

MARLBORO COUNTY COUNCIL

MARIAN WRIGHT EDELMAN PUBLIC LIBRARY KINNEY MEETING ROOM

TUESDAY, OCTOBER 11, 2011

6 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

* Absent

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

Amended Item d under New Business: Resolution 10-11-02 – A Resolution authorizing the setting of the Local Option Sales Tax Credit Factor for Tax Year 2011-2012.

Added Executive Session for Personnel Issues at end of meeting.

Added Discussion of Lake Paul Wallace as Item D Under Old Business.

Motion made by Mr. Jason Steen, seconded by Mr. Anthony Woods to approve the agenda with items added and amended. Vote in favor. Unanimous. Motion carried.

PUBLIC HEARING

MARLBORO COUNTY HAZARD MITIGATION PLAN 2012

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Mr. Cecil Kimrey, County Administrator advised the Plan has to be updated every five years as required by the State. He stated the State pays the majority of the funds for the update with the county paying a small match.

No comments were made by the Public.

The Public Hearing was closed.

APPROVAL OF COUNCIL MINUTES - SEPTEMBER 13, 2011 & SEPTEMBER 26, 2011

Dr. Carolyn Prince referred to page seven of the minutes for September 13, 2011. She requested the last sentence referring to council members being agreeable to take the money for the 911 Command Center and HAZ MAT trailer being taken from funds be taken from the fire funds be removed from the minutes. The minutes were corrected accordingly.

Motion made by Dr. Carolyn Prince, seconded by Ms. Corrie Plato, to approve the minutes of September 13, 2011 as amended and September 13, 2011 as presented. Vote in favor. Unanimous with exception to September 26, 2011 Meeting. Mr. Ken Allen Abstained, he was not present for meeting. Motion Carried.

OLD BUSINESS

ORDINANCE # 693 – AN ORDINANCE TO APPROVE THE AIRPORT GROUND LEASE FOR HANGAR USE AGREEMENT BETWEEN MARLBORO COUNTY, SOUTH CAROLINA AND RARE AIR, INC. – THIRD READING.

Mr. Cecil Kimrey, County Administrator requested the third reading be tabled until the next meeting.

Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods, to table the third reading of Ordinance # 693 until the next council meeting. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 650A – AN ORDINANCE AMENDING THE PURCHASING POLICIES FOR MARLBORO COUNTY BY AMENDING SECTION 1 – IN GENERAL BY ADDING A SECTION FOR THE INCLUSION AND IDENTIFICATION OF MINORITY OWNED BUSINESSES. – THIRD READING.

Required by the South Carolina Department of Commerce.

Motion made by Mr. Anthony Woods, seconded by Mr. Jason Steen, to approve the third reading of Ordinance # 650A – An Ordinance amending the purchasing policies for Marlboro County by amending section 1, IN GERNERAL by adding a section for

the inclusion and identification of minority owned businesses. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 694 – AN ORDINANCE PROHIBITING THE ADVERTISEMENT, POSSESSION, PURCHASE, SALE, OR USE OF “BATH SALTS”, “BATH-SALTS-LIKE SUBSTANCES” AND “SYNTHETIC MARIJUANA” WITHIN THE UNINCORPORATED AREAS OF MARLBORO COUNTY. – THIRD READING.

Motion made by Mr. Willie Gladden, seconded by Dr. Carolyn Prince, to approve the third reading of Ordinance # 694 – An Ordinance prohibiting the advertisement, possession, purchase, sale, or use of “Bath Salts”, “Bath-Salts-Like Substances”, and “Synthetic Marijuana” within the unincorporated areas of Marlboro County. Vote in favor. Unanimous. Motion carried.

DISCUSSION OF LAKE PAUL WALLACE

Mr. Ron Munnerlyn, Chairman advised he had attended the meeting with Senator Gerald Malloy on Monday, October 10, 2011. Mr. Munnerlyn advised that at the meeting Senator Malloy explained his bill to those in attendance and Representative Doug Jennings discussed the history of the lake. It was stated that Senator Malloy advised if the people did not want the bill, he would not do it.

Mr. Anthony Woods stated the citizens had a lot of interest in the lake and thought council needed to take another look at the bill in more detail. He wanted to know more details as per the two county appointed representatives to serve on the committee and see where it was going. He wanted to know if the county had an opportunity to enhance it.

Mr. Ron Munnerlyn, Chairman advised the committee was part of the bill.

Mr. Willie Gladden stated he had spoken with Senator Malloy about the bill going into motion without anyone knowing anything about it. He stated Senator Malloy said he spoke with both the County and City Administrator in detail. He questioned the county administrator about his conversation with Senator Malloy. Mr. Kimrey advised the only conversation he had with Senator Malloy was with the Chairman of Council present. He had no other conversations. Mr. Ron Munnerlyn, Chairman advised that both he and Mr. Kimrey spoke with Senator Malloy in January. He stated no details were given to them concerning the bill. Mr. Munnerlyn advised Senator Malloy had been invited to attend a council meeting to discuss the issue. Senator Malloy had advised him that he did not have to attend a meeting, he knew what he was going to do. Mr. Gladden stated he wanted to know if anyone else had spoken to Senator Malloy concerning the issue. Several council members advised they had spoken with him after the bill was presented. Mr. Gladden stated the only way to work it out was to have a meeting between Senator Malloy and his group, County Council and City Council. He did not think anyone else needed to be involved. Mr. Jason Steen stated he wanted to hear what the citizens had to say. Mr. Ron Munnerlyn, Chairman advised everyone needed to move past the negatives and move forward. He stated the county needed more revenue.

NEW BUSINESS

ORDINANCE # 695 – AN ORDINANCE ESTABLISHING NEW ELECTORAL DISTRICTS FOR THE ELECTION OF MEMBERS OF MARLBORO COUNTY COUNCIL PURSUANT TO THE UNITED STATES CENSUS OF 2010 AND IN COMPLIANCE WITH SECTION 4-9-90, SOUTH CAROLINA CODE OF LAWS, 1976 AS AMENDED. – FIRST READING.

Mr. Ron Munnerlyn, Chairman advised a copy of the proposed maps needed to be transmitted to the School District. Mr. Cecil Kimrey, County Administrator advised he would take care of it.

Motion made by Mr. Willie Gladden, seconded by Dr. Carolyn Prince, to approve the first reading of Ordinance # 695 – An Ordinance establishing new electoral districts for the election of members of Marlboro County Council pursuant to the United States Census of 2010 and in compliance with Section 4-9-90, South Carolina Code of Laws, 1976 as amended. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 696 – AN ORDINANCE TO APPROVE THE LEASE AGREEMENT BY AND BETWEEN THE COUNTY AND HUMANE SOCIETY OF MARLBORO COUNTY, INC. – FIRST READING.

Mr. Harry Easterling, Jr., County Attorney advised he and the County Administrator had met with the Humane Society October 7th and presented them with a draft of the lease agreement. He stated they had advised the Humane Society that the county would proceed with the lease agreement unless they advised they were not interested.

Mr. Ron Munnerlyn, Chairman advised the Public Safety Committee would meet to discuss the issue.

Motion made by Ms. Corrie Plato, seconded by Mr. Anthony Woods, to approve the first reading of Ordinance # 696 – An Ordinance to approve the lease agreement by and between the County and Humane Society of Marlboro County, Inc. Vote in favor: Mr. Jason Steen, Ms. Corrie Plato, Mr. Jason Steen, Mr. Willie Gladden, Mr. Ron Munnerlyn, Mr. Steve Blackmon, and Mr. Ken Allen. Abstain: Dr. Carolyn Prince. Vote: 7/0/1. Motion carried.

RESOLUTION # 10-11-01 – A RESOLUTION ESTABLISHING THE MILLAGE RATE FOR MARLBORO COUNTY FOR FISCAL YEAR 2011 – 2012.

Mr. Cecil Kimrey, County Administrator discussed briefly. He advised the millage would remain the same as the previous year. Dr. Carolyn Prince questioned whether the state insurance increase of 4.5% was included in the budget. Mr. Kimrey advised it was.

Motion made by Mr. Steve Blackmon, seconded by Dr. Carolyn Prince, to approve Resolution # 10-11-01 – A Resolution establishing the millage rate for Marlboro County for Fiscal Year 2011 – 2012. Vote in favor. Unanimous. Motion carried.

RESOLUTION # 10-11-02 – A RESOLUTION AUTHORIZING THE SETTING OF THE LOCAL OPTION SALES TAX (L.O.S.T.) CREDIT FACTOR FOR TAX YEAR 2011-2012.

The Resolution authorizes the Tax Assessor and Administrator to set the L.O.S.T. Credit Factor. The Administrator advised it should not change much from the previous year.

Motion made by Mr. Anthony Woods, seconded by Mr. Steve Blackmon, to approve Resolution # 10-11-02 – A Resolution setting the Local Option Sales Tax (L.O.S.T.) Credit Factor for tax year 2011-2012. Vote in favor. Unanimous. Motion carried.

UPDATE FOR HAZ MAT TRAILER EXPENSES

Mr. Jason Steen stated he had spoken with the Fire Chiefs as a group. They advised they had a lot of needs. He planned to speak to each individual department. Mr. Steen said he thought the Command Center needed to be under the care and control of the Sheriff Department. The Sheriff had advised they had funds which could be used to maintain it and save the county some funds. It would remain the property of the County. He requested council turn the command center over to the Sheriff Department.

Motion made by Mr. Jason Steen, seconded by Mr. Willie Gladden to turn the care and control of the Command Center over to the Sheriff Department. Vote in favor. Unanimous. Motion carried.

APPROVAL OF EXPARTE ORDER FOR AIRPORT LAND ACCESS.

Dr. Carolyn Prince recommended tabling the decision and sending it to committee for further review and discussion. She stated the county needed to sit down with the land owners to discuss.

Motion made by Dr. Carolyn Prince, seconded by Mr. Jason Steen, to table the decision and send it to committee for further review and discussion. Vote in favor. Unanimous. Motion carried.

COURTHOUSE – CHANGE ORDERS 9 & 12.

Change Order # 9 replaces the tile in the Big Courtroom damaged by water for a total amount of \$6,654.00 and 5 days.

Change Order # 12 would add a glass storefront at upstairs near the new family courtroom to prevent HVAC loss and was recommended by the architect. The total cost for the change order was \$6,355 and 3 days.

The total amount for Change Orders # 9 and #12 was \$13,009.00.

The Public Service Committee recommended approve change order # 9 and wait on change order # 12.

Motion made by Mr. Willie Gladden, seconded by Mr. Jason Steen to approve change order # 9 for a total amount of \$ 6,654.00 and a total of five days for the Courthouse and wait on change order # 12. Vote in favor. Unanimous. Motion carried.

APPOINTMENT TO BOARDS AND COMMISSIONS.

Other Boards & Commissions

PDRC&D Board – Mr. Bunny Anderson reappointment

Motion made by Mr. Anthony Woods, seconded by Ms. Corrie Plato, to approve the reappointment of Mr. Bunny Anderson to the PDRC&D board. Vote in favor. Unanimous. Motion carried.

OPENING & ACCEPTANCE OF BIDS

Solid Waste Trailer – bids received were: **Carolina Trailer & Equipment, Landrum SC** (\$5,489.10), **Southeastern Environmental Waste Equipment Company, Columbia, SC** (\$5,683.84), and **Amick Equipment Company, Inc., Lexington, SC** (\$12,598.10). The trailer would be paid for through grant funds received from SC DHEC Solid Waste Program.

Motion made by Mr. Steve Blackmon, seconded by Dr. Carolyn Prince, to approve the bid as presented by Carolina Trailer & Equipment in the total amount of \$5,489.10 for the Solid Waste Trailer. Vote in favor. Unanimous. Motion carried.

Tire Clean Up Project – only one bid was received: **U.S. Tire Recycling, Concord, NC** (\$ 170.00 per ton). The Tire Clean Up Project would be paid for through grant funds received from SC DHEC Waste Tire Program. SC DHEC has agreed to pay up to \$45,000 for the project.

Motion made by Mr. Willie Gladden, seconded by Mr. Anthony Woods, to approve the bid as presented by U.S. Tire Recycling in the amount of \$170.00 per ton for the Tire Clean Up Project contingent upon approval of DHEC. Vote in favor. Unanimous. Motion carried.

Wallace Water – Grant Road Project – bids received were: **Four S Construction, Inc.** (312,031.40), **L & B Construction, Co.** (424,171.00), **W & S Underground, Inc.** (296,735.31), **Triangle Grading & Paving** (379,708.00), **L.W. Inc.** (348,948.00), **Site Concepts, Inc.** (263,691.40), **Babcock Construction, LLC** (384,699.83), and **Palmetto Grading & Drainage, Inc.** (415,362.00). The project will be paid through CDBG Grant

funds and must be approved by the SC Department of Commerce before issuing a Notice to Proceed.

Motion made by Mr. Jason Steen, seconded by Dr. Carolyn Prince, to approve the bid as presented by Site Concepts, Inc. in the amount of \$ 263,691.40 for the Wallace Water – Grant Road Project subject to approval by Commerce, Certified bid results, and submission of references by contractor being responsive. Vote in favor. Unanimous. Motion carried.

REPORTS

COMMITTEE REPORTS

Mr. Steve Blackmon, Public Service Committee – advised the committee met and discussed the change orders for Family Court, and the Administration Building. Mr. Ron Munnery, Chairman advised Senior Catering has requested a long term lease or possibly purchasing the back portion of the building.

ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, COUNTY ADMINISTRATOR

Expenditure & Revenue report was provided to Council for the month ending September, 2011.

Employee Recognition – Employees with at least five years service through the end of September included: Ray Kelly (9 years), Sandra Kaye Liner (9 years), and Lee T. McQueen (11 years).

Grant Funds - \$13,693.50 of the E-911 Director and \$4,564.50 of the Grants/PIO position are paid from grant funds. Dr. Carolyn Prince questioned if the grants were repetitive. Mr. Kimrey advised they had been since he began work with the county.

Property – the county was to close on the Boro site by the 18th or 19th of October. The majority of the funds had already been received for the purchase.

Reassessment – notices had been mailed out.

Entrance Signs – another sign was to be installed at the existing sign on SC 9 at the Buddy Calhoun property.

Open Positions – three department heads submitted requests to fill open positions in their departments.

Domtar Property – the county was proceeding to close on the 50 acres from Domtar. The county will receive a Quit Claim Deed.

County Parks – a universal sign was proposed for recognition of the county parks to include:

Emblem of the County
Marlboro County Parks
Specific Park (IE – Brightsville)

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

Ms. Pat Henegan – advised she had attended the meeting on October 10th at the Skye with Senator Gerald Malloy. She stated over 125 citizens had attended the meeting with a lot of support for Lake Paul Wallace. She advised when the citizens asked her what to do, she told them to contact their Legislators, County Council and City Council. She asked Council to reconsider their opposition to Senator Malloy's legislative bill. She requested they not say no, but to look for solutions in preserving the lake. Ms. Henegan stated that with 28,000 citizens in Marlboro County, the lake could be utilized for many ways including swimming and special events. She encouraged council to talk and to reconsider their previous motion.

RECOGNITION OF COUNCIL MEMBERS

Mr. Anthony Woods – said that since the Recreation Committee had disbanded, the county needed a group to get together to discuss the recreation program. He stated new programs will cost money, council cannot expect the director to come up with new programs without additional funding. Mr. Woods stated that winter will be dormant. Mr. Ron Munnerlyn, Chairman stated the Recreation Commission is active, the Committee was disbanded because the committee members could not get along with each other. He advised the county administrator to handle getting the Commission together for a meeting.

Ms. Corrie Plato – advised she had received complaints concerning the trash trucks spilling trash on Florence Street and Salem Highway. The truck drivers are leaving the trash and refusing to pick it up. She was advised the pan was missing under the truck.

Mr. Jason Steen – advised he was getting complaints because of the trash pickup time at day break and on Sunday mornings. He also stated he thought the meeting with Senator Malloy on the 10th was constructive. He encouraged citizens to call him concerning Lake Paul Wallace.

Mr. Willie Gladden – said he had several issues to discuss. He said the ditches at Norwood Acres are 6 feet wide and 10 feet deep. He stated the citizens in Norwood Acres are tax payers, so the county needs to do something.

Mr. Gladden said that something needed to be done with Brightsville. He said the building was built but could not be used, then an article was placed in the paper saying it could be used. He said he wanted a walking trail there for the citizens, it was not a lot to ask for.

Dr. Carolyn Prince – stated she wanted to discuss Recreation also. She said Recreation has not made any proposals for any new programs. She said council is willing to budget new programs, but they need proposals for manpower and funding. Dr. Prince said she wants job descriptions which she had discussed two months earlier. She also thanked the news media for their article on Lake Paul Wallace. She advised she had not heard any projections for the annual cost for the lake. She asked how the State could give something that was done under federal funds and in disrepair to the county and city. She questioned how they now wanted to give it to the county and city without the funds to keep it up. She stated she wanted the delegation to meet with the county and for the citizens to understand that the state owes the lake. She wanted them to understand that the bill clearly states the county and city will both be responsible for the lake financially, but neither party will be able to make any decisions regarding the lake. She had an issue with the whole story not being told.

Mr. Steve Blackmon – said the county should be winding up the courthouse renovations and starting on the Administration Building. It was also his hope to do something with the lake.

Mr. Ken Allen – no comments.

Ron Munnerlyn, Chairman – stated he had concerns with trying to take a lead on the lake and not being brow beat. He stated his opposition to the bill centered around selling water, the city and county providing staff, and having to cut essential services. He advised he wished to make the lake viable without anything from the senators. Mr. Munnerlyn stated also that the county nor city could make a profit from any of the funds received from the lake, everything would have to go back into the lake.

EXECUTIVE SESSION- PERSONNEL ISSUE

Motion made by Mr. Willie Gladden, seconded by Mr. Anthony Woods to enter executive session for the discussion of personnel issues. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Anthony Woods, seconded by Ms. Corrie Plato to leave executive session and reenter open session.

Mr. Ron Munnerlyn, Chairman advised no decisions had been made and no votes had been taken.

NON-AGENDA ITEMS

Motion made by Mr. Ken Allen, seconded by Mr. Anthony Woods to approve the hiring of the vacant positions as requested. Vote in favor. Unanimous. Motion carried.

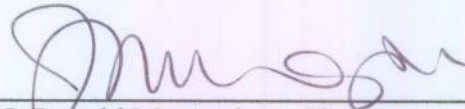
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ADJOURN

No further discussion was heard. The meeting was adjourned

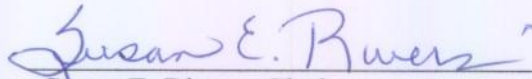
Motion made by Dr. Carolyn Prince, seconded by Mr. Willie Gladden, to adjourn the meeting. Vote in favor. Unanimous. Motion carried.

(SEAL)



J. Ronald Munnerlyn, Chairman
Marlboro County Council

ATTEST:



Susan E. Rivers, Clerk
Marlboro County Council

Date Adopted: November 8, 2011