

MARLBORO COUNTY COUNCIL  
MARLBORO COUNTY CONFERENCE ROOM &  
MARIAN WRIGHT EDELMAN PUBLIC LIBRARY CONFERENCE ROOM

TUESDAY, MARCH 9, 2010

6 PM

CHAIR	DR. CAROLYN PRINCE
VICE-CHAIR	RON MUNNERLYN
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

\* Mr. Ken Allen left the meeting after the Public Hearing.

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

Dr. Carolyn A. Prince, Chair advised she would like to add an executive session at the end of the meeting for discussion of both a contractual and personnel issue.

**Motion made by Mr. Willie Gladden, seconded by Ms. Corrie Plato to add an executive session at the end of the meeting for discussion of both a contractual issue and a personnel issue. Vote in favor. Unanimous. Motion carried.**

PRESENTATIONS

**Mr. Jeff Dudley, Tax Assessor** - addressed council to discuss the re-appraisal. Mr. Dudley advised reassessment is mandated by the State every five years, the county is entering the fifth and final year of its current assessments. He stated field appraisals should be completed by October 2010, and then enter and mailed by January or February 2011. Mr. Dudley advised the notices must be sent out to everyone. He expects to send out

approximately 22,500 notices with a cost of .80¢ per notice. He stated there will be a ninety (90) day period for appeals after the notices are mailed out.

APPROVAL OF COUNCIL MINUTES - February 3, 2010 & February 9, 2010.

February 3, 2010

**Motion made by Ms. Jean Wallace McLean, seconded by Mr. Anthony Woods to approve the minutes of February 3, 2010. Vote in favor. Unanimous. Motion Carried.**

February 9, 2010

**Motion made by Ms. Jean Wallace McLean, seconded by Mr. Steve Blackmon to approve the minutes of February 9, 2010. Vote in favor. Unanimous. Motion Carried.**

PUBLIC HEARING

ORDINANCE # 664 – AN ORDINANCE TO APPROVE AN NONEXCLUSIVE EASEMENT TO THE CITY OF BENNETTSVILLE FOR THE CONSTRUCTION OF UTILITY IMPROVMENTS TO THE WASTEWATER COLLECTION SYSTEMS FOR THE CITY OF BENNETTSVILLE CONSISTING OF 612 LF OF 6” GRAVITY SEWER LINE REHABILITATION BY PIPE BURSTING, AND REHABILITATION OF 6 EXISTING SEWER SERVICES LOCATED ALONG JENNINGS STREET (S-35-18), FROM LYALL STREET TO HUDSON STREET, AND WILL ENCROACH MARLBORO COUNTY RIGHT OF WAY AT THE JENNINGS STREET RAILROAD CROSSING.

No comments were made.

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF THE FEE-IN-LIEU-OF-TAX (“FILOT”) AND THE INFRASTRUCTURE CREDIT LIABILITY OF MUSASHI SOUTH CAROLINA, INC. (“COMPANY”) TO MARLBORO COUNTY, SOUTH CAROLINA (“COUNTY”); TO PROVIDE FOR THE RE-TRANSFER FROM THE COUNTY TO THE COMPANY OF CERTAIN REAL AND PERSONAL PROPERTY SUBJECT TO THE FILOT ARRANGEMENT DATED AS OF DECEMBER 15, 2000, AS AMENDED; TO PROVIDE FOR THE REMOVAL OF CERTAIN REAL AND PERSONAL PROPERTY SUBJECT TO THE FILOT ARRANGEMENT DATED AS OF DECEMBER 14, 2006; TO PROVIDE FOR THE TERMINATION OF THE AFOREMENTIONED FILOT ARRANGEMENTS AND CERTAIN INDUCEMENT AND MILLAGE RATE AGREEMENTS RELATED THERETO; AND TO PROVIDE FOR THE TERMINATION OF THAT INFRASTRUCTURE CREDIT AGREEMENT BETWEEN THE COUNTY AND THE COMPANY DATED MARCH 1, 2003; AND OTHER MATTERS RELATED THERETO.

No comments were made.

The Public Hearing was closed. Dr. Carolyn A. Prince, Chair advised the meeting would recess and reconvene in the Conference Room of the Marian Wright Edelman Public Library on Fayetteville Avenue in approximately fifteen (15) minutes.

OLD BUSINESS

ORDINANCE # 664 – AN ORDINANCE TO APPROVE AN NONEXCLUSIVE EASEMENT TO THE CITY OF BENNETTSVILLE FOR THE CONSTRUCTION OF UTILITY IMPROVMENTS TO THE WASTEWATER COLLECTION SYSTEMS FOR THE CITY OF BENNETTSVILLE CONSISTING OF 612 LF OF 6” GRAVITY SEWER LINE REHABILITATION BY PIPE BURSTING, AND REHABILITATION OF 6 EXISTING SEWER SERVICES LOCATED ALONG JENNINGS STREET (S-35-18), FROM LYALL STREET TO HUDSON STREET, AND WILL ENCROACH MARLBORO COUNTY RIGHT OF WAY AT THE JENNINGS STREET RAILROAD CROSSING – THIRD READING.

**Motion made by Mr. Anthony Woods, seconded by Ms. Jean Wallace McLean , to approve the third reading of Ordinance # 664 - An Ordinance to approve an nonexclusive easement to the City of Bennettsville for the construction of utility improvements to the wastewater collection systems for the City of Bennettsville consisting of 612 LF of 6” gravity sewer line rehabilitation by pipe bursting, and rehabilitation of 6 existing sewer services located along Jennings Street (S-35-18), from Lyall Street to Hudson Street, and will encroach Marlboro County right of way at the Jennings Street railroad crossing. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 665 – AN ORDINANCE AUTHORIZING THE SETTLEMENT OF THE FEE-IN-LIEU-OF-TAX (“FILOT”) AND THE INFRASTRUCTURE CREDIT LIABILITY OF MUSASHI SOUTH CAROLINA, INC. (“COMPANY”) TO MARLBORO COUNTY, SOUTH CAROLINA (“COUNTY”); TO PROVIDE FOR THE RE-TRANSFER FROM THE COUNTY TO THE COMPANY OF CERTAIN REAL AND PERSONAL PROPERTY SUBJECT TO THE FILOT ARRANGEMENT DATED AS OF DECEMBER 15, 2000, AS AMENDED; TO PROVIDE FOR THE REMOVAL OF CERTAIN REAL AND PERSONAL PROPERTY SUBJECT TO THE FILOT ARRANGEMENT DATED AS OF DECEMBER 14, 2006; TO PROVIDE FOR THE TERMINATION OF THE AFOREMENTIONED FILOT ARRANGEMENTS AND CERTAIN INDUCEMENT AND MILLAGE RATE AGREEMENTS RELATED THERETO; AND TO PROVIDE FOR THE TERMINATION OF THAT INFRASTRUCTURE CREDIT AGREEMENT BETWEEN THE COUNTY AND THE COMPANY DATED MARCH 1, 2003; AND OTHER MATTERS RELATED THERETO. – THIRD READING.

**Motion made by Mr. Steve Blackmon, seconded by Mr. Anthony Woods, to approve the third reading of Ordinance # 665 - An Ordinance authorizing the settlement of the**

**Fee-in-lieu-of-tax (“FILOT”) and the infrastructure credit liability of Musashi South Carolina, Inc. (“Company”) to Marlboro County, South Carolina (“County”); to provide for the re-transfer from the County to the Company of certain real property subject to the FILOT arrangement dated as of December 15, 2000, as amended; to provide for the removal of certain real and personal property subject to the FILOT arrangement dated as of December 14, 2006; to provide for the termination of the aforementioned FILOT arrangements related thereto; and to provide for the terminations of that infrastructure credit agreement between the County and the Company dated March 1, 2003; and other matters related thereto. Vote in favor. Unanimous. Motion carried.**

NEW BUSINESS

ORDINANCE # 667 AN ORDINANCE TO RE-ESTABLISH THE MARLBORO COUNTY CODE OF ORDINANCES, RELATING TO PRISONER HOUSING FEES, TO AMEND THE MARLBORO COUNTY CODE OF ORDINANCES, RELATING TO RESPONSIBILITY FOR MEDICAL CARE OF DETAINEES, TO ADD A VOLUNTARY LABOR PROGRAM, AND TO PROVIDE FOR CERTAIN PRISON LABORERS TO BE COVERED BY WORKERS’ COMPENSATION; REPEALING ORDINANCES # 210 AND # 475. – FIRST READING

Mr. Harry Easterling, Jr., County Attorney advised the Sheriff and Warden have requested an updated policy restating payments of medical expenses, etc. of inmates. He advised the old ordinances need to be repealed with the adoption of one consolidated ordinance. The Sheriff and Warden have both reviewed the proposed ordinance and have given their approval.

**Motion made by Mr. Anthony Woods, seconded by Mr. Ron Munnerlyn, to approve the first reading of Ordinance # 667 - An Ordinance to re-establish the Marlboro County Code of Ordinances, relating to prisoner housing fees, to amend the Marlboro County Code of Ordinances, relating to responsibility for Medical Care of detainees, to add a voluntary labor program, and to provide for certain prison laborers to be covered by workers’ compensation; repealing Ordinances # 210 and # 475. Vote in favor. Unanimous. Motion carried.**

ORDINANCE # 668 – AN ORDINANCE PROVIDING FOR A LOCAL HOSPITALITY TAX ON THE SALES OF PREPARED MEALS AND BEVERAGES IN ESTABLISHMENTS. – FIRST READING (TITLE ONLY).

**Motion made by Mr. Anthony Woods, seconded by Mr. Ron Munnerlyn to approve the first reading (Title Only) of Ordinance # 668 - An Ordinance providing for a Local Hospitality Tax on the sales of prepared meals and beverages in establishments. The approval came with the stipulation the Administrator provide a list of the facilities the hospitality tax would impact at the next meeting. Vote in favor: Mr. Steve Blackmon, Mr. Ron Munnerlyn, Mr. Willie Gladden, Mr. Anthony Woods, and Dr.**

**Carolyn Prince. Opposed: Ms. Jean Wallace McLean. Abstain: Ms. Corrie Plato. Vote: 5/1/1. Motion carried.**

RESOLUTION # 03-10-01 – A RESOLUTION APPROVING A BUDGET TRANSFER AS REQUESTED BY THE MARLBORO COUNTY ADMINISTRATOR FOR VICTIM ADVOCACY.

Mr. Cecil Kimrey, County Administrator requested a transfer of \$10,000 from contingency to the Victims Advocacy line item. He advised it did not increase their budget.

**Motion made by Mr. Ron Munnerlyn, seconded by Ms. Corrie Plato approving Resolution # 03-10-01 - A Resolution approving a budget transfer as requested by the Marlboro County Administrator for Victim Advocacy. Vote in favor. Unanimous. Motion carried.**

RESOLUTION # 03-10-02 – A RESOLUTION ACCEPTING THE 2010 LEMPG GRANT APPLICATION IN THE AMOUNT OF \$54,898.00.

The grant had a match of in kind labor.

**Motion made by Mr. Ron Munnerlyn, seconded by Mr. Willie Gladden to approve Resolution # 03-10-02 – A Resolution accepting the 2010 LEMPG Grant application in the amount of \$54,898.00. Vote in favor. Unanimous. Motion carried.**

APPROVAL OF CDBG GRANT APPLICATION BY WALLACE WATER COMPANY.

Wallace Water Company requested permission to apply for a grant in the amount of \$500,000.00. The funds will be used for Grant Road and surrounding areas. Mr. Cecil Kimrey, County Administrator, advised program income could be used to assist with the matching funds. He advised the water grants must come through the county, with Wallace Water providing most of the matching funds.

**Motion made by Ms. Jean Wallace McLean, seconded by Ms. Corrie Plato, to approve the request for Wallace Water Company to apply for the CDBG grant. Vote in favor. Unanimous. Motion carried.**

DISCUSSION OF ADDITIONAL PARKING LOT FOR LIBRARY.

Council discussed the property given to the county for additional parking on Parsonage Street. Safety was the biggest issue regarding the property, noting additional lighting needed to be on the property and the distance of the additional parking from the library building. Council also discussed the possibility of additional parking on approximately 120 feet of property the county retained when giving the Murchison Building to the School District. Council referred the issue back to committee for further review.

APPROVAL TO PROCEED WITH METROCAST WITH THE INSTALLATION OF WIRELESS INTERNET INFRASTRUCTURE AT MARLBORO COUNTY INDUSTRIAL PARK.

Mr. Cecil Kimrey, County Administrator recommended county proceed with the project. He advised the county had received a \$30,000 grant for the project and the additional funds could be taken from Economic Development Funds (Railroad).

**Motion made by Ms. Jean Wallace McLean, seconded by Ms. Corrie Plato, to approve the request for approval to proceed with the Metrocast Installation of Wireless Internet Infrastructure at the Marlboro County Industrial Park for the amount of \$42,698.50. Vote in favor. Unanimous. Motion carried.**

OPENING & ACCEPTANCE OF BIDS

**Wallace Fire Department Parking Lot** – Bids received were: **Henley's Construction** (Cheraw, SC) \$23,950.00, **Furr Paving** (Cheraw, SC) \$22,000.00, **Lineberger Construction, Inc.** (Lancaster, SC) \$40,463.00, **Hudson Paving, Inc.** (Rockingham, NC) \$31,431.75, **Industrial Paving, Inc.** (Darlington, SC) \$54,052.50, and **Boggs Paving** (Monroe, NC) \$33,056.75. The lowest bid was from Furr Paving in the amount of \$22,000.00.

**Motion made by Ms. Jean Wallace McLean, seconded by Ms. Corrie Plato, to award the bid to Furr Paving in the amount of \$22,000.00 for the Wallace Fire Department Parking Lot. Vote in favor. Unanimous. Motion carried.**

APPOINTMENTS TO BOARDS AND COMMISSIONS

No appointments were made.

REPORTS

COMMITTEE REPORTS

**Tim Brown – Justice Complex** – submitted a Change Order (#1) for B & B Company in the amount of \$6,562.00 the parking lot at the Justice Complex. He advised the funds were approved by the Marlboro County Transportation Committee.

**Motion made by Mr. Ron Munnery, seconded by Mr. Willie Gladden, to approve Change Order # 1 for B & B Company in the amount of \$6,562.00. Vote in favor. Unanimous. Motion carried.**

Mr. Brown advised the Sheriff's Department was planning to move into their office over the weekend of March 13<sup>th</sup> and should be in operation by March 15<sup>th</sup>. He advised the Sheriff's Office and Magistrate's Office could not be moved at the same time, so plans

were made to move the Magistrate's Office April 1<sup>st</sup>. He suggested a ribbon cutting after both offices are moved, possibly in April.

Mr. Brown advised exterior work continued. He stated plans were not made for exterior lighting, however, he had met with the City and made arrangements to place three (3) lights on existing poles.

Mr. Ron Munnerlyn questioned the status of the storage building. Mr. Brown advised work would begin on the land the following week. Mr. Brown advised an engineering set of plans would be needed to erect the building.

**Library** – advised the project was almost completed with a few minor issues, nothing major. The Grand Opening was scheduled for March 21<sup>st</sup>. He advised some of the pledges are still to come in, with the numbers close

Dr. Carolyn Prince, Chair stated fencing needed to be placed around the borders of the property to prevent people from walking though. Mr. Brown advised he still recommended placing a chain length fence around the back of property and lights on the corners of the building.

ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, COUNTY ADMINISTRATOR

**Budget Meeting** – scheduled for March 23, 2010 at 6 P.M.

**Landfill** – the Parker Poe bill for January was \$26,135.29.

**Employee Recognition** – Employees with at least 5 years service through the end of February included Bobbie Sue Latham, Dwan Bostic, Sidney Wallace, Ronald Covington, and Wiley Parham.

**Expenditures** – were at 59% through the end of February 2010, while **Revenues** were at 33% through the end of January 2010.

**Trinity Behavioral Care** – advised they were reducing services due to budget cuts. They had already closed down their long term facility and Halfway House. Their detox center was scheduled to be shut down by the end of March 2010. They advised any clients requiring detoxification would be transported to either Horry or Sumter counties. Their Office Services would remain the same as well as providing someone on call 24 hours per day, 7 days per week.

**Recreation** – the batting cage had been installed at Lindsay Park. Bad weather had prevented completion of the projects at Wallace and Clio. Both projects should be completed by late March. The 11 – 12 year old boys won the state championship in basketball.

**FEMA** – requires the county to update it's flood ordinance. Staff will try to have it ready for the agenda for the next regular council meeting.

**State Revenue** – would be reduced by at least another \$50,000 according to recent estimates.

**Sheriff's Office** – will be participating in the Equitable Sharing Agreement and Certification program.

**Energy Grant** - the county had received the energy efficient grant award. The Administrator advised council needed to make the final decision before the end of March.

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

**Mr. Fred Nickoless** – questioned information on construction going on in his neighborhood (Forest Drive) – was advised it was Marlboro Water Company.

**Mr. Gino Russi** – left before this portion of meeting. Mr. Willie Gladden advised Mr. Russi had stated he was pleased with the outcome of his complaint concerning Hwy 912. Sheriff Knight had gone out and spoken with parties involved and requested the trucks slow down as well as put up signs.

#### RECOGNITION OF COUNCIL MEMBERS

**Dr. Carolyn Prince** – thanked the County Maintenance Employees for putting together the new furniture and moving items to the new library. She also thanked Ms. Patricia Henegan, Chair and the library board of trustees for their time and contributions – a lot of hours were put in for the move and opening at the new location.

**Mr. Ron Munnerlyn** – responded to an editorial article Mr. William Kinney placed in the Marlboro Herald Advocate concerning the Economic Development Board. He stated the Board Members and Council were serious with Economic Development in the county. He stated Council needed to keep a better track of who was attending the meetings. He also requested a report of attendance be submitted to the Clerk.

**Mr. Steve Blackmon** stated he agreed that council needed to keep track of their appointments and replace the board members that did not attend. He suggested sending letters to them.

**Ms. Jean Wallace McLean** questioned whether the time of the meeting being changed from 5 p.m. to 4 p.m. could have caused the change in attendance.

Mr. Butch Mills, Economic Development Director advised attendance went up with the time change. He also advised the minutes which are presented to council each month includes board attendance.



EXECUTIVE SESSION

**Motion made by Mr. Steve Blackmon, seconded by Mr. Anthony Woods, to enter Executive Session for discussion of a contractual and personnel issue. Vote in favor. Unanimous. Motion carried.**

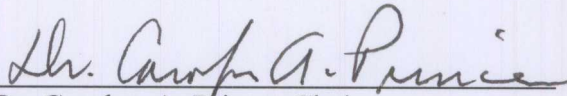
**Motion made by Mr. Anthony Woods, seconded by Ms. Corrie Plato to leave executive session and re-enter open session. Vote in favor. Unanimous. Motion carried.**

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

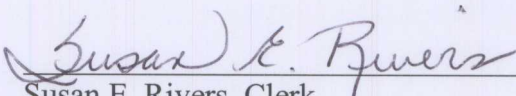
ADJOURN

No further discussion was heard. The meeting was adjourned.

(SEAL)

  
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Dr. Carolyn A. Prince, Chair  
Marlboro County Council

ATTEST:

  
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Susan E. Rivers, Clerk  
Marlboro County Council

Date Adopted: April 13, 2010