



MINUTES
JUNE 26, 2018 - 5:30 P.M.

LAURENS COUNTY COUNCIL
HILLCREST SQUARE – ADMINISTRATION BUILDING
CONFERENCE ROOM

ATTENDANCE:

COUNCIL MEMBERS PRESENT: County Council Chairman Joe Wood; County Council Members: Diane B. Anderson, Stewart Jones, Garrett McDaniel, Ted Nash and David Pitts.

COUNCIL MEMBERS ABSENT: Keith Tollison, Vice Chairman

COUNTY STAFF: - Laurens County Administrator, Jon Caime; Laurens County Clerk to Council Betty Walsh and Laurens County Attorney, Sandy Cruickshanks.

DEPARTMENT HEADS PRESENT: Magistrate Judge, Leesa Inabinette; Laurens County Finance Director, Lisa Kirk; and Laurens County Sheriff Don Reynolds.

PRESS: Iva Cadmus, WLBG Radio and Vic McDanald, *The Clinton Chronicle*.

SCHEDULED MEETING AGENDA ITEMS – 1.) Call to Order – Chairman Wood; 2.) Invocation – Councilman McDaniel; 3.) Pledge of Allegiance; 4.) Approval of Agenda – June 26, 2018; 5.) Approval of Minutes of Previous Meetings; a.) June 12, 2018 Committee Meeting; b.) June 12, 2018 Regular Meeting; c.) June 12, 2018 Budget Meeting; d.) June 14, 2018 Committee Meeting; 6.) Reports To Council: a.) County Council Committee report - Health, Welfare and Public Safety Committee; 7.) Old Business: a.) Continuance Resolution #2018-28 - Non Fire Funds; b.) Continuance Resolution #2018-29- Fire Funds; c.) School Resource Officer Contract with School District #55; d.) Resolution #2018-22 - Reimburse General Fund Balance from Future Bond Proceeds; 8.) New Business: a.) Code Officers Oath of Office; b.) “Hunter Industrial Park” Cell Tower Approval (Not located in the park); c.) Restoring Constitutional Governance Resolution #2018-30 - Councilman Jones; d.) GIS Servers Transfer Funds to #660 Fund Fiscal Year 2018/2019; e.) Laurens Emergency Management Grant Acceptance; f.) Resolution #2018-29 - Fire Bond Carry Over; 9.) Public Comment-Fifteen (15) Minute Period for Public Comment; 10.) County Council Comments; 11.) Executive Session-Contractual Dealing With Purchase of Real Estate; 12.) Adjournment.

MEETING NOTIFICATION – The requesting general public and Press were informed of the meeting in a timely manner. Postings of the Agenda were posted in County facilities on bulletin boards and also posted on the County Web Site.

CALL TO ORDER – Chairman Wood called the meeting to order and invited all to stand for the invocation and the Pledge of Allegiance. Councilman McDaniel provided the invocation.

PUBLIC COMMENT SIGN-UPS – None.

APPROVAL OF AGENDA – JUNE 26 2018 – Chairman Wood called for approval of the agenda with any additions or deletions.

Mr. Rob Russian, Director of Public Works asked for the addition of a Solid Waste Grant; Jonathon Coleman requested an economic development matter.

COUNCILMAN PITTS made the MOTION to approve the proposed agenda with the added items. COUNCILMAN MCDANIEL SECONDDING; VOTE 6-0.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS – COUNCILWOMAN ANDERSON made the MOTION to approve the minutes from the following meetings: June 12, 2018 Committee Meeting; June 12, 2018 Regular Meeting; June 12, 2018 Budget Meeting; June 14, 2018 Committee Meeting. COUNCILMAN PITTS SECONDING; VOTE 6-0.

REPORTS TO COUNCIL:

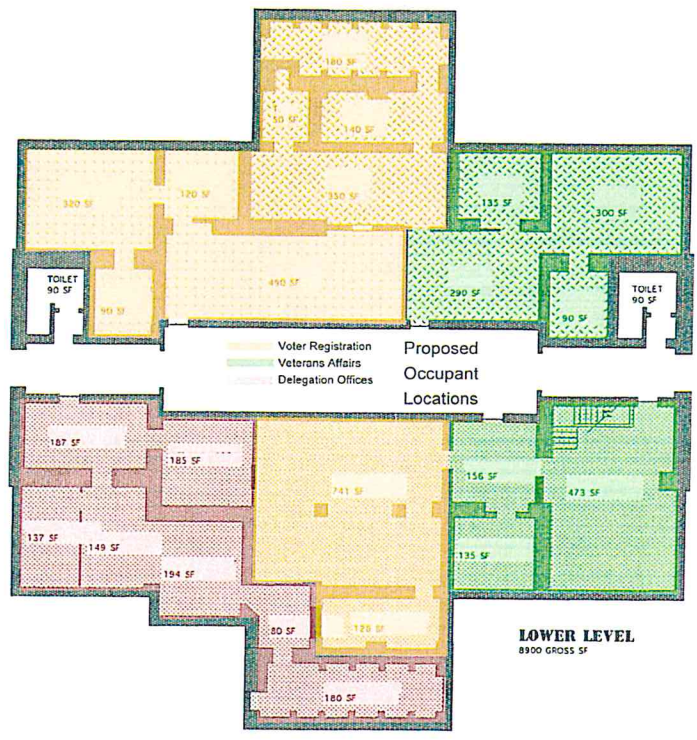
COUNTY COUNCIL COMMITTEE REPORT - HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

– Committee Chairman, Councilman Pitts informed the full Council that the Committee had met to discuss office moves within the Historic Courthouse and asked Administrator Caime to report the results of dialogue with Main Street Laurens. Administrator Caime confirmed that Main Street Laurens has closed on property and will be relocating soon.

Administrator Caime reviewed the proposed moves as determined by the Committee as follows:

<u>Current occupant</u>	<u>Proposed occupant</u>
Main Street Laurens	Veterans Affairs
Jeff Duncan	Veterans Affairs
Veterans Affairs	County Delegation (Pitts)





Councilwoman Anderson stated that she had much concern of the constant moving of County Offices and asked for Council to actually look at and evaluate the whole departmental structures with a plan.

As a MOTION and a SECOND from the COUNTY COUNCIL COMMITTEE, the full COUNCIL VOTED 5-0-1 (Councilwoman Anderson abstained).

OLD BUSINESS:

CONTINUANCE RESOLUTION #2018-28 - NON FIRE FUNDS – Attorney Cruickshanks said, “This is a continuance resolution that is required to be in place until the new budget is adopted. This is for the Fire Service”.

COUNCILMAN PITTS made the MOTION with COUNCILMAN MCDANIEL SECONDING; VOTE 6-0.

CONTINUANCE RESOLUTION #2018-29 - FIRE FUNDS - COUNCILMAN PITTS made the MOTION with COUNCILMAN MCDANIEL SECONDING; VOTE 6-0.

SCHOOL RESOURCE OFFICER CONTRACT WITH SCHOOL DISTRICT #55 – Administrator Caime stated that this is asking for approval of the six (6) School Resource Officers contract to be renewed. All costs will be reimbursed to the County by School District #55.

COUNCILMAN MCDANIEL made the MOTION to approve with COUNCILMAN PITTS SECONDING; VOTE – 6-0.

RESOLUTION #2018-22 - REIMBURSE GENERAL FUND BALANCE FROM FUTURE BOND PROCEEDS – Attorney Cruickshanks stated that this is a required resolution allowing to recover the funds initially used by the general fund from the bond. Administrator Caime said, “Council decided at an earlier meeting to move forward by using some of the reserves to go ahead and secure repairs to the Hillcrest roof and

HVAC. When Council does finally decide on the EMS Headquarters and issues a bond. The reserve costs made now can be reimbursed by the bond. I would like to hire a professional to give us an official estimate on the costs rather than us guessing what the costs would be. I would like to be able to tell you that we have enough in the reserves to be able to not recoup the funds but, that is not the case”.

COUNCILMAN PITTS made the MOTION with COUNCILMAN MCDANIEL SECONDING; VOTE 6-0

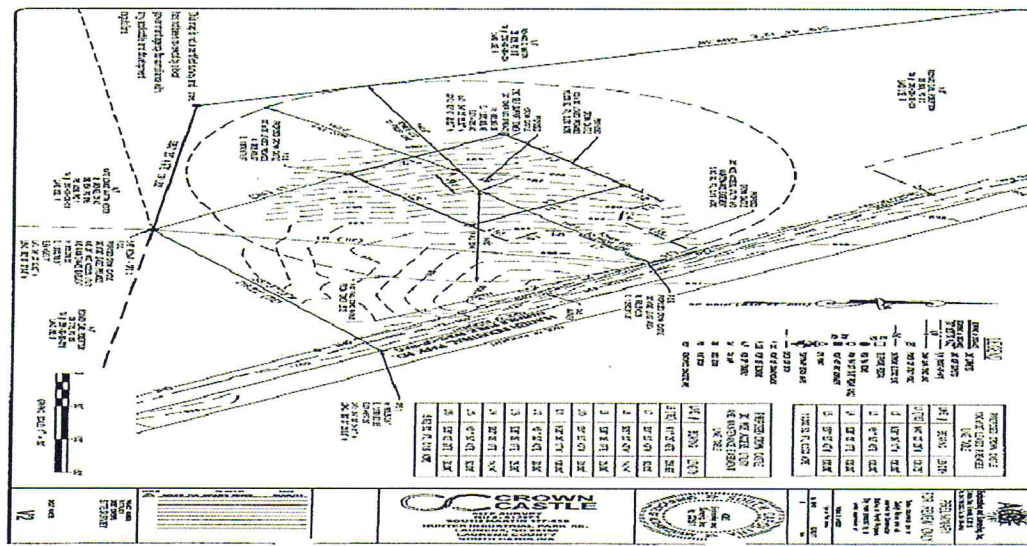
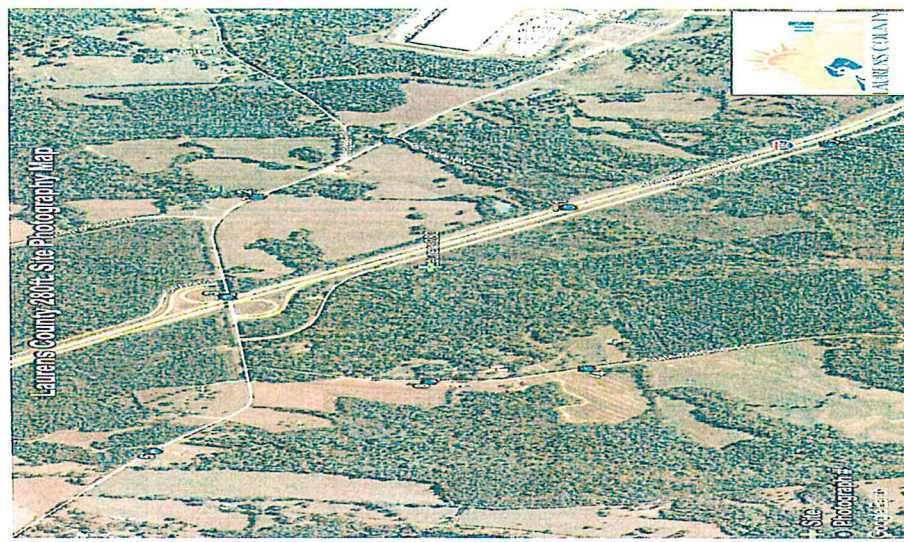
NEW BUSINESS:

ADDED AGENDA ITEM – ECONOMIC DEVELOPMENT – Jonathan Coleman, Executive Director, Laurens County Development Corporation, said, “We are working on a grant proposal and part of this requires the County Administrator to sign a letter blessing the application that we make. This is a three hundred thousand dollar (\$300,000) grant by the South Carolina Department of Commerce for sewer upgrades in the industrial park in Owings”.

COUNCILWOMAN ANDERSON made the MOTION to approve the request allowing Administrator Caime to sign necessary documents towards this grant; COUNCILMAN PITTS SECONDING; VOTE 6-0.

CODE OFFICERS OATH OF OFFICE – County Attorney Cruickshanks asked for Angelo Pignata, Candia Iusti and Jeffrey Norwood to come forward to be sworn in as Code Officers with the County Building Codes and Inspection Department.

“HUNTER INDUSTRIAL PARK” CELL TOWER APPROVAL (NOT LOCATED IN THE PARK).



Codes Official Chuck Bobo said, "This is for replacing the present tower with a new cellular tower at the Hunter Industrial Park on Robertson property on Metric Road".

COUNCILMAN PITTS made the MOTION to approve the cellular tower request as presented with COUNCILMAN MCDANIEL SECONDING; VOTE 6-0.

RESTORING CONSTITUTIONAL GOVERNANCE RESOLUTION #2018-31 - Chairman Wood stated "I have read the requested Resolution with research on the matter and basically this is saying that in 2012 President Obama put into law, that someone could be arrested without just cause. This is against the Constitution".

Having requested the Resolution be presented and approved by Council, Councilman Jones said, "Several years ago, I brought before Council the dangers of what was going on within the Federal Government with the passing of the 2012 National Defense Bill. Those provisions actually infringed on the fifth, sixth and fourteenth amendments to the Constitution. Last week actually was the eight hundred third (803) anniversary of the signing of the Magna carter. This was actually written and signed by a King. I have watched the Senate for the last six (6) years and this is completely unacceptable for this to continue. This Resolution calls on our State Legislators to recognize the duty of South Carolina to impose itself when there are unconstitutional use by our Federal Government. It also calls on our Congressional Delegation to repeal immediately the unconstitutional in 1021 and 1022."

Councilman Jones introduced Mr. Dan Johnson, from Atlanta, Georgia to speak with Council on this issue. It allows the President or any of his designees to designate someone a terrorist and to detain them without a charge. He is the founder of three (3) non-profits, one of which is *PANDA*.

Mr. Johnson spoke briefly saying, "Congress actually forced President Obamas hand on approving this. This Bill actually violates the first, fourth, fifth, sixth, ninth, tenth and fourteenth amendment. These are fundamental rights and you as a County Council have the duty to defend and protect the Constitution". A copy of his material handed out is attached and is to be considered part of these minutes.

Attorney Cruickshanks asked that he be allowed to respond to the Resolution as to the legality. Attorney Cruickshanks said, "This Resolution asks this Council to declare something unconstitutional. This Council has

no authority to declare this unconstitutional; that is a judicial function. This Council should not infringe on the judicial functions. I ask does this Council have the right to declare something unconstitutional". Mr. Johnson replied, "Not only a right but a duty to do so. Each one of you took an oath to defend and protect the Constitution of the United States".

Chairman Wood stated that we are not going to make this argumentative. We have our County Attorney here tonight and this Council needs to listen to what he has to say". Attorney Cruickshanks asked for Council to remove the following portion of the requested Resolution:

BE IT RESOLVED, that notwithstanding any treaty, federal, state, or local law or authority, enacted or claimed, including, but not limited to, an authorization for use of military force, national defense authorization act, or any similar law or authority enacted or claimed by Congress or the Office of the President directed at any person in Laurens County who is not serving "in the land or naval forces, or in the Militia, when in actual service in time of War or public danger," it is unconstitutional, and therefore unlawful for any person to:

- a. arrest or capture any person in Laurens County with the intent of "detention under the law of war," or*
- b. actually subject a person in Laurens County to "disposition under the law of war," or*
- c. subject any person to targeted killing in Laurens County; and be it further*

COUNCILWOMAN ANDERSON made the MOTION to take no action at this time allowing table this Resolution until it is further reviewed by Staff. COUNCILMAN MCDANIEL SECONDING for further discussion.

Councilman Nash asked Mr. Johnson what his credentials were and what gave him the right to come to this Council telling us what to do. Mr. Johnson replied, “It is not so much a right for me to come in here and tell you what the law is. First of all, the Resolution you have before you was written by Council Richard D. Frey of Yale. If the law is written in such a language that the commoner could not understand, that was a problem within itself. While I am a national director of an organization that has asked this same request from coast to coast. And I am but a citizen that I present to you that our government creates and should operate by the will of the people.

COUNCIL VOTED 6-0.

GIS SERVERS - TRANSFER FUNDS TO #660 FUND - FISCAL YEAR 2018/2019 - Administrator Caime stated that no action was taken by Council during the budget deliberations towards this. Council needs to approve moving these funds (\$54,000) forward allowing for the purchase of the three (3) GIS servers.

COUNCILMAN PITTS made the MOTION to approve the requests to transfer the remaining funds from the 2017-1018 budget to the capital #600 account. COUNCILMAN MCDANIEL SECONDING; VOTE 5-0-1 (Councilwoman Anderson abstained).

LAURENS EMERGENCY MANAGEMENT - GRANT ACCEPTANCE - Administrator Caime informed Council this was a sixty thousand dollar (\$60,000) State grant.

COUNCILMAN MCDANIEL made the MOTION to approve with COUNCILMAN PITTS SECONDING; VOTE 6-0.

RESOLUTION #2018-30 - FIRE BOND CARRY OVER - Administrator Caime explained that this was bond monies used to repair fire stations and to build the fire station and has a remaining balance of seven hundred sixty seven thousand, six hundred ninety eight dollars (\$767,698).

COUNCILWOMAN ANDERSON made the MOTION to approve with COUNCILMAN JONES SECONDING; VOTE 6-0.

ADDED AGENDA ITEM – Public Works Director Rob Russian briefed Council on the final confirmation from the Department of Health and Environmental Control (DHEC) towards grants applied for by Mr. Chris Gurga. This is a total of four (4) grants totaling one hundred ten thousand seven hundred eighty dollars (\$110,780). This is a couple of thousand dollars short of what was received last year but well above from the previous years. As part of the budget submission back in February, I put in fifty thousand dollars (\$50,000) for expenses and revenue. Now that we have the actual amount, I would like for the amount to be changed from fifty thousand (\$50,000) to the one hundred ten thousand seven hundred eighty dollars (\$110,780). There is no net effect on the budget with no matching funds required and is a one hundred percent (100%) grant monies. I wish for Council to amend this years budget to accommodate these grant monies.

COUNCILWOMAN ANDERSON made the MOTION to approve amending this years budget to include the one hundred ten thousand seven hundred eighty dollars (\$110,780) with COUNCILMAN MCDANIEL SECONDING; VOTE 6-0.

PUBLIC COMMENT – None.

COUNTY COUNCIL COMMENTS: Also,

- a.) Councilwoman Anderson addressed pending actions of the State General Assembly School Resource Officers and that Council needs to be tuned in to this matter. Also, Councilwoman Anderson asked for Council to consider actions towards declaring a given summer month as a vacation month for Council. And, that she had been talking with several other County Council Officials that are considering putting this option in place with their Council.

- COUNCIL COMMITTEE ASSIGNMENT – Chairman Wood assigned the County Council Committee on Planning and Intergovernmental Affairs – Council Members Anderson, Jones and Pitts - the task of reviewing and determining and actions needed to be taken.
- b.) Councilman Jones thanked Council for their stand on the Resolution presented tonight and that he would work with the County Attorney towards changing some of the wording.
- c.) Chairman Wood recognized Mr. Jeff Carroll in the audience as having won the election for County Council District #5.

EXECUTIVE SESSION – PERSONNEL MATTER– Chairman Wood asked for a motion at 6:30 P.M. to move into Executive Session for an employment matter. COUNCILMAN PITTS made the MOTION to move into executive session with COUNCILMAN MCDANIEL SECONDING; VOTE 6-0.

There was a COUNCIL CONSENSUS (6-0) to reconvene in open session at 6:45 P.M. Chairman Wood reported that no action was taken.

ADJOURNMENT – With no further business to conduct, Chairman Wood adjourned the meeting at 6:50 P.M.

Respectfully Submitted,


Betty C. Walsh
Laurens County Clerk to Council