

MINUTES
SEPTEMBER 9, 2014
LAURENS COUNTY COUNCIL
HISTORIC COURTHOUSE – PUBLIC SQUARE
COUNTY COUNCIL CHAMBERS

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

COUNCIL MEMBERS ABSENT - Vice Chairman Edward McDaniel (illness requiring hospitalization).

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

DEPARTMENT HEADS PRESENT: Laurens County Public Works Director, Scott Holland; Laurens County Human Resources Manager, Debi Parker and Joey Avery, Director, Laurens County E/911-Communicaitons.

PRESS: Vic McDonald, *The Clinton Chronicle*; Iva Cadmus, WLBG Radio and Corey Engle, *The Laurens County Advertiser*.

SCHEDULED MEETING AGENDA ITEMS - 1.) Call to Order – Chairman Coleman; **2.)** Invocation – Councilman Wood; **3.)** Pledge of Allegiance; **4.)** Approval of Agenda, September 9, 2014; **5.)** Approval of Minutes – August 12, 2014; **6.)** Expenditure Resolutions: A.) Resolution #2014-18 - “Whispering Way – Pinecrest Subdivision - \$20,000”; B.) Resolution #2014-19 - “Owings Industrial Park – Owings Industrial Park Boulevard - \$335,000”; **7.)** Second Reading, Ordinance #771 - “An Ordinance To Amend Octagon Industrial Park Distribution Method and To Increase the Park Boundaries”; **8.)** Second Reading, Ordinance #772 - “An Ordinance Creating A Special Tax District, Whispering Way in the Pinecrest Subdivision”; **9.)** First Reading, Ordinance #773 - “Project Bullog” – “An Ordinance Authorizing a Fee-In-Lieu-Of-Tax Arrangement and an Infrastructure Financing Agreement On Behalf of “Project Bulldog” (the “Company”) Pursuant To a Fee-In-Lieu-Of-Tax Agreement Between Laurens County, South Carolina (The “County”) and The Company And The Amendment to Lease Agreement Dated December 1, 1999 and Fee-In-Lieu-Of-Tax Lease Agreement Dated December 23, 1997; **10.)** Resolution #2014-20 – Recognizing “Sandra Bragg” Retirement; **11.)** Administrative Report, Ernie Segars, County Administrator; **12.)** Public Comments; **13.)** Comments from Council Members; **14.)** Adjournment.

MEETING NOTIFICATION - The County Council Members, Department Heads and the Press were informed of the budget session meeting in a timely manner.

CALL TO ORDER – Councilman Coleman called the September 9, 2014 session of Laurens County Council to order at 5:30 P.M. in the Council Chambers of the Historic Courthouse. Chairman Coleman invited all to stand for the Pledge of Allegiance followed by the invocation provided by Councilman Wood.

APPROVAL OF AGENDA – Chairman Coleman called for approval of and any additions to the agenda. COUNCILWOMAN ANDERSON made the MOTION to approve the agenda as presented with the executive session added items and COUNCILMAN TOLLISON SECONDED; VOTE 6-0.

APPROVAL OF MINUTES – COUNCILMAN TOLLISON made the MOTION to approve the minutes from the August 12, 2014 regular session of Council. COUNCILWOMAN ANDERSON SECONDDING; VOTE 6-0.

EXPENDITURE RESOLUTIONS:

- A.) **RESOLUTION #2014-18 - "WHISPERING WAY- PINECREST SUBDIVISION – TWENTY THOUSAND DOLLARS (\$20,000)"** – COUNCILWOMAN ANDERSON made the MOTION to approve Resolution #2014-18 for the advancement of County funds to be advanced for the Special Tax District for the residents of the Pinecrest Subdivision to improve and upgrade the roadway within the subdivision. COUNCILMAN NASH SECONDING; VOTE6-0.
- B.) **RESOLUTION #2014-19 - "OWINGS INDUSTRIAL PARK OWINGS INDUSTRIAL BOULEVARD -THREE HUNDRED THIRTY FIVE THOUSAND DOLLARS (\$335,000)"**. – Chairman Coleman informed Council that there was approximately over six hundred thousand dollars (\$600,000) in this account to date and that this would be an advancement to secure engineering services.

COUNCILMAN PITTS made the MOTION to approve for the advancement of three hundred thirty five thousand dollars (\$335,000) from the existing Hunter Industrial Park fund for engineering purposes and related project costs in the Owings Industrial Park in Laurens County. COUNCILWOMAN ANDERSON SECONDING for discussion.

Councilman Nash expressed his concern as to the time involved towards reimbursement. Administrator Segars replied that the funds will be reimbursed depending on the decisions of project and it was very probable that reimbursement could be early December.

Councilman Wood said, "I am not satisfied with the way this Resolution is written. It is not written as we discussed. I understood that grant monies would be used to pay these funds back. I also see this as negotiations with the Development Corporation and not Laurens County Council; they are the ones borrowing the money. We have been told numerous times that this Council is completely different from the Development Corporation. I see this as a conflict of interest with the Attorney working both sides of the matter. If someone down the road reads this Resolution it looks as though the County is turning this money over to the Development Corporation as a loan from this County Council. I have not been involved in any meetings or actions towards the Owings Park. Paragraph three says, *Laurens County Council deems it necessary and proper to use a portion of these accumulated funds for advance costs of engineering and related project costs*. This Council has not decided this action, the Development Corporation did. Also, it does not say anything about a repayment date; what is a reasonable amount of time?"

Councilman Tollison said, "The three hundred thirty five thousand dollars (\$335,000) is a substantial amount for this account. I have no problem using these funds for industrial development. I tend to agree with Joe that a reasonable amount of time for reimbursement should be in place".

Administration Segars said, "The South Carolina Coordinating Council is supposed to meet and approve the grant for Laurens County in late September. We have on file letters from the Company and State expressing a positive note of reimbursement. The engineering costs are necessary up front for this project".

Councilman Tollison what we seem to agree with now is a measure of accountability by stating a reimbursement date.

Chairman Coleman stated that this subject matter was discussed in executive session and was reported in the minutes from the last meeting.

COUNCILMAN PITTS AMENDED his earlier MOTION to include a reimbursement date on or before January 31, 2015. COUNCILWOMAN ANDERSON AGREED; COUNCIL VOTED 6-0.

SECOND READING – ORDINANCE #771 - “AN ORDINANCE TO AMEND OCTAGON INDUSTRIAL PARK DISTRIBUTION METHOD AND TO INCREASE THE PARK BOUNDARIES” – COUNCILMAN PITTS made the MOTION to approve Ordinance #771 upon second reading with COUNCILMAN TOLLISON SECONING; VOTE 6-0.

SECOND READING – ORDINANCE #772 - “AN ORDINANCE CREATING A SPECIAL TAX DISTRICT, WHISPERING WAY IN THE PINECREST SUBDIVISION” – Chairman Coleman this is an Ordinance that will create a Special Tax District for the residents of the Pinecrest Subdivision to improve and upgrade the roadway within the subdivision. The cost factors will be approximately twenty thousand dollars (\$20,000). The County will pay for the improvements from the contingency account. Property owners will pay an annual tax of one hundred forty nine dollars (\$149.00) for ten (1) years to reimburse the County for the work.

COUNCILMAN NASH made the MOTION to approve Ordinance #772 upon second reading with COUNCILMAN TOLLISON SECONING: VOTE 6-0.

FIRST READING, ORDINANCE #773 - “PROJECT BULLDOG” – “AN ORDINANCE AUTHORIZING A FEE-IN-LIEU-OF-TAX ARRANGEMENT AND AN INFRASTRUCTURE FINANCING AGREEMENT ON BEHALF OF “PROJECT BULLDOG” THE “COMPANY”) PURSUANT TO A FEE-IN-LIEU-OF-TAX AGREEMENT BETWEEN LAURENS COUNTY, SOUTH CAROLINA (“THE COUNTY”) AND THE COMPANY AND THE AMENDMENT TO LEASE AGREEMENT DATED DECEMBER 1, 1999 AND FEE-IN-LIEU-OF-TAX LEASE AGREEMENT DATED DECEMBER 23, 1997”. – Attorney Cruickshanks stated that this is a three million dollar expansion of an existing industry and creating approximately twenty (20) new jobs.

COUNCILMAN NASH made the MOTION to approve Ordinance #733 upon first reading as presented with COUNCILMAN TOLLISON SECONING; VOTE 6-0.

Chairman Coleman recognized Mr. Tom Martin, the Attorney representing the Industry during its expansion.

RESOLUTION #2014-20 – RECOGNIZING “SANDRA L. BRAGG” RETIREMENT – Introducing the requested Resolution, Chairman Coleman said that Mrs. Bragg began working with Laurens County at the E/911 / Communications Center in August of 1993 and was a very dedicated and valuable employee for Laurens County.

COUNCILMAN TOLLISON made the MOTION to approve the Resolution for Mrs. Bragg with COUNCILWOMAN ANDERSON SECONING: VOTE 6-0.

ADMINISTRATIVE REPORT:

- 1.) County Council Committee on Health, Welfare and Public Safety will be meeting on Monday, September 15, 2014 at the Historic Courthouse to discuss the proposed bonding for fire suppression services.

- 2.) Bailey Manor - Administrator Segars commended the various agencies that responded to the recent event at Bailey Manor in Clinton.
- 3.) Hillcrest Construction – Public Works Director Scott Holland reported of the following activity: Construction began on August 25th with a lot of progress made towards utility lines. They are close to a finished grade for the building foundation and construction will begin.

Administrator Segars thanked the County Employees for cooperation during the recent construction of the utility lines and usage of the parking areas.

PUBLIC COMMENT – Chairman Coleman opened the floor for public comment at 6:00 P.M. Having no one wishing to address Council, Chairman Coleman closed the session at 6:01 P.M.

COUNTY COUNCIL COMMENTS:

- 1.) Councilman Pitts expressed his appreciation towards all involved with the recent Bailey Manor exploit; all of the residents were removed from the building in eight (8) minutes, this goes to show where practice matters. It is true that multiple agencies were there and were working together for the good of the people.
- 2.) Councilwoman Anderson echoed the same sentiments that had been expressed over the Bailey Manor incident.
- 3.) Councilman Wood addressed the scholarship fund by saying, “This Council approved scholarship funding for Piedmont Tech and it could not have gone to a better cause than to help the residents of Laurens County to continue their education plus we know where the funds will be going”.

Reading from a recent article in the Laurens County Advertiser, “During the 2012-2013 fiscal year, 25.4 percent of all lottery proceeds went to the Education Lottery Account, while 64.5 percent went towards prizes, 7.1 percent went to commissions and incentives for retailers and 3 percent went to operating expenses. During the 2012-2013 fiscal year Presbyterian College received 1,128 scholarships in the amount of \$3,392,745 and Piedmont Technical College received 4,160 scholarships in the amount of \$5,925,742. Seems like that is a scholarship for all seniors that graduate high school. If we have all of this money coming back from the lottery system why do we have to take tax money from taxpayers here in the County?”

ADJOURNMENT – With no further action required by Council, Chairman Coleman adjourned the meeting at 6:10 P.M.

Respectfully Submitted,



Betty C. Walsh
Laurens County Clerk to Council