

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP BUILDING

COUNCIL CHAMBERS

TUESDAY, AUGUST 14, 2012

6:00 PM

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

COUNCIL:

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| JASON STEEN,<br>RON MUNNERLYN,<br>DR. CAROLYN PRINCE,<br>STEVE BLACKMON, AND | WILLIE GLADDEN,<br>CORRIE H. PLATO,<br>KEN ALLEN,<br>ANTHONY WOODS |
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\* Absent

INVOCATION – Anthony Woods

APPROVAL OF AGENDA ITEMS

**Mr. Ron Munnerlyn, Chairman approved the agenda items with no objection from County Council members.**

EXECUTIVE SESSION – PERSONNEL AND CONTRACTUAL ISSUES

**Motion made by Anthony Woods, seconded by, Dr. Carolyn Prince to approve Executive Session for discussion of Personnel and Contractual Issues. Vote in favor. Unanimous. Motion carried.**

**Motion made by Jason Steen, seconded by, Ken Allen to return to the Council meeting. No decisions were made, no votes were taken.**

APPROVAL OF MINUTES – JULY 10, 2012

Correction to page 8 – July 10<sup>th</sup> Minutes - Dr. Prince stated that the School Board approved two referendums for the November election, a sales tax and bond for the new Wallace school and existing schools. Minutes were corrected accordingly.

**Motion made by Dr. Carolyn Prince, seconded by Steve Blackmon, to approve the minutes of July 10, 2012 as presented with the corrected item on page 8 of the July 10<sup>th</sup> Minutes. Vote in favor. Unanimous. Motion Carried.**

PUBLIC HEARING

ORDINANCE #708 – AN ORDINANCE TO APPROVE THE ASSET SERVICES AGREEMENT BY AND BETWEEN THE COUNTY AND PARALLEL INFRASTRUCTURE, LLC.

Mr. Cecil Kimrey, County Administrator stated that this was basically an agreement with Parallel Infrastructure, LLC to construct and manage cell towers on the railroad right-of-way. Mr. Kimrey asked Council to bring their attention to Item C on the first page of Ordinance #708, listed as page 15 where it should state, “will provide significant public benefits to the County in the form of of prospects.....” and the very last page, page C-3 Mr. Kimrey advised Council to strike the words “admitted Florida”.

Mr. Ron Munnerlyn, Chairman inquired if there were comments from the public.

No public comments were made.

The Public Hearing was closed.

OLD BUSINESS

ORDINANCE #708 - AN ORDINANCE TO APPROVE THE ASSET SERVICES AGREEMENT BY AND BETWEEN THE COUNTY AND PARALLEL INFRASTRUCTURE, LLC. – THIRD READING

Mr. Munnerlyn, Chairman stated that Ordinance #708 and the amendments were explained by Mr. Cecil Kimrey, County Administrator during the Public Hearing section. Mr. Munnerlyn inquired if Council was ready to approve the third reading of Ordinance #708. Council was in agreement to make a motion and approve this Ordinance.

**Motion made by Dr. Carolyn Prince, seconded by Anthony Woods, to approve the third reading of Ordinance #708 – An Ordinance to Approve the Asset Services Agreement by and between the County and Parallel Infrastructure, LLC with minor corrections. Vote in favor. Unanimous. Motion carried.**

ORDINANCE #709 – AN ORDINANCE TO APPROVE GRANTING AN EASEMENT TO MARLBORO ELECTRIC COOPERATIVE, INC. AND AN EASEMENT TO CAROLINA GAS TRANSMISSION CORPORATION WITH THE CONSENT OF DOMTAR PAPER COMPANY, LLC UPON CERTAIN LANDS SUBJECT TO A LEASE PURCHASE AGREEMENT BY AND BETWEEN THE COUNTY AND DOMTAR PAPER COMPANY, LLC. – THIRD READING

Mr. Munnerlyn, Chairman stated that the County technically holds the title for the tax and incentives so the County Council has to approve it. Mr. Cecil Kimrey, County Administrator stated that this was correct. Dr. Carolyn Prince thanked Mr. Kimrey for providing maps and plats for the deeds and exhibits in conjunction with Ordinance #709. Dr. Prince stated that Council is able to see exactly what needs to be reviewed.

**Motion made by Dr. Carolyn Prince, seconded by Ken Allen, to approve the third reading of Ordinance #709 – An Ordinance to Approve Granting an Easement to Marlboro Electric Cooperative, Inc. and an Easement to Carolina Gas Transmission Corporation with the consent of Domtar Paper Company, LLC upon certain lands subject to a lease purchase agreement by and between the County and Domtar Paper Company, LLC. Vote in favor. Unanimous. Motion carried.**

ORDINANCE #710 – AN ORDINANCE AMENDING THE PURCHASING POLICIES FOR MARLBORO COUNTY AND REPEALING ORDINANCE #650A. – THIRD READING

Mr. Munnerlyn, Chairman asked Mr. Kimrey to explain briefly how the Local Preference scale works for the County. Mr. Cecil Kimrey, County Administrator read the Local Vendor Preference chart at the top of page 6 of 10 of Ordinance #710. This bracket gave the percentage and amount for the necessary requirements ranging from 'Less than 10,000 to Above 50,000'.

Mr. Kimrey stated to Council to bring their attention toward page 9 of 10 in regards to the clarification on item D which states "Purchases made from state or federal purchases contracts, or state surplus. The County Administrator may award purchases that County Council have included in the budget." Mr. Kimrey stated that the state surplus was added to item D. Mr. Kimrey stated that it was previously implied, but it was not specifically mentioned.

Mr. Ron Munnerlyn, Chairman stated that this preference was a positive move because it provided incentives that took care of the local vendors in our area, and it did not waste the taxpayers money.

**Motion made by Steve Blackmon, seconded by Corrie Plato, to approve the third reading of Ordinance #710 – An Ordinance Amending the Purchasing Policies for Marlboro County and Repealing Ordinance #650A. Vote in favor. Unanimous. Motion carried.**

NEW BUSINESS

ORDINANCE # 711 – AN ORDINANCE APPROVING THE REQUEST OF MARLBORO WATER COMPANY FOR AN ENCROACHMENT FOR THE INSTALLATION OF WATER LINES. – FIRST READING

Mr. Cecil Kimrey, County Administrator stated that this is a requirement the County has for the water lines to be placed on our County roads. Mr. Munnerlyn stated that this is an agreement that the County typically complies with.

**Motion made by Anthony Woods, seconded by Willie Gladden, to approve the first reading of Ordinance #711 – An Ordinance Approving the Request of Marlboro Water Company for An Encroachment for the Installation of Water Lines. Vote in favor. Unanimous. Motion carried.**

RESOLUTION 08-12-01 – A RESOLUTION APPROVING A BUDGET TRANSFER TO THE MARLBORO COUNTY ANIMAL CONTROL DEPARTMENT FROM THE LANDFILL DEPARTMENT

Mr. Kimrey, County Administrator stated that this Resolution will transfer funds from the Landfill Department to the Animal Control Department in order to provide adequate labor for the Humane Society. This resolution will not be activated until this is the route the Humane Society decides to go. Dr. Prince stated that was already discussed in the Community meeting with the Humane Society.

Mr. Munnerlyn, Chairman stated that Council committed to taking care of the operating expenses for the Humane Society. Mr. Munnerlyn suggested that instead of retrieving labor from inmate services, Council would provide the Humane Society with a part-time employee for \$100 a week.

Mr. Munnerlyn further stated that this allows Mr. Kimrey to have money prorated just in case he needed it.

**Motion made by Dr. Carolyn Prince, seconded by Willie Gladden, to approve Resolution 08-12-01 – A Resolution Approving A Budget Transfer to the Marlboro County Animal Control Department from the Landfill Department. Vote in favor. Unanimous. Motion carried.**

RESOLUTION 08-12-02 – A RESOLUTION APPROVING FINANCING TERMS THROUGH BRANCH BANKING AND TRUST COMPANY (“BB&T”) FOR THE PROJECT FOUTS SUPER TANKER

Mr. Cecil Kimrey, County Administrator requested the County purchase a fire truck and take payments from the Wallace Fire Department Fund each year.

**Motion made by Jason Steen, seconded by Ken Allen, to approve Resolution 08-12-02 – A Resolution Approving Financing Terms through Branch Banking and Trust Company (“BB&T”) for the Project Fouts Super Tanker. Vote in favor. Unanimous. Motion carried.**

DISCUSSION OF COUNTY ADMINISTRATOR’S CONTRACT RENEWAL

Mr. Munnerlyn, Chairman stated that the County Administrator’s contract renewal will be discussed during the next Council meeting on Tuesday, September 18<sup>th</sup>. However in the meantime, the Administration Committee and the County Administrator will get together to go over document preparation for the contract renewal as a Work Session for the next Council meeting.

**The County Council discussed this Item number during the Executive Session. No decisions were made, no votes were taken.**

REQUEST TO FILL EMPLOYEE VACANCIES – E-911, RECREATION AND FINANCE DIRECTOR

Mr. Kimrey, County Administrator requested from Council (1) Full – time employee and (1) part – time employee for E911 and for the Recreation Department. Mr. Kimrey stated that at least (1) full – time position needed to be restored in E911 in addition to overtime approval from Council.

Mr. Kimrey, County Administrator stated to Council that Recreation was in the process of reorganization due to an employee being out indefinitely. The details of a full – time or a part – time employee were still being worked out. Mr. Kimrey stated that there will not be additional funding required in order to make these changes.

Mr. Munnerlyn, Chairman stated that the Finance Director’s position would be deferred for discussion during the next Council meeting.

Dr. Prince suggested to Mr. Kimrey to review the possibility of hiring at least 3 new employees for Custodial services. Dr. Prince was concerned about the representation that our buildings made upon organizations, officials, and our fellow citizens. Dr. Prince listed the buildings that should be considered for interior cleanup: 1) The Administration building, 2) the Justice Complex, 3) the Courthouse, and the (4) Library.

Dr. Prince strongly suggested that the County returned to Council with a detailed, plan of action.

Mr. Gladden stated to Mr. Kimrey that a plan of action also needed to be in place for the Recreation Department in lieu of the long hours that this department incurs.

Mr. Munnerlyn, Chairman stated to Mr. Kimrey that a plan of action would keep Council up to speed on the deficiencies in the departments.

**Motion made by Anthony Woods, seconded by Dr. Carolyn Prince, to approve the request to fill (1) full – time employee vacancy in E-911 and Recreation. Vote in favor. Unanimous. Motion carried.**

#### APPROVAL OF UTILITY EXPENSES FOR HOOD ROAD AND ADROSS ROAD

Mr. Kimrey, County Administrator provided Council with a bill from Progress Energy. Adross Road talking to Progress Energy about the pole outside of the right of way on Hood Road – right of way supersedes our right of way. Hood Road is \$6,418.93 and Adross Road is \$3,079.09.

**Motion made by Steve Blackmon, seconded by Ken Allen, to approve the utility expenses for Hood Road and Adross Road. Vote in favor. Unanimous. Motion carried.**

#### OPENING & ACCEPTANCE OF BIDS

a. Quail Run paving project

Mr. Kimrey, County Administrator stated that this project has been going on for a while. Mr. Kimrey stated that now the County has received an acceptable bid and would like to proceed with the low bid presented by Furr Grading & Paving, Inc.

**Motion made by Anthony Woods, seconded by Ken Allen, to approve the bid as presented by Furr Grading & Paving, Inc. in the amount of \$179,999.80. Vote in favor. Unanimous. Motion carried.**

b. Administration Building roof replacement

Mr. Kimrey, County Administrator spoke with the architect in regards to the roof replacement for the Administration Building. Mr. Munnerlyn, Chairman stated that the replacement will involve the shingle roof and down to the double doors. After Council discussed the replacement, Council proceeded to make a motion and vote on the Administration Building roof replacement.

**Motion made by Dr. Carolyn Prince, seconded by Jason Steen, to approve the bid as presented by RW Nunnery in the amount of \$217,360.00. Vote in favor. Unanimous. Motion carried.**

c. Cars – Sheriff's Department – State contract purchasing

Mr. Munnerlyn, Chairman asked if this was something that had to be approved by County Council. Mr. Kimrey stated that he at least wanted to bring this to County Council's attention in regards to the state contract purchasing of a vehicle for the Sheriff's department. Mr. Kimrey further stated that the Sheriff's department is requesting two police cars with the state contract purchasing.

Dr. Carolyn Prince, Vice-Chair stated that upon reviewing the information in the packet that she recommended the V6 option instead of the V8. Dr. Prince stated that the V6 was more economical.

Mr. Munnerlyn, Chairman asked Mr. Kimrey if the Sheriff's Department was asking for the V6 or the V8. Mr. Kimrey stated that they were asking for the V8. Dr. Prince and Mr. Munnerlyn asked Mr. Kimrey if Council could get information in regards to the difference in gas mileage for the V6 and the V8. Mr. Anthony Woods stated that the V6 is a good option if you want to be conservative.

**Motion made by Dr. Carolyn Prince, seconded by Willie Gladden, to approve the state contract purchasing for a Dodge Charger with a V6 option for the Sheriff's Department as presented by Materials Management Office – Columbia, SC in the amount of \$23,209. Vote in favor. Unanimous. Motion carried.**

d. Pickups – Public Works – State contract purchasing

**Motion made by Corrie Plato, seconded by Dr. Carolyn Prince, the state contract purchasing for a 2012 Ford F150 Pickup as presented by SC Government Sales in the amount of \$17,249.00. Vote in favor. Unanimous. Motion carried.**

e. Convenience Center rock

Mr. Kimrey, County Administrator stated that 9 bids were previously received for Crusher Run. Furr was previously the low bidder and this current bid is less for the crushed concrete. Mr. Kimrey stated that Furr Grading & Paving should have rocks in 2 to 3 weeks.

**Motion made by Jason Steen, seconded by Ken Allen to approve the bid as presented by Furr Grading & Paving, Inc. in the amount of \$60,000.00. Vote in favor. Unanimous. Motion carried.**

f. Pumper / Tanker – Wallace Fire Department

Mr. Kimrey, County Administrator stated that this bid is for the fire super tanker. Mr. Steen stated that the bid for the fire department's truck stayed within the ISO plan for the County bid. He further stated that this bid would meet the Wallace Fire Department's needs.

**Motion made by Jason Steen, seconded by Willie Gladden, to approve the bid as presented by Fouts Bros in the amount of \$22,000 for a term of 10 years. Vote in favor. Unanimous. Motion carried.**

g. "Welcome to Marlboro County" entrance signs

Mr. Kimrey, County Administrator stated that the lowest bid was from Massachusetts. Dr. Prince asked Mr. Kimrey if there was a warranty on how long the paint will last. Mr.

Kimrey stated that it was included in the shipping but not installation. Mr. Woods inquired if there were any references. Mr. Kimrey stated that the County has used street signs before with this company. Mr. Allen stated that since the County has waited this long, we can wait longer to get a company who was local. Mr. Kimrey further stated to Council that this was the third bid for the entrance signs.

**Motion made by Mr. Ken Allen, seconded by Dr. Carolyn Prince to reject all bids presented. Vote in favor. Unanimous. Motion carried.**

APPOINTMENTS TO BOARDS AND COMMISSIONS

a. Lake Paul Wallace Authority

**Motion made by Willie Gladden, seconded by Ken Allen to nominate Mr. Belvin Sweatt to the Lake Paul Wallace Authority.**

**Motion made by Dr. Carolyn Prince, seconded by Jason Steen to nominate Mr. Sidney Wallace to the Lake Paul Wallace Authority.**

**Motion made by Willie Gladden, seconded by Ken Allen to bring the nominations for the Lake Paul Wallace Authority to a close. Vote in favor. Unanimous. Motion carried.**

**Motion made by Dr. Carolyn Prince, seconded by Corrie Plato, to accept the appointment of Sidney Wallace and Belvin Sweatt to the Lake Paul Wallace Authority. Vote in favor. Unanimous. Motion carried.**

b. Other Boards & Commissions

There were no other appointments made. However, Mr. Munnerlyn, Chairman stated that Council should remove current board members that Council appointed due to poor attendance. Mr. Munnerlyn further stated that Council should find more people who can make the time for the Board and Commission meetings.

STAFF REPORTS

ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, COUNTY ADMINISTRATOR

**Expenditure & Revenue** – report was provided to Council for the month ending July 2012. Expenditures were at 7% and revenue was at 4%.

**Employees with Five Years' Service** – Employees with at least five years' service through the end of July 2012 include: Lorenza Baldwin (part-time, 7 years), Jacqueline Bright (12 years), Bobbie Coxe (35 years), Jeffrey Dudley (28 years), Pamela D. Galloway (5 years), Raymond M. Hall (6 years), Eric Ivory (part-time, 7 years), Tonya J. Jackson (15 years), Katherine Leggett (25 years), Tammy C. Perkins (25 years), Jackie Purvis (16 years),

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William B. Rogers (5 years), Lashawn D. Wheeler (10 years), Sandy T. Wilkes (18 years), Nehemiah Williams (16 years) and Teresa R. Woods (12 years).

**Positions Reduced in Departments** – Positions in the following departments have been reduced by one full-time position: Administrator, Museum, Public Works, Tax Assessor, Recreation, and Planning Zoning / Delinquent Tax.

**Fencing at the Wallace Convenience Center** – The fencing has been completed at the Wallace Convenience Center.

**The Council on Aging** – The Council on Aging has requested matching funds.

**RIF Grant** – A RIF grant in the amount of \$100,000.00 has been filed with the Department of Commerce.

**The SC Court Administrator approved additional pay for Magistrates** – The SC Court Administrator has approved the additional pay for Magistrates in the absence of one of the three Magistrates. The pay for McGinnis will be split between the two remaining part-time magistrates (The Honorable Grover McQueen and The Honorable Rob Stanton). This will be retroactive to July 1, 2012. The additional amount per month is \$477.00.

**NESA Grant** – The County will provide \$25,000.00 for the NESA grant for \$25,000.00 in matching funds.

**Victim's Advocate** – Funds will be transferred to the Victim's Advocate as budgeted from the General fund.

**CTC – Administrative Expenses** – The amount of \$2,000.00 will be paid to the CTC for administrative expenses. Funds have been provided to pay the expenses.

**FAA & SC Aeronautics Commission for Land Acquisition for the Airport** - The County is applying for \$159,291.00 from the FAA and \$12,947.00 from the SC Aeronautics Commission for land acquisition for the airport. The County's portion will be \$4,752.00. Landowners did not accept the proposed amount offered.

**Part-time Library Employee** – The County has received a grant for a part-time library employee.

**Council Meeting for September** – The Council meeting for September has been scheduled for Tuesday, September 18, 2012.

**Security items for the Courthouse** – Judge Burch has requested additional security items for the Courthouse.

**Rate increase with Insurance Companies** – Since insurance companies are verifying more information on house locations, I expect the County will get more complaints on rate increases.

**Energy Grant Fund for Carolina AAC** – Energy Grant funds for Carolina AAC were reduced significantly (\$140,148.31) by the State Energy Office. The grant has reimbursed the County \$984.69 for the County Administrator's time on the project.

**Public Service, Public Safety and Justice Committees** – I would like to meet with the Public Service, Public Safety and Justice Committees when your schedules permit.

**Wallace CDBG Grant Water Line Audit** – The Department of Commerce audited the Wallace CDBG Grant Water line project and compliance was obtained in all categories.

**Petition to Request a Ban on Closing Jackson Road** – I received a petition yesterday requesting a ban on closing Jackson Road. A copy has been provided for Council.

**“Fall for Marlboro” – RALI Community Event** – I received an email yesterday from Pat Rogers and Phyllis Hubbard requesting the use of the Courthouse Square for the second county-wide, community event “Fall for Marlboro” on Thursday, October 13<sup>th</sup> from 12 p.m. until the conclusion of activities that evening.

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

**Mr. Ronnie Smith** – Mr. Smith addressed Council about the drainage system in Norwood Acres. This has been ongoing for 3 years. The speed bump does not solve the problem. They have even signed a petition. What do we have to do? It has been 3 years and the water is stagnant there.

Mr. Munnerlyn, Chairman stated that the State has to do something about this matter with the drainage system. Mr. Munnerlyn stated to Mr. Smith that this, unfortunately, is not a County issue. Mr. Munnerlyn further stated to Mr. Smith that Council would talk with him afterwards in order for him to retrieve the contact information he needed.

Mr. Ronnie Smith thanked Council for their efforts.

**Mr. Mark Kaminski** – Mr. Kaminski addressed Council about an Animal Control issue of wild dogs not being tamed in his area. Mr. Kaminski also informed Council of his concern of coyotes breeding with these wild dogs. Mr. Kaminski stated that he knew there was a state law for leasing, but the County could not do anything about a dog unless it is vicious. He stated that he essentially had to wait until these dogs attacked someone before it is considered vicious. Mr. Kaminski stated that this is simply not acceptable.

Mr. Munnerlyn, Chairman stated to Mr. Kaminski that the Humane Society is now active when it comes to this issue. Mr. Kaminski responded that the Humane Society will not be able to handle dogs if they begin breeding with the coyotes.

Mr. Munnerlyn, Chairman directed Mr. Kaminski to talk with Mr. Kimrey and Mr. Sidney Wallace about this concern. Mr. Munnerlyn stated to Mr. Kaminski that Council appreciated him for bringing this to their attention.

RECOGNITION OF COUNCIL MEMBERS

**Anthony Woods** – Mr. Woods thanked Mr. Kimrey for working on the Quail Run project. It seemed as if this project has been ongoing for 25 years.

Mr. Woods mentioned that Coach Boyd hired Jason White a young, athletic coach. Mr. White met with the Clio recreation staff, and he extended his hand in friendship to work hand in hand with our recreation staff and schools. Mr. Woods stated everyone felt good about Coach White assisting the Clio area.

**Corrie Plato** – Ms. Plato stated that three people contacted her about areas in her district which included Lawson and Firestone. These areas needed to be cleaned up. Ms. Plato said that she called Mr. Lewis Cooper, Environmental Control and he took care of that immediately for her.

**Jason Steen** – Mr. Steen stated that the exterior in the building was coming along. Mr. Steen stated that the County needed to keep improving on trimming the shrubs, etc. Mr. Steen stated that citizens are asking when the Wallace Convenience Center will be open. Hopefully it will dry up very soon in order to begin.

Mr. Steen suggested that the old chairs, etc. in the Administration building needed to be auctioned in order to get rid of these items.

**Dr. Carolyn Prince** – Dr. Prince stated that during the Pee Dee COG meeting a discussion was held regarding 69 people that were not getting their unemployment checks. Dr. Prince stated that if the County received any calls, all recipients have to do is to comply with the regulations.

Dr. Prince advised Mr. Kimrey, County Administrator and Gary Harrington, Recreations Director to have a predetermined plan for the Brightsville area.

Dr. Prince further stated that last month Breeden and Maple street areas needed feedback on what has been done to address their concerns (from the previous Council meeting held on July 10, 2012). Dr. Prince stated that Council has given the County authority to address their concerns. Dr. Prince further stated that the County must let citizens know that we are not taking their requests lightly.

Dr. Prince apologized to the citizens about the length of the Council meeting.

**Ron Munnerlyn, Chairman** – Mr. Munnerlyn stated that a few weeks ago that Council suggested to setup meetings about recreation in Blenheim and partnering with the schools if we can. Mr. Munnerlyn contacted the school board about a joint meal meeting. This casual