

**MINUTES**  
**LAURENS COUNTY COUNCIL**  
**FEBRUARY 12, 2013 – 5:30 P.M.**  
**HISTORIC COURTHOUSE – COUNTY COUNCIL CHAMBERS - PUBLIC SQUARE**

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**ATTENDANCE:** **COUNCIL MEMBERS PRESENT-** County Council Chairman Jim Coleman and Vice Chairman Edward McDaniel; Council Members Diane Anderson, Ted Nash, David Pitts, Keith Tollison and Joe Wood.

**ADMINISTRATIVE STAFF:** Laurens County Administrator, Ernest Segars; Laurens County Clerk to Council, Betty C. Walsh and Sandy Cruickshanks, Laurens County Attorney.

**ATTENDING - LAURENS COUNTY DEPARTMENT HEADS:** Human Resources, Debi Parker; Public Works Department, Scott Holland; Finance Director, Lisa Kirk; Greg Lindley, Director of Fire / Rescue Services; Buddy Skinner, Codes Officer and Cindy Burke, Laurens County Treasurer.

**PRESS:** Reporter, *WLBG-Radio*; *The Laurens County Advertiser*, Corey Engle; *The Clinton Chronicle*, Vic MacDonald, and Rachel Ham of *Go-Laurens.com*.

**GUESTS:** Miller Barksdale, Eagle Scout – Governmental Badge.

**SCHEDULED SESSION AGENDA ITEMS** – (1) Approval of Agenda, February 12, 2013; (2) Approval of Minutes from January 8, 2012; (3.) Presentation by Planning Commission of proposed update of the Comprehensive Plan; (4.) First Reading, Ordinance # 748, Laurens County Comprehensive Plan; (5.) Approval of Resolution #2013-1 – “A Resolution Consenting to a Extension of the Term of a Fee In Lieu Of A Tax Arrangement Between Laurens County South Carolina and Unifor Brass Forgings, Incorporated and the Transfer of Such Fee In Lieu Of Tax Arrangement to an Arrangement Under Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, As Amended”; (6) First Reading, Laurens County Ordinance #749, “An Ordinance Authorizing the Transfer of a Fee On Lieu of Tax Arrangement Between Laurens County, South Carolina a and Unifor Brass Forgings, Incorporated, Under Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, As Amended; Consenting to an Extension of the Term Thereof; And Other Matters Related Thereto”.; (7) AMENDED 2/11/2013 TO INCLUDE Reimbursement request, Western Laurens Fire Department; (8) Presentation to Council of the “2012 Outstanding Achievement Award” recently awarded to Laurens County by the South Carolina Workers’ Compensation Trust; (9) AMENDED 2/11/2013 TO INCLUDE - Approval, reaffirming Laurens County’s allocation and appointment of funds coming to the County through the “Federal Secure Rural Schools and Community Self Determination Act” (“Forestry Funds”); (10) Administrative Report; (11) Public Comments; (12) County Council Comments.

**MEETING NOTIFICATION** - The County Council Members, Press and requested public notifications were informed of the meeting in a timely and appropriate manner.

a.) **Amended agenda notification** - The County Council Members, Press and requested public notifications were informed of the amended agenda in a timely and appropriate manner of the addition of the following discussion items:

- (1) AMENDED 2/11/2013 TO INCLUDE - Reimbursement request, Western Laurens Fire Department;
- (2) AMENDED 2/11/2013 TO INCLUDE - Approval, reaffirming Laurens County’s allocation and appointment of funds coming to the County through the “Federal Secure Rural Schools and Community Self Determination Act” (“Forestry Funds”).

**CALL TO ORDER** – Chairman Coleman called the February 12, 2013 regular scheduled meeting of Council to order at 5:30 P.M. in the Council Chambers of the Laurens County Historic Courthouse and invited all to stand for the invocation and Pledge of Allegiance.



Chairman Coleman noted Miller Barksdale who was present so as to gain Eagle Scout recognition towards a governmental badge.

The invocation was delivered by Councilman Pitts.

**APPROVAL – AGENDA – FEBRUARY 12, 2013** – COUNCILMAN NASH made the MOTION to approve the amended agenda from February 11, 2013 with any additions or deletions; SECONDED by COUNCILMAN TOLLISON.

Administrator Segars requested the addition of information and details provided by Public Works Director Scott Holland regarding flow control measures as it relates to landfills.

Inclusive of the additional request, COUNCIL VOTED 7-0 to approve the agenda.

**APPROVAL – MINUTES – JANUARY 8, 2013 – REGULAR SESSION OF COUNCIL** – VICE CHAIRMAN MCDANIEL made the MOTION to approve the minutes from the January 8, 2013 session of Council and was SECONDED by COUNCILMAN PITTS; COUNCIL VOTED 7-0.

**COMPREHENSIVE PLAN – LAURENS COUNTY PLANNING COMMISSION** - Mr. Billy Abercrombie, Chairman, Laurens County Planning Commission, presented to Council the required ten (10) year update of the Laurens County Comprehensive Plan.

Planning Commission Chairman Abercrombie introduced other Commission Members in attendance – Commission Vice Chairman Bob Brewington; Commission Members Ernest Whiteford and Posey Copeland. Mr. Abercrombie proceeded to say, “We have worked diligently for eighteen (18) months on revising the Plan. The ten (10) year update of the Comprehensive Plan has truly been a team effort. It has taken more than eighteen (18) months of Planning Commission reviewing and not to forget the many hours involved with the staff to complete this revision. The Comprehensive Plan was reviewed and created based on the input from the various agencies within Laurens County. Based on the knowledge gained, we have now identified the most appropriate goals and objectives for the County. We would like to thank the many agencies that took part in our fact finding mission and of course the County Staff that coordinated all of the meetings. It is my hope and the hope of everyone who took time to contribute to this plan, that it will be an effective guide for Laurens County’s future growth”.

Chairman Coleman thanked the Planning Commission members and staff for their dedication to updating and completing the Plan and moved the meeting towards first reading for the Comprehensive Plan, Ordinance #748.

**FIRST READING – ORDINANCE #748, LAURENS COUNTY COMPREHENSIVE PLAN** - VICE CHAIRMAN MCDANIEL made the MOTION to approve Ordinance #748 upon first reading as presented, with COUNCILMAN NASH SECONDDING for discussion.

Councilman Tollison questioned from page twelve (12) of the Plan, the population numbers used; “Unless I am reading this in error, there has been a population increase over the years with a decrease for the 2010 year”. Chairman Coleman stated that he felt the previous years had been overstated and that these figures come from the 2010 Census.

Councilman Tollison questioned the need for all element goals to have them stated as on-going; and requested that some of them could have been noted with a date for a plan of action or completion.



Chairman Coleman agreed and said that this was most likely an area that the Council needs to discuss and to put dates in place for completion.

Overall there was a consensus of appreciation from all Council Members for the timely work put into completing the revisions of the Comprehensive Plan.

**RESOLUTION #2013-1 – “A RESOLUTION CONSENTING TO A EXTENSION OF A TERM OF THE FEE IN LIEU OF TAX ARRANGEMENT BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND UNIFOR BRASS FORGINGS, INCORPORATED AND THE TRANSFER OF SUCH FEE IN LIEU OF ARRANGEMENT TO AN ARRANGEMENT UNDER TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED”**. – Briefing Council on the project documents for Unifor Brass Forgings, Laurens County Attorney Cruickshanks said, “Overall, Unifor Brass Forgings is requesting to extend the term for the previous Fee In Lieu Of, by Resolution for an additional 10 years (to 2027). The Fee Agreement is a new, modified Fee Agreement. These documents are necessary under statute to confirm the conversion and restate the modified terms. The modified minimum investment will be \$2.5 million. The Ordinance consents to the transfer and approves the fee agreement”.

COUNCILMAN PITTS made the MOTION to approve the requested Resolution #2013-1 with COUNCILMAN TOLLISON SECONDING; VOTE 7-0.

**FIRST READING, ORDINANCE #749, “AN ORDINANCE AUTHORIZING THE TRANSFER OF A FEE ON LIEU OF TAX ARRANGMENT BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND UNIFOR BRASS FORGINGS, INCORPORATED, UNDER TITLE 4, CHAPTER 12 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; CONSENTING TO AN EXTENSION OF THE TERM THEREOF; AND OTHER MATTERS RELATED THERETO”**. - COUNCILMAN TOLLISON made the MOTION to approve Ordinance #749 upon first reading, as presented. VICE CHAIRMAN MCDANIEL SECONDING; VOTE 7-0.

**REIMBURSEMENT REQUEST – WESTERN LAURENS RURAL FIRE DEPARTMENT (FROM AMENDED AGENDA – FEBRUARY 11, 2013)** – Mr. Greg Lindley, Fire Director, appeared before Council asking on behalf of the Western Laurens Fire Department, for reimbursement towards a recent purchase.

Mr. Lindley said, “This is a request of six thousand five hundred dollars (\$6,500) reimbursement towards a 2011 AFG Grant. The total grant was for a new vehicle costing one hundred twenty nine thousand eight hundred fifty dollars (\$129,850) that requires a five percent (5%) local match – the six thousand five hundred dollars (\$6,500). The Western Laurens Rural Fire Department has received three (3) other grants for a total of well over three hundred thousand dollars (\$300,000). The local matches for the other grants have depleted their surplus required for this match. I would like to request Council approval to assist them with this match and taken from the Fire General Contingency Account”.

COUNCILMAN PITTS made the MOTION to approve the requested match funds with COUNCILMAN WOODS SECONDING for discussion.

Councilman Wood stated, “This is exactly what I have been talking about – buying something and then coming to Council for reimbursement or the allocation of funds”.

Mr. Lindley stated that he was presently writing a policy that addresses things of this nature and would be bringing to Council in the near future.



Councilman Wood added that he thought the truck was a fine piece of equipment acquired for the Western Laurens Fire Department.

Vice Chairman McDaniel said, “Purchasing goes well beyond the Fire Department. We are still spending county tax dollars. If monies need to be spent on purchases like this, then the Council needs to sign off on it first. We do need a good policy in place”.

Councilman Pitts asked who had written the grant – he (Mr. Lindley) or the Rural Fire Department? Mr. Lindley replied that Western Laurens had written the grant and noted that these grants are very competitive.

COUNCIL VOTED 7-0 to approve the request of reimbursement to the Western Laurens Rural Fire Department.

**AMENDED AGENDA ITEM - 2/11/2013 TO INCLUDE – RESOLUTION #2013-02 - APPROVAL, ALLOCATION AND APPOINTMENT OF FUNDS THROUGH THE “FEDERAL SECURE RURAL SCHOOLS AND COMMUNITY SELF DETERMINATION ACT” (FORESTRY FUNDS)** – Laurens County Treasurer, Cindy Burke explained in brief the necessary process required by County Council for the approval, allocation and appointment of funds coming to the County through the Federal Secure Rural Schools and Community Self Determination Act (Forestry Funds).

Mrs. Burke said, “Laurens County receives these funds because of U.S. National Forest land located within the County. Legislation requires that local governing bodies approve the adopted funding formula. Several years ago, Laurens County Council approved an “80-20” split of the funds with approximately eighty percent (80%) of the funds allocated for schools and public roads and twenty percent (20%) for county use in the areas defined by the Federal Act. In previous years, Laurens County has used the “Title III” Funds to fund the activities of the 4-H Club in Laurens County. Laurens County recently received eighty thousand two hundred ninety one dollars and fourteen cents (\$80,291.14) for Fiscal Year 2012. Amended legislation requires that local governing bodies approve the adopted funding formula by Resolution. It is also very likely that these funds will be eliminated soon.”

COUNCILMAN TOLLISON made the MOTION to approve the Resolution for the distribution of an “80/20” split as defined by the Treasurer. COUNCILMAN NASH SECONDING for discussion.

Councilman Wood questioned that if eighty percent (80%) is awarded to the schools, can this Council not designate it towards the recent talk for the county funding scholarships to attend the technical schools? Mrs. Burke replied that these funds can not be applied towards higher educational funding.

COUNCIL VOTED 7-0, to approve by Resolution #2013-02, the allocation of these funds using the “80-20” funding options.

**PRESENTATION - “2012 OUTSTANDING ACHIEVEMENT AWARD” BY THE SOUTH CAROLINA WORKERS’ COMPENSATION TRUST** – Chairman Coleman briefed Council of the recent awarded presented to Laurens County by the South Carolina Workers’ Compensation Trust for the county’s efforts in 2012 to revise and update the Laurens County Vehicle Use Policy.

**ADMINISTRATIVE REPORT - Ernie Segars, County Administrator:**

A.) Follow-up on issues discussed at Council’s Planning Session on January 29, 2013 - Administrator Segars briefed Council as to the staff assignments and other matters that evolved from the Planning Session held on February 29<sup>th</sup>. The assignments were as follows:

1.) Staffing and salary issues at the Johnson Detention Center - The Council Committee on Criminal Justice and Public Safety (Chairman, Keith Tollison and Committee Members Diane Anderson and Joe



Wood) will work with Detention Center Director Chris Hudson on this issue. In addition to addressing an adequate number of staff, the Committee will also address such issues as rate of pay for detention officers and a review of efforts to maintain staffing and to reduce staff turn-over. I would also request that County HR Director Debi Parker and Finance Director Lisa Kirk assist the Committee.

- 2.) Construction and Financing of expanded Office Space at the Hillcrest Square Center - The Council Committee on Public Works (Chairman Joe Wood and Committee Members Edward McDaniel and Ted Nash) will review the preliminary plans for the facility and work with the project architect on any modifications. Public Works Director Scott Holland will be the primary staff contact on the planning and construction phase of this project. County Administrator Segars and County Attorney Sandy Cruickshanks will work with the County's Bond Attorneys on funding plans for the project.

Councilman Wood said, "Before any more plans are concluded, I feel that the employees that will be housed in the new facility should be asked for their needs. It pays to listen to them in the long run of things".

Councilman Tollison said, "I have received several complaints as to the congestion that would be increased in the lobby area on top of the Magistrate window and courts being held".

Mr. Holland replied that he is aware of the congestion situation and it will be addressed along with other concerns.

Administrator Segars noted that a request had been placed for space for the incoming Judge, Don Hocker.

- 3.) Issues related to the county's data processing, computers and networking issues - Chairman Jim Coleman appointed an Ad Hoc Committee composed on David Pitts, Keith Tollison and Diane Anderson to review these very important issues. Clerk to Council Betty Walsh, HR Director Debi Parker and Finance Director Lisa Kirk will also assist the Committee.

**ADDED AGENDA ITEM (2/12/2013) – SOLID WASTE AND RECYCLING PROGRAMS** – Public Works Director Scott Holland, appeared before Council requesting the approval of a Resolution that takes a stance on upcoming legislation that would impede the ability of municipalities and counties to manage solid waste and recycling programs.

Continuing, Mr. Holland said, "The bill presently being considered states that a county may not direct solid waste or recyclable materials to any particular facilities. This bill will increase these costs because counties will be unable to control waste or recyclables by ordinance and deprives counties of an essential tool for funding solid waste and recycling obligations that counties have planned for and invested in as mandated by the Solid Waste Planning and Management Act. The ability to direct the flow of waste or recyclables that the county is responsible for is essential in negotiations with private waste companies, because waste volumes to private landfills or transfer stations can only be guaranteed if an ordinance or franchise agreement can direct where waste must be taken. This is considered special interest legislation and it forbids any current or future county ordinances directing where waste or recyclables go. For example, typical franchise agreements that state where materials must be taken, minimum tonnage agreements with collection or disposal authorities, or even ordinances requiring waste put into receptacles or left at convenience centers go to the county landfill or transfer station would no longer be allowed. Federal law forces strict liability on all solid waste generators, transporters or financially involved parties. Counties and cities have been held liable by the courts numerous times under the federal Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA). The

ability to direct the flow of solid waste is essential in limiting the taxpayers' exposure to this liability”.

Chairman Coleman added that if this passes, it will void all county laws toward solid waste. And it is coming down because of the big company donations for campaigns; putting money right back in their pockets.

**RESOLUTION #2013-03 – DISCOURAGING STATE LEGISLATION – SOLID WASTE – HOUSE BILL #3290 – SENATE BILL #203** - There was a COUNCIL CONSENSUS (7-0) to approve Resolution #2013-03 as presented.

**PUBLIC COMMENTS** – Chairman Coleman opened the floor for public comments at 6:30 P.M.

- 1.) Laurens County Treasurer, Cindy Burke, briefly informed Council of her upcoming surgery and said, “I do have very competent staff and that her office would be operating as usual in her absence. I have had Mr. Anderson set me up to access my computer at work through my laptop. In brief, as of the end of January the County Treasurer’s Office had managed close to forty three million dollars (\$43,000,000). This includes monies for the local municipalities, schools and county and we have all complied with their individual agency audits. I am proud to say now, that the Finance Department can run any reports that the Treasurer’s Office has access to. They have full access to our database in read only format. Again, my doors are always open to Council”.

Councilman Pitts asked Mrs. Burke what percentage were the collection rates for Laurens County. Mrs. Burke replied that it was right at a ninety eight percent (98%).

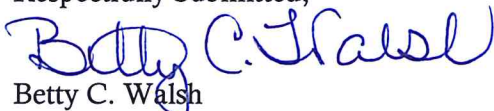
With no one else wishing to address Council, Chairman Coleman closed the session at 6:40 P.M.

**COUNCIL COMMENTS:**

- 1.) Chairman Coleman noted public condolences towards the recent death of Mr. Robert L. Anderson, husband of Councilwoman Diane Anderson.
- 2.) Councilman Nash thanked Mr. Skinner for continuing with his monthly reports to Council.

**ADJOURNMENT** – With no further business, Chairman Coleman adjourned the meeting at 6:52 P.M.

Respectfully Submitted,



Betty C. Walsh

Laurens County Clerk to Council