

MINUTES  
Laurens County Council  
October 22, 2013  
Council Chambers, Laurens County Court House

Members Present- Jim Coleman, Council Chairman; and Council Members Diane Anderson, Ted Nash, Keith Tollison and Joe Wood.

Members Absent: Edward McDaniel (due to illness) and David Pitts (due to a business conflict)

Staff Present: Ernest Segars, County Administrator; Scott Holland, Director of Public Works; Lisa Kirk, Finance Director; Debi Parker, Director of Human Resources; Sandy Cruickshanks, County Attorney; Chuck Bobo, Director of Building Services

Press Present: Cory Ingle, Laurens County Advertiser; Vic McDonald, Clinton Chronicle; and representatives of GoLaurens and WLBG Radio

Chairman Jim Coleman called the October 22, 2013 meeting of Laurens County Council to order at 5:30 p.m. in the Council Chambers of the Historic Laurens County Court House. Councilman Joe Wood delivered the invocation and all participated in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA, OCTOBER 22, 2013- On a motion by Council Member Anderson and a second by Councilman Tollison, Council agreed on a vote of 5-0 to approve the referenced agenda

APPROVAL OF MINUTES, OCTOBER 8, 2013- On a motion by Councilman Nash and a second by Councilman Tollison, Council approved the Minutes on a vote of 5-0.

STATE SENATOR DANNY VERDIN TO DISCUSS THE APPOINTMENT OF A "QUARTER TIME" (25%)  
MAGISTRATE FOR LAURENS COUNTY

Senator Verdin said that, several years ago, the Laurens County magistrate who served 10 hours per week had retired. That position has not been filled and the county's four remaining magistrates have "shouldered the burden" and have continued to provide service to the county.

Senator Verdin said that he suspects that at least two and possibly three of the magistrates currently serving in Laurens County will retire in the coming months. That is another reason to appoint the "quarter time" magistrate, with these vacancies pending. He also said that, according to statistics compiled by the South Carolina Office of Court Administration, Laurens County could employ an additional full-time magistrate, in addition to the "quarter-time" magistrate" currently under review.

Senator Verdin estimated that the salary for the "quarter-time" magistrate will be \$11,325 for the first year of service. The candidate for the position cannot be submitted to the Governor and the State Senate until January, 2014. This means that Laurens County would have to provide approximately \$5,663 to fund through the position through the balance of the fiscal year, which ends June 30, 2014.

Councilman Nash made a motion that Laurens County agree to fund the position of the “quarter-time magistrate” through the balance of the fiscal year, with the appointment of the new magistrate to be approved in January, 2014. Councilman Wood offered a second to the motion. Council approved the motion on a vote of 4-0. Council member Anderson abstained on the vote.

SECOND READING APPROVAL, LAURENS COUNTY ORDINANCE #759, “AN ORDINANCE TO ALLOCATE UP TO \$184,000 FROM THE UNRESTRICTED SURPLUS AND/OR RESTRICTED SURPLUS OF LAURENS COUNTY FOR DETENTION CENTER PAY ADJUSTMENTS AND OTHER MATTERS APPERTAINING THERETO”

Councilman Tollison made a motion to approve Ordinance 759 on second reading. Councilman Wood offered a second to the motion. Council approved the motion of a vote of 4 to 1, with Council person Anderson voting in opposition.

DISCUSSION OF A CONTRACT FOR ARCHITECTURAL AND CONSTRUCTION MANAGEMENT SERVICES FOR THE OFFICE EXPANSION AT HILLCREST SQUARE

Administrator Ernest Segars said that Project Architect Dennis Ashley has submitted a contract totaling \$225,000 for design and construction management services for the referenced project. Of that total, \$205,000 is for design and management services for the new office and \$20,000 will be allocated for civil engineering services related to the construction of additional parking spaces to the rear of the existing building. The \$3.7 million General Obligation Bond for the project will be issued in December and funding for the entire project, including design and construction management services, can be paid from the Bond proceeds.

Mr. Segars said that it will be in the county’s best interest for Mr. Ashley to begin detailed design of the project as soon as possible. He recommended that the initial fees to Mr. Ashley be paid from the county’s General Fund. Those General Fund expenditures can be reimbursed when the Bond funds become available later this year.

Council Member Anderson made a motion that County Administration be authorized to pay the initial architectural and management from the county’ s General Fund and that County Administration reimburse the General Fund for those expenditures when Bond Funds become available. Councilman Nash offered a second to the motion and Council approved the motion on a 5-0 vote.

In further discussion related to the construction project, Councilman Wood requested clarification of certain issues related to the issuance of the General Obligation Bond for the project. Mr. Wood said that, according to his calculations, the total, estimated cost for the project is \$3,541,000 and County Council has approved a Bond Ordinance to borrow \$3.7 million for the project. Mr. Wood requested assurance that all of the funds generated through the sale of the Bond will be used for either the defined project or, should Bond funds remain at the conclusion of the project, for the retirement of the debt.

Staff responded that Mr. Wood’s analysis of the funding plan is essentially correct. Bond proceeds must be used for project expenses allowed by the Bond Ordinance. Also, the county will use bond funds to pay for costs related to the issuance of the bond (legal fees, advertising costs.) Further, the costs related

to the construction of the new office are estimates at this point and actual costs for the project will not be determined until the county receives bids for the project in early 2014.

APPROVAL OF COUNCIL RESOLUTION #2013-13 "A Resolution Authorizing the Execution and Delivery of a New Fee-in-Lieu Tax and Incentive Agreement Between Laurens County, SC and Norbord South Carolina, Incorporated Acting for Itself, One or More Affiliates or Other Project Investors in Connection with the Expansion of the Company's Manufacturing Facilities in the County; (2.) Certain Special Source Revenue Credits in Connection with the Expansion Project; (3.) The Execution and Delivery of a First Amendment to a Lease Purchase Agreement Previously Entered into Between the County and the Company to Provide for a Ten-Year Extension of the Period for Payment of Fees in Lieu of Tax Pursuant Thereto; (4.) The Execution and Delivery of a First Amendment to an Existing Fee in Lieu of Tax and Incentive Agreement Between the County and the Company to Provide for a Ten-Year Extension of the Period of Payment of Fees in Lieu of Taxes Pursuant Thereto; (5.) The Benefits of a Multi-County Park to be Made available with Respect to the Expansion Project; and (6.) Other Matters Relating Thereto.

County Attorney Sandy Cruickshanks said this Economic Development project involves a \$30 million investment that Norbord South Carolina, Inc. will make in, manufacturing facility located near the Joanna community. Councilman Tollison made the motion to approve Resolution # 1013-13. Council member Anderson offered a second to the motion and Council, approved on a vote of 5-0.

FIRST READING APPROVAL - LAURENS COUNTY ORDINANCE # 760, "An Ordinance Authorizing (1.) The Execution and Delivery of a new Fee-in-Lieu of Tax Incentive Agreement Between Laurens County, South Carolina and Norbord South Carolina, Inc. Acting for Itself, One or More Affiliates or Other Project Investors, in Connection with Expansion of the Company's Manufacturing Facilities in the County; (2.) Certain Special Revenue Credits in Connection with the Expansion Project; (3.) The Execution and Delivery of a First Amendment to a Lease Purchase Agreement Previously Entered into Between the County and the Company to provide for a Ten-Year Extension of the Period for Payment of Fees in Lieu of Taxes Pursuant Thereto; (4.) The Execution and Delivery of a First Amendment to an Existing Fee in Lieu of Tax and Incentive Agreement Between the County and the Company to Provide for a Ten-Year Extension of the Period for Payment of Fees in Lieu of Taxes Pursuant Thereto; (5.) The Benefits of a Multi-County Park to be Made Available with Respect to the Expansion Project; and (6.) other matters Related Thereto.

Councilman Tollison made a motion to approve Ordinance # 760 on first reading. Council member Anderson offered a second to the motion. Council approved the motion on a vote of 5-0.

ADMINISTRATIVE REPORT- Administrator Ernest Segars introduced Mr. Charles "Chuck" Bobo who was recently selected as the Director of the Laurens County Office of Inspections and Licensing. All member of Council welcomed Mr. Bobo to the county.

PERIOD FOR PUBLIC COMMENT- Chairman Coleman opened the period for public comment.

Major Chris Hudson, director of the Johnson Detention Center, reported that a former employee of the Detention Center, Lt. Charles Tharrington passed away recently.

COMMENTS FROM COUNCIL MEMBERS- Councilman Nash said that he is pleased that Laurens County continues to make progress.

Chairman Coleman said that a pending bill in the South Carolina General Assembly will receive major attention when the Legislature convenes in January, 2014. The State House of Representatives has already approved the so called "Flow Control" bill and the State Senate will take up the legislation early in the 2104 session.

The bill would prohibit local jurisdictions, primarily counties, from determining where solid waste within their boundaries will be treated. Large, out-of state solid waste companies are the prime supporters of the bill. Chairman Coleman said the bill is an attack on Home Rule governance in the state and approval of the bill by the State Senate will also increase the amount of out=-of-state waste that will be treated in South Carolina.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ernest B. Segars", with a long horizontal flourish extending to the right.

Ernest B. Segars  
Laurens County Administrator