

MARLBORO COUNTY COUNCIL

"CALLED" MEETING

MARLBORO COUNTY CONFERENCE ROOM

MONDAY, NOVEMBER 14, 2011

5:30 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

INVOCATION – MR. ANTHONY WOODS.

APPROVAL OF AGENDA ITEMS

No Items were added.

APPROVAL OF BIDS

**Family Court Furniture** – bids received were **Hamilton Office Supply**, Bennettsville, SC (\$8,445.42), **Sandhills Office Supply**, Rockingham, NC (8,943.00), and **Herald Office Solutions** (8,854.62).

Mr. Ron Munnerlyn, Chairman advised he had received a letter was received from Mr. William Funderburk, Clerk of Court regarding the furniture bid. Mr. Cecil Kimrey, County Administrator advised he had gotten one, but did not know if it was the same letter Mr. Munnerlyn had received. Mr. Kimrey provided his letter for all council members to read. Mr. Anthony Woods questioned whether Hamilton's substituted

one item on the list. Mr. Munnerlyn advised he didn't know if it was Hamilton's or one of the other vendors, but someone did. Mr. Kimrey advised he was told it was not the same exact chair. Mr. Munnerlyn questioned whether when it was speced out did the bid request state we would accept the same equivalent? Mr. Kimrey advised the bid request stated we would waive any formality. He had obtained additional information for council, which he was advised council did not need to see. Mr. Munnerlyn questioned what was sent to the vendors. Mr. Kimrey advised all vendors received the same information. Mr. Munnerlyn stated that if we did not ask for the equivalent, we needed to stick to the rules. He asked to see what was advertised in the paper and sent out. Mr. Kimrey provided a copy of the detailed items that was sent to the vendors. and read the bid request. It was clarified that the spec sheet provided to everyone had all of the part and model numbers on it. Mr. Anthony Woods questioned whether Hamilton's substituted one chair. Mr. Kimrey advised yes, but, Hamilton's advised their chair cost more but they would provide the same exact chair for the same amount as quoted. Mr. Jason Steen said that he wish they had just bid on the same exact thing, wrote it out, it would have been the simplest thing than substitute anything. He stated that if somewhere down the road we had a part number or model number unless it had been discontinued, everyone should have bid on that part. Mr. Anthony Woods advised that in his line of business if someone requested a price for particular part number such as a Michelin 2053515, he did not give a price for a B F Goodwrench or Federal to save money, that is not what they asked for. Mr. Munnerlyn stated that before everything happened he spoke to Mr. Funderburk, who questioned why he had to bid it out. Mr. Munnerlyn stated he told Mr. Funderburk he had to work with Mr. Kimrey to bid the furniture out. It was understanding it was done and now it came back not what Mr. Funderburk wanted. Mr. Anthony Woods questioned what the difference was in the bids. Mr. Cecil Kimrey advised the bids were: Sandhill's (8943.06), Herald (8754.62), and Hamilton's (8445.42). The Hamilton Office Supply bid was \$309.20 lower than the bid by Herald Office Solutions. Mr. Munnerlyn advised the money was not the issue. He requested the attorney advise was it council's role to determine who the responsible bidder was or was it staff's. Mr. Harry Easterling, County Attorney advised if a bidder disputes, the administrator is suppose to handle. Mr. Munnerlyn advised that council is put in a situation to have to decide whether to reject a local bidder. He advised they would had to decide whether to override staff's recommendation. Mr. Jason Steen questioned whether anyone bid without anything being substituted. He was advised Herald did. Mr. Anthony Woods stated that in his opinion the company that bid specific, apples to apples and no one else did, you go with that company that followed the rules and regulations. Mr. Ron Munnerlyn, Chairman stated that council would have to determine who was the lowest responsive bidder.

**Motion made by Mr. Anthony Woods, seconded by Mr. Steve Blackmon to award the bid for the Family Court Furniture to Herald Office Solutions based on their being the responsive bidder due to bidding everything specifically. Vote in favor. Unanimous. Motion carried.**

Mr. Ron Munnerlyn, Chair requested staff to clean up the bid requests and wording in the future.

NON AGENDA ITEMS

Dr. Carolyn Prince requested a resolution supporting RALI be prepared and presented at the next council meeting. She stated council had agreed to the resolution in lieu of the funds requested by RALI.

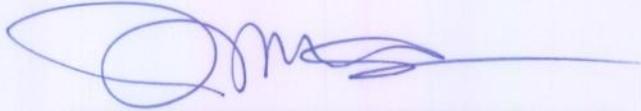
Dr. Prince stated she had read through the letter received from the state concerning the airport where they asked for obtaining the right to have trees removed. She questioned whether the county actually had to buy the property or could you ask the landowner because the people were adamant about not selling. She stated she knew the county could condemn and take the land, however, if the county could get the landowners to agree to allow the county could inspect to see if trees needed to be removed, would that satisfy the airport authority that the trees would be removed if they stayed on private property? Mr. Harry Easterling, Jr., County Attorney questioned if Dr. Prince was asking about an easement, at which he responded “yes” the county could, the power line companies do the same thing. Mr. Easterling stated it depended on the FAA and their response. He stated where the county is with the process – Mr. John Jackson has done the surveys for the Smith property and the Lynch property. It was noted the Watson property is the holdup, Mr. Jackson has not been allowed to go on their property. Mr. Easterling stated the county could draw something up if it would satisfy them and the FAA. Dr. Prince stated she wanted to get it straight before talking with the property owners. She read a section from the letter where it stated ‘ if not airport property, all efforts will be made to obtain the rights either through condemnation or by obtaining aviation easement”. Dr. Prince questioned whether it would be alright for her to say to the landowner that the county needed to have the land surveyed to see whether trees or brush needed to be removed, and if so, the county would go for an easement, and not force them to give up ownership of their property. Mr. Easterling stated she could, however, he did not believe they would be able to build a house, there would be restrictions, and that would be the main question. Dr. Prince stated the bottom line is the property owners did not want to sale the property. Mr. Ron Munnerlyn advised there would be a height limit to the property. The easement if the owner and FAA agreed would allow the property owners to retain ownership, but would limit use to the land owner. Dr. Carolyn Prince advised she would talk with the landowners.

ADJOURN

Hearing no further discussion, the meeting was adjourned.

**Motion made by Mr. Jason Steen, seconded by Mr. Anthony Woods to adjourn the meeting. Vote in favor. Unanimous. Motion carried.**

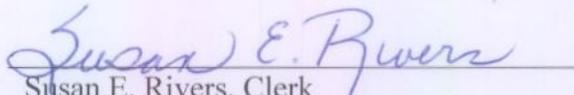
(SEAL)



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J. Ronald Munnerlyn, Chairman  
Marlboro County Council

ATTEST:



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Susan E. Rivers, Clerk  
Marlboro County Council

Date Adopted: December 13, 2011