterfield County residents. At the time of the meeting the number had grown to 70.

The Sheriff’s Department is doing a great job in what council said they would like to implement and have spoke to the schools and have received full cooperation from the school system in helping us keep with this ongoing problem.

UNFINISHED BUSINESS

a. Swanson Contract – Administrator Thurman

This item is slated for Executive Session discussion prior to action being taken by Council. The purpose of the contract is to establish a kiosk teller in the Detention Center and the Correctional Complex to handle the financial transactions between inmates and civilians and to aid in bond collections.

NEW BUSINESS

a. Teals Mill VFD Fire Service Agreement – Administrator Thurman

This item is slated for executive Session discussion prior to action being taken by Council. Teals Mill VFD is in the process of entering into a lease purchase agreement to acquire a new pumper truck. Since Teals Mill VFD provides fire protection for the County,

in lieu of the County providing this protection, this agreement is necessary for them to continue with the lease purchase. This type of agreement is only necessary for those VFD who collect dues and therefore do not fall under the special purpose district criteria.

b. Alligator Pass-Thru Funds Contract – Economic Development Director, Cherry McCoy

It has been the history of Council to act as the pass-thru agency for grants acquired by alligator rural water Company. This request is for the acceptance of a \$20,000 Pee Dee Electric Utility License Fee Grant as a pass-thru for Alligator Rural Water and Sewer Company. Funds will be used for the cost of USGS study of the Middendorf aquifer in Chesterfield County.

Alligator Rural Water will furnish a letter of indemnification to Chesterfield County protecting the County of any misuse of funds liability and Chesterfield County will not distribute the funds until we receive the letter.

Council Member Plyler made a motion for Council to as the pass-thru agency for Alligator rural Water provided Alligator Rural Water provides Chesterfield County with a letter of indemnification. Council Member Powe seconded the motion. Voting in favor of the motion was unanimous.

c. Lynches River Funds Contract – McCoy

This contract is for the acceptance of a \$35,500 Lynches River Electric Co-Op Utility License Fee Grant to be used in the partial funding of the development of architectural/engineering plans for a 1000,000 speculative building in the Carolinas Centre Industrial Park.

Council Member Johnson made a motion to accept \$35,500 Lynches River electric Co-op Utility License Fee Grant. Council Member Powe seconded the motion. Voting in favor of the motion was unanimous.

d. Pee Dee RC&D Vacancy – Administrator Thurman

Susan J. Griggs with Pee Dee RC&D made a request pertaining to the appointment by Council of two positions on the Pee Dee Resource Conservation and Development District Board. The positions will be for slots previously filled by Mr. Sammie Copeland and Mr. Cecil Kimrey.

Council Chair said for Council to leave it open and if they have any recommendations or know someone that qualifies to forward names to Administrator Thurman and the first two will fill the slots. Council Member Johnson stated that the only thing is that he hopes Council could get someone on each end of the county if possible.

e. Chesterfield Soil and Water Conservation District Joint Appointment Request-Administrator Thurman

Dwight Johnson sends a request regarding Council's joint approval of a new appointee by the Chesterfield Soil and Water Conversation District Board. The appointee that Chesterfield Soil and Water Conservation have selected for a joint approval with Chesterfield County Council is Mrs. Martiza McVicker to serve a four year term.

Council Member Bruce E. Rivers made a motion to accept Mrs. Martiza McVicker as a joint appointment with Chesterfields Soil and Water Conservation to the

Chesterfield Soil and Water Conservation District Board. Council Member Powe seconded the motion. Voting in favor of the motion was unanimous.

f. Accommodations Committee Appointments – Assistant Administrator Douglass

This item is slated for Executive Session discussion prior to action being taken by Council. Since Chesterfield County's Accommodations Tax Revenue exceeds \$50,000, Chesterfield County is not required to appoint an Accommodations Committee. This committee will consist of seven (7) members.

EXECUTIVE SESSION

Chairman J. Matthew Rivers recommended Council enter into Executive Session in accordance with S.C. law, Section 30-4-70 of the S.C. Code of Laws, to discuss legal and contractual matters.

Council Member Moore made a motion to enter Executive Session. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous. Council Member Moore made a motion to exit Executive Session. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous.

REGULAR SESSION

Chairman J. Matthew Rivers reported Council is back in regular session. No action was taken and no motions were made in Executive Session.

Council Member Powe made a motion to enter into an agreement with Teals Mill VFD Fire Service which would also be the Teals Mill VFD service area described by those district maps. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous.

Administrator Thurman stated that the Employee Handbook was discussed in Executive Session. It was to inform Council that the Employee Handbook has received extensive work and that staff will be implementing the handbooks as it is presented to Council.

Council Member Johnson made a motion to enter in a three year contract with Swanson to establish a kiosk teller in the Detention Center and the Correctional Complex to handle the financial transactions between inmates and civilians and to aid in bond collections. Council Member Brumley seconded the motion. Voting in favor of the motion was unanimous.

Chairman J. Matthew Rivers stated that Council has been notified that an Accommodations Tax Board Committee be set up. Council has been advised by legal counsel to appoint members the same way they now do with the Transportation Committee. Districts 1, 2, and 3 would appoint two members, Districts 4, 5, and 6, will appoint two members to that board, and Districts 7, 8, and 9 three members to that board.

Council Member Bruce E. Rivers made a motion to form the committee. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous.

Council Member Cole made a motion to give the building committee and Administrator the authority to go forward on building DSS a building consisting of 17,000 sq. ft. Council Member Johnson, Bruce E. Rivers, and Miller voted against the motion. The motion passed.

ANNOUNCEMENTS

Crawford Moore

None

Bruce E. Rivers

None

Anne Brumley

None

Lenora V. Powe

None

Gerald L. Miller

None

Kenneth A. Johnson

None

George Franklin Plyler

None

J. Matthew Rivers

None

Robert G. Cole

None

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ADJOURN

Council Member Johnson made a motion to adjourn. Council Member Brumley seconded the motion. Voting in favor of the motion was unanimous.

APPROVED:

ATTEST:

J. MATTHEW RIVERS, CHAIRMAN

MICHELLE SELLERS
CLERK TO COUNCIL

DATE:_____