

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY CONFERENCE ROOM

TUESDAY, NOVEMBER 10, 2009

6:00 PM

CHAIRMAN	DR. CAROLYN PRINCE
VICE-CHAIR	CORRIE PLATO
ADMINISTRATOR	CECIL KIMREY
COUNTY ATTORNEY	HARRY EASTERLING, JR.

COUNCIL:

JEAN MCLEAN, 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

Staff requested the addition of an executive session on the agenda as item 2 for the purpose of receiving information from legal counsel on pending litigation regarding the proposed landfill in the Wallace area.

Staff requested the addition of item f under New Business for discussion of Public Works Equipment warranty.

Staff requested the addition of item b under Reports for the request for approval of change order No. 10 – curbing and future parking with estimated cost of \$20,000 - \$30,000 using “C” funds.

Motion made by Ms. Jean Wallace McLean, seconded by Ms. Corrie Plato to add the requested items to the agenda. Vote in favor. Unanimous. Motion carried.

PRESENTATIONS – MS. SHARON ROWE, LIBRARY DIRECTOR

A plaque was presented to Ms. Sharon Rowe, Library Director who was leaving after six (6) years of service to assume a position in Georgia. Council Members wished her well.

EXECUTIVE SESSION - to receive information from legal counsel regarding pending litigation on the proposed landfill in the Wallace area.

Motion made by Mr. Steve Blackmon, seconded by Mr. Anthony Woods, to enter executive session to receive information from legal counsel regarding pending litigation on the proposed landfill in the Wallace area. Vote in favor. Unanimous. Motion carried.

Motion made by Ms. Jean Wallace McLean, seconded by Mr. Willie Gladden, to leave executive session and re-enter open session. Vote in favor. Unanimous. Motion carried.

Dr. Carolyn Prince, Chair advised no decisions had been made, no votes were taken.

APPROVAL OF MINUTES – OCTOBER 13, 2009.

Motion made by Mr. Ron Munnerlyn, seconded by Mr. Willie Gladden, to approve the minutes of October 13, 2009. Vote in favor. Unanimous. Motion carried.

NEW BUSINESS

PROCLAMATION – PROCLAIMING NOVEMBER 2009 AS NATIONAL PULMONARY HYPERTENSION AWARENESS MONTH IN MARLBORO COUNTY.

Motion made by Ms. Jean Wallace McLean, seconded by Mr. Steve Blackmon, to the proclamation – proclaiming November 2009 as National Pulmonary Hypertension Awareness Month in Marlboro County. Vote in favor. Unanimous. Motion carried.

REQUEST FOR APPROVAL OF AGREEMENT BETWEEN MARLBORO COUNTY AND THE CITY OF BENNETTSVILLE FOR A FULL-TIME MUNICIPAL JUDGE.

Motion made by Mr. Anthony Woods, seconded by Mr. Steve Blackmon, to approve the request for approval of the agreement between Marlboro County and the City of Bennettsville for a full-time Municipal Judge. Vote in favor. Unanimous. Motion carried.

APPROVAL OF WOODSIDE ROAD IN WALLACE AREA.

The Public Service Committee recommended approval of Woodside Road in the Wallace Area.

Motion made by Ms. Jean Wallace McLean, seconded by Mr. Anthony Woods, for approval of Woodside Road in Wallace area. Vote in favor. Unanimous. Motion carried.

APPROVAL OF WALLACE FIRE DEPARTMENT REQUEST.

The Wallace Fire Department requested Marlboro County Council contact the Marlboro County Transportation Committee on their behalf for the installation of an asphalt driveway at their Haire Town Station.

Motion made by Ms. Jean Wallace McLean, seconded by Mr. Willie Gladden, to approve the Wallace Fire Department request. Vote in favor. Unanimous. Motion carried.

APPROVAL OF MUSEUM REQUEST

Staff was advised the County Transportation Commission (CTC) agreed to provide the funding up to \$11,000 to repave/rework the driveway at the Museum. Staff requested permission from Council to add this amount to the Mungo Contract for the Museum project.

Motion made by Mr. Ron Munnerlyn, seconded by Ms. Corrie Plato, to approve the request to add up to \$11,000 to the Mungo contract to repave/rework the driveway at the Museum provided the County Transportation Commission provide the “C” funds. Vote in favor. Unanimous. Motion carried.

DISCUSSION OF PUBLIC WORKS EQUIPMENT WARRANTY.

Information was received from Mr. Ross Carr, Sales Representative for Blanchard Machinery Company offering to extend the offering to extend the warranty on the 12M Caterpillar Motor Grader with two (2) options – Two (2) year/3,000 hour Powertrain and Hydraulic Warranty in the amount of \$5,647.00 or Three (3) year/4,500 hour Powertrain and Hydraulic Warranty in the amount of \$9,470.00. Mr. Sidney Wallace, Public Works Director was present and recommended the two year option.

Motion made by Mr. Ron Munnerlyn, seconded by Mr. Steve Blackmon, approving the transfer of funds and approval of the two (2) year extended warranty for the 12 M Caterpillar Motor Grader. Vote in favor. Unanimous. Motion carried.

APPROVAL OF BIDS

Solid Waste Roll Off Containers for Convenience Center

Two bids were received: **Furr Facilities Waste Container Services (based on 30 yards) - \$300.00 per pull** and **J. Davis Enterprise, Inc. (based on 30 yards) - \$350.00 per pull**. Mr. Ron Munnerlyn questioned the weight. Mr. Sidney Wallace advised it would not make a difference. He advised it would save the county approximately \$600 - \$800 per month.

Motion made by Mr. Ron Munnerlyn, seconded by Ms. Jean Wallace McLean, to approve the bid as received from Furr Facilities Waste Container Services for the amount of \$300 per pull. Vote in favor. Unanimous. Motion carried.

APPOINTMENTS TO BOARDS & COMMISSIONS

Economic Development Partnership Board – a letter was received from the Legislative Delegation recommending Mrs. Janelle Rivers Sauls as their appointment on the board. A letter was received from the City of Bennettsville recommending Mr. John Scism to the board.

Motion made by Ms. Jean Wallace McLean, seconded by Mr. Anthony Woods, to approve the recommendation from the Legislative Delegation appointing Ms. Janelle Rivers Sauls to the Marlboro County Economic Development Board. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Anthony Woods, seconded by Mr. Ron Munnerlyn, to approve the recommendation from the City of Bennettsville appointing Mr. John Scism to the Marlboro County Economic Development Partnership Board. Vote in favor. Unanimous. Motion carried.

ADA Section 504 Review Committee – this committee is a requirement of Pee Dee Regional Council of Governments for CDBG Grants. Staff recommended the appointment of Ms. Deborah Weldon and Ms. D. J. Fox for the appointments.

Motion made Mr. Steve Blackmon, seconded by Ms. Jean Wallace McLean, approving the appointments of Ms. Deborah Weldon and Ms. D. J. Fox to the ADA Section 504 Review Committee. Vote in favor. Unanimous. Motion carried.

REPORTS

Committee Reports

Tim Brown, **Library & Justice Complex Report** - information was received advising the height of the light switches, fire alarm pull stations and thermostats do not meet the contract documents or the Accessibility code adopted by the State of South Carolina – ANSI A117.1. It was noted that Moseley agreed that the light switches and fire alarm pull stations needed to be installed to be in compliance with the design and the codes. Moseley agreed to inform the contractor to comply with the contract documents for this work. It was noted correspondence was received from the Electrical Engineer regarding the thermostats – “from a functionality standpoint the thermostats will operate properly”. It was the opinion of the electrical engineer that thermostats do not fall under ADA requirements, however, they advised they have been overruled on this by architects and code officials in the past. The engineer advised if Moseley and the local code officials feels that the thermostats fall under the ADA requirement, then they will have to be moved down.

Mr. Brown advised the interior work at the library continues – coming together from a construction point of view. He stated the asphalt base is down for the exterior work with the sidewalk to follow. Mr. Brown advised he had a potential change order in the amount of \$1,118.32 which requires a purchase order number from the American Telephone Company which is installing the telephone service. Another issue is the front door which was not designed to be an automatic opening door from a handicap standpoint – it has been requested the general contractor get a price which will create another potential change order. The city inspector has agreed to sign off on the light switches as they are. It was Mr. Brown’s recommendation to leave the light switches as they are – Dr. Jerry Robertson, NETC was in agreement. The fire alarm pull stations have already been lowered by Redding. A letter was received from the landscaper,

Mr. Tommy Taylor recommending removing some of the trees on the landscape design as well as recommending placing the sun dial in front of the library. Mr. Brown advised he would give the drawing to the architects at their next meeting to see if it can be incorporated into the plans. This would require a change order for a circle sidewalk with the sun dial at the front of the building. He advised this was Mr. Taylor's opinion and he will also get the architects opinion. Mr. Brown did state this would be an ideal spot to put the sun dial. Mr. Brown advised there is a potential change order # 10 with an estimated cost of \$20,000 - \$30,00 for additional curbing at the entrance and paving that was labeled future parking which would add an additional thirteen (13) parking spaces on the Parsonage Street side. Mr. Brown advised he had spoken with Mr. Easterling, who had spoken with Mr. Ronnie Crow, Marlboro County Transportation Committee and stated that Mr. Crown had advised the Transportation Committee would fund that. Mr. Brown advised the last issue concerned the shelving – the contractor and shelving company have agreed to work together to complete their work with scheduling if agreeable with County Council. If they do not work together, it could delay the project. Mr. Brown recommended allowing the contractor and shelving company to work together. The estimated completion date is the first of January 2010.

Motion made by Mr. Willie Gladden, seconded by Mr. Ron Munnerlyn, to accept the light switches as are. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Ron Munnerlyn, seconded by Mr. Willie Gladden to allow the general contractor and shelving company to work together with scheduling. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Ron Munnerlyn, seconded by Ms. Jean Wallace McLean to accept the "C" funds for Change Order # 10 for the curbing and additional parking at the library. Vote in favor. Unanimous.

Justice Complex – a change order (#08) was submitted for fencing (Chain Link) for \$7,797.60 and Furnishing (Magistrate) for \$8,699.60 for a total of \$16,497.24. Mr. Brown updated Council on the total amount spent, potential change orders, etc. He advised there should be approximately \$296,432.16 funds left over. He advised the project is eighty-one percent (81%) complete and on schedule. Furnishings are scheduled to be delivered November 19, 2009.

Motion made by Mr. Anthony Woods, seconded by Ms. Jean Wallace McLean, to approve change order No. 08 for the Justice Complex. Vote in favor. Unanimous. Motion carried.

Other Committees

Mr. Ron Munnerlyn, Public Service Committee – advised the committee met prior to the Council meeting. He advised after completing the current projects, the committee will begin looking at the Courthouse and Administration Buildings. Mr. Munnerlyn advised the committee met with Mr. Jodie Davis, USA Waste and Recycling – his company is beginning to get control over the garbage pickup in the county. Plans have been received for the additional vault at the courthouse – the needs need to be put out.

Mr. Anthony Woods, Recreation Committee – advised the All-stars are going on, will be playing in Florence Saturday with the nine (9), ten (10) and eleven (11) year olds.

Mr. Woods also advised the CDC will hold a meeting Thursday, November 12th at the Community Center at 5:30 p.m. and encouraged all council members to attend. Also invited were City Council Members and members of RALLI.

Dr. Carolyn Prince, Chair – requested Mr. Harry Easterling, County Attorney read the County Council’s statement regarding the Lawsuit filed against Marlboro County by MRR. Mr. Harry Easterling read the statement which is attached as part of the minutes. The statement included “ Given that this is an ongoing litigation matter, the Council has been advised not to comment on the lawsuits or this matter other than by way of this statement. All inquiries regarding this matter should not be made to the Marlboro County Council or the Marlboro County Planning Commission, but instead should be directed to the County Administrator, Cecil Kimrey at (843) 479-5600 ext 12 or ckimrey@marlborocountygov.com.”

Administrative/Financial Report – Cecil Kimrey, County Administrator

Ms. Susan Rivers, Clerk to Council and Mr. Jamie Sellers developed a low cost recording system for council.

The county received an increase from \$50,000 to \$60,000 from “C” funds for the Sheriff’s/Magistrate Complex. The county has received \$38,000 for crush & run for: Mays Pond Road, Red Bud Lane, Phil Creek Road, Johnson Lane, Big Foot Road, Blake Lane, Sandspur Circle, Pone Lane, Hilltop Lane, Valleydale Lane, and Beards Road.

Mr. Roy Allison was named E-911 Director of the year by the State. The Administrator requested Council recognize Mr. Allison at the December meeting.

A copy of the Railroad account expenditures were provided to Council for review.

A freeze will be placed on most outside agency’s budgets until tax revenues are determined. If any expenses are added, offsetting cuts will need to be made.

Employees with at least five years employment through September included: Lori Davis, John Grooms, Jessica Jones, Sherry Odom, Patricia Starnes, and Earl Hood.

Expenditures were at 30% of the total budgeted amount. The Administrator was concerned that revenues will continue to decline.

The shelving installation was re-scheduled by the installer for November 30, 2009. With Ms. Sharon Rowe leaving November 30th, the Administrator will have to spend a considerable amount of time on library related issues.

New signs were installed at the industrial park.

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The county has received the signed lease for the Wallace Ball-field. As soon as construction has been completed at the library, the council chair can sign the agreement.

Mr. Kimrey advised staff would like to finalize the purchase of the land for the Span Project by the end of the year.

Mr. Furman Mills will develop a template of industry incentives for council by the December meeting.

The next scheduled furlough for employees was November 16, 2009.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

Mr. Tom Woods – said he was speaking for himself and hopefully the ninety-four (94%) percent of the citizens who voted no on the landfill in saying thank you to council – they appreciate Council voting no on the landfill. They had heard that if the county fights the landfill, taxes would have to be raised, so be it.

RECOGNITION OF COUNCIL MEMBERS

Mr. Ron Munnerlyn – advised he believed the county needed to re-visit the Murchison Building.

Dr. Carolyn Prince – thanked the council members who attended the meeting with the City Council. She advised overall the meeting was successful – a topic of discussion was recreation for the whole county as a joint partnership.

NON AGENDA ITEMS

No discussion was heard.

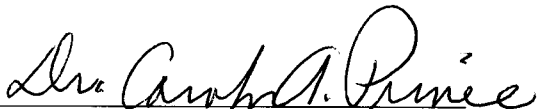
ADJOURN

Hearing no further discussion, the meeting was adjourned.

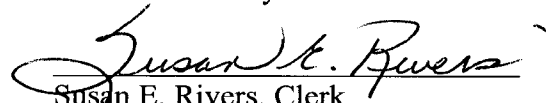
Motion was made by Mr. Ron Munnerlyn, seconded by Mr. Willie Gladden, to adjourn the meeting. Vote in favor. Unanimous. Motion carried.

(SEAL)

Attest:



Dr. Carolyn A. Prince, Chair
Marlboro County Council



Susan E. Rivers, Clerk
Marlboro County Council

Adopted: December 8, 2009