

MINUTES

LAURENS COUNTY COUNCIL AUGUST 12, 2008 LAURENS COUNTY HISTORIC COURTHOUSE COUNTY COUNCIL CHAMBERS

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

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

PRESS: Bristow Marchant, *The Clinton Chronicle*; B.J. Riley, *The Laurens County Advertiser*; Amanda Capps, GoLaurens.Com; Hope Todd, WLBG-Radio

SCHEDULED MEETING AGENDA ITEMS - ① Approval of Agenda, July 12, 2008; ② Approval of Minutes from July 22, 2008 regular session; ③ Award Presentation – “State Veterans Affairs Officer of the Year”; ④ Public Hearing – Laurens County Ordinance #663 – “An Ordinance to Sell and Convey Real Estate Containing Not More Than .134 Acres (5,848 Square Feet) For the Expansion of Stagecoach Road.”; ⑤ Third Reading Approval, Laurens County Ordinance #663; ⑥ Public Hearing – Laurens County Ordinance #664 - entitled “An Ordinance to Sell and Convey Real Estate Containing Not More Than .5 Acres for the Development of a Bail Bonding Company”; ⑦ Third Reading Approval, Laurens County Ordinance #664; ⑧ Public Hearing - Laurens County Ordinance #666 - which is “An Ordinance Providing for the Transfer of Authority for Conducting the City of Laurens Municipal Elections to the Laurens County Registration Election Commission; ⑨ Third Reading Approval, Laurens County Ordinance #666; ⑩ Approval of a Resolution in honor of State Representative Adam Taylor upon his retirement from the South Carolina General Assembly; (11) Discussion of Appointments to the Laurens County Board of Assessment Appeals; (12) Second Reading Approval, Laurens County Ordinance #667, which is “An Ordinance To Provide for the Issuance and Sale of a Not Exceeding Seven Hundred Seventy-Five Thousand Dollars (\$775,00) General Obligation Bond, Series 2008 of Laurens County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended To Provide For The Payment Thereof and Other Matters Relating Thereto”; (13) Administrative Briefing – Contact with Blake Taylor of the South Carolina Department of Corrections concerning a meeting with the Laurens County Council Committee on Criminal Justice to discuss issues related to the Laurens County Johnson Detention Center;

MEETING NOTIFICATION - The County Council Members and the Press were informed of the meeting in a timely manner.

CALL TO ORDER – Councilman Coleman called the August 12, 2008 meeting of Laurens County Council to order at 5:30 P.M. in the Council Chambers in the Courthouse located on the Public Square in Laurens. Chairman Coleman then invited all to stand for the delivering of the invocation by Councilman; everyone continuing standing for the Pledge of Allegiance.

APPROVAL – AGENDA – AUGUST 12, 2008 – COUNCILMAN MCDANIEL made the MOTION to approve the Agenda with any additions; SECONDED by VICE CHAIR ANDERSON. Noted additions to the agenda were: Report on Old Laurens Road bids by Scott Holland and First Reading Ordinance #668, Project Picture by Sandy Cruickshanks; VOTE 7-0.

APPROVAL – MINUTES – JULY 22, 2008 – COUNCILMAN NASH made the MOTION to approve the minutes from the July 22, 2008 meeting with VICE CHAIR ANDERSON SECONDDING; VOTE 7-0.

AWARD PRESENTATION – “STATE VETERANS AFFAIRS OFFICER OF THE YEAR” – State Representative Mike Pitts along with Fred Gillespie, Commander of the Disabled American Veterans and State Representative Jeff Duncan collectively presented the “State Veterans Affairs Officer of the Year Award” to Carey Bolt, Laurens County Veteran Affairs Officer.

Commander Gillespie said, “As a veteran and being involved with the DAV, I know firsthand the struggle that veterans have to fight every day. As a chapter service officer and a disabled veteran, I have firsthand knowledge of the problems that veterans face and I know the fight that a veteran has to endure to get help from the VA. My contribution is very small in comparison to one person in Laurens County that sees and hears this battle every day. He is the one person who will not take no for an answer for our veterans and by doing so has set new standards for South Carolina Veterans. This award goes to the South Carolina Veterans’ Affairs Officer who has assisted veterans of his county in an exemplary manner and has cooperated with the DAV of the state for the betterment of all of the state’s veterans.”

Council Chairman Coleman stated, “Speaking on behalf of this Council, we are proud of the job that Mr. Bolt has provided. Although there are times when we do disagree, we do stand behind this Office.”

Also in attendance was Mr. LeVake Cauble who stated, “I have been involved for many years with the South Carolina Disabled American Veterans and each year this award is presented. I must say, Carey Bolt is one of the best ever to receive this award. I congratulate him for everything that he has done for Laurens County and its Veterans. The van was obtained along with the financial assistance of Council. Transportation is usually provided by the State Office but the individual attention given to our veterans needs to be commended.”

Mr. Bolt expressed appreciation from the DAV and stated that he wanted to share the award with his staff for their full support within the office and with County Council for the financial help; the County Delegation for their help with all of the red-tape.

PUBLIC HEARING - ORDINANCE #663 - “AN ORDINANCE TO SELL AND CONVEY REAL ESTATE CONTAINING NOT MORE THAN .134 ACRES (5,848 Square Feet) FOR THE EXPANSION OF STAGECOACH ROAD.” - Chairman Coleman opened the floor for public comments as it related to Ordinance #663 at 6:40 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 6:41 P.M.

THIRD READING - ORDINANCE #663 - “AN ORDINANCE TO SELL AND CONVEY REAL ESTATE CONTAINING NOT MORE THAN .134 ACRES (5,848 Square Feet) FOR THE EXPANSION OF STAGECOACH ROAD.” - VICE CHAIR ANDERSON made the MOTION to approve Ordinance #663 upon third reading with COUNCILMAN TRIBBLE SECONDING; VOTE 7-0.

PUBLIC HEARING - ORDINANCE #664 - “AN ORDINANCE TO SELL AND CONVEY REAL ESTATE CONTAINING NOT MORE THAN .5 ACRES FOR THE DEVELOPMENT OF A BAIL BONDING COMPANY”

Chairman Coleman opened the floor for public comments as it related to Ordinance #664 at 6:43 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 6:44 P.M.

THIRD READING - ORDINANCE #664 - “AN ORDINANCE TO SELL AND CONVEY REAL ESTATE CONTAINING NOT MORE THAN .5 ACRES FOR THE DEVELOPMENT OF A BAIL BONDING COMPANY” -COUNCILMAN TOLLISON made the MOTION to approve Ordinance #664 upon third reading with COUNCILMAN NASH SECONDING; VOTE 7-0.

PUBLIC HEARING – ORDINANCE #666 – “PROVIDING FOR THE TRANSFER OF AUTHORITY FOR CONDUCTING THE CITY OF LAURENS MUNICIPAL ELECTIONS TO THE LAURENS COUNTY REGISTRATION / ELECTION COMMISSION – Chairman Coleman opened the floor for public comments as it related to Ordinance #666 at 6:46 P.M. Having no one wishing to address Council, Chairman Coleman closed the public hearing at 6:47 P.M.

THIRD READING - ORDINANCE #666 – “PROVIDING FOR THE TRANSFER OF AUTHORITY FOR CONDUCTING THE CITY OF LAURENS MUNICIPAL ELECTIONS TO THE LAURENS COUNTY REGISTRATION / ELECTION COMMISSION - COUNCILMAN TRIBBLE made the MOTION to approve the request as an ordinance with VICE CHAIR ANDERSON SECONDING; VOTE 7-0.

RESOLUTION – STATE REPRESENTATIVE ADAM TAYLOR – Administrator Segars read the proposed Resolution. VICE CHAIR ANDERSON made the MOTION to approve the Resolution as written with COUNCILMAN TOLLISON SECONDING; VOTE 7-0.

DISCUSSION – LAURENS COUNTY BOARD OF ASSESSMENT APPEALS APPOINTMENTS – Administrator Segars informed Council that due to the reassessment, there may be a small number of appeals from the public and that the Assessment Appeals Board will need to be called upon by the Assessor.

A roster of the present Board was presented to Council and Chairman Coleman requested for Council to review the roster and to be prepared to implement re-appointments or approve new appointees.

Chairman Coleman indicated that he had spoken with Marvin Cartee and that he was receptive to re-appointment from his district.

SECOND READING, ORDINANCE #667 - “AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$775,000) GENERAL OBLIGATION BOND, SERIES 2008 OF LAURENS COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED TO PROVIDE FOR THE PAYMENT THEREOF AND OTHER MATTERS RELATING THERETO” – In attendance were Presbyterian College President John Griffith, Dr. Bob Staton, Co-Chairman of the Transition Team and Dr. Richard Stull, Director of the Pharmacy School. Dr Griffith appeared before Council to address the proposed Pharmacy School and the proposed program of work.

Dr. Griffith said, “Several years ago, pharmacy educators came to see me and to talk about the needs of the Upstate of South Carolina as it relates to pharmacy needs and how it relates nationwide. Each region of the nation is given a one to five scale and scale five is considered critical need. The South East Region has the highest rank within this scale. A pharmacy school is a four year doctorate program. In order to do this, we would bring in thirty five (35) new employees; thirty (30) would be faculty and public administration with support staff. Our motto is to prepare people for the community. One of the things I learned is that the students are required to experience learning. The four-year curriculum is nine different vocations and we believe that Laurens County is well positioned to provide this educational training and to support the Pharmacy School as a whole. This will be a steep mountain to climb and within the next four years we will need seven million dollars to make this work. Frampton Hall is an ideal location and we are reassured that the employees would live in Laurens County. Sixty percent of the student would be married and with children.”

Councilman McDaniel stated that he keeps hearing if it is located here, and asked if the decision to locate here has not been determined. Dr. Griffith replied that the Board of Trustees passed a Resolution that if the proposal to the City of Clinton and the County of Laurens passed that they would support the project.

Mrs. Margaret Pope of the Pope and Zeigler Law Firm, representing bond attorney, appeared before Council to address the proposed Ordinance and to answer any questions posed by Council. Attorney Pope said, “This request was given to me in the form of a memorandum of understanding. The amounts needed were \$1.5 million which was to be divided up between Laurens County (\$750,000) and the City of Clinton (\$750,000). In speaking with the County Administrator and the County Attorney, the best way to accomplish this is with a general obligation bond which is a simple instrument that is purchased by a bank with a pay back over five to six years considering that the value of a mill is one hundred fifty thousand dollars (\$150,000). Solicitation from all banks will be implemented with the dollars used as per the provisions within the ordinance, which is laid

out simply and orderly. The points of law as it relates to public funds for religious uses, the County will be providing their funds to the City of Clinton and then on to the Clinton Economic Development Association; and all will be deeded in the name of the Development Corporation. It can not be held in the name of Presbyterian College. This is a very similar to the economic development bonds solicited for ICAR.....the property can not be owned by a private institution...but, when the bonds mature it could then be deeded to Presbyterian College if Presbyterian College agrees that no religious courses or affiliations will be implied with the Pharmacy School. This is just one step in the process. Would you want that if the property is not used for the Pharmacy School that the property be reverted back to the Development Association?"

Councilman Wood questioned the publication of the public hearing and third reading before the second reading. Attorney Pope assured Council that the present ordinance would not be changes prior to the third reading and that there has to be fifteen days between second reading and a published public hearing. Attorney Cruickshanks added that a public hearing can be published any time prior to third reading and understandably this was not a traditional process this Council has used.

Councilman Wood replied that Council is trying to expedite this process with no comments or changes being made. Attorney Cruickshanks replied that drafting changes to any ordinance can be made prior to third reading and that the document provided to Council has been through numerous drafts prior to Council receiving it.

Councilman Nash questioned if the county procurement process was implemented towards the bidding process? Administrator Segars replied that no formal procurement process was implemented because the procurement code does not require a competitive bid for professional services. Attorney Cruickshanks replied that he personally made several phone calls to various bonding firms and concluded that Pope and Ziegler would best suit the needs of Laurens County and that all costs are included within the ordinance.

Councilman Nash asked why the Clinton Development Corporation or the County Economic Development Corporation was not asked for assistance.

Councilman McDaniel questioned what the total endowment for Presbyterian College was. Dr. Griffith replied ninety million dollars (\$90,000,000) which are donor restricted funds and can only be used for scholarships and existing faculty salaries; we have five million dollars (\$5,000,000) in unrestricted endowments for operations.

Councilman McDaniel said, "As a member of this Council, when it comes to economic development, this is non-traditional. When it comes to County Council and budgets and non-profit organization, at one time there was twenty one (21) agencies that this Council contributed funds to; we have given property away to agencies that promised a program for the property and to date nothing has been done. We have contributed thousands of dollars to non-profit agencies here in Laurens County that has been mismanaged and threatened us with going gout of business if we did not support them. Our charge was to vote our conscience and our wishes. The reason I asked about the endowment was that we have never contributed to any school or college. I am one hundred percent for education. When the students walk away from PC they will walk away into sizeable salaries and areas. When it comes to education this is a separate agency and there are school taxes for this. Seven hundred fifty thousand dollars (\$750,000) is not a lot of money to some people. The outcome of this is not hinged on what this County Council does now. The question is, is it a necessity and will it have an impact; not based on what this Council does."

Councilman Tribble asked what the economic benefits that ICAR will have on the upstate. Attorney Pope replied that she did not have any statistics

Chairman Coleman stated that this is a controversial issue and all have had their say and all will have their voted. There are other important issues in Laurens County to argue about and I ask that each vote their conscience and I hope that the votes are in the best interest of the County.

COUNCILMAN TRIBBLE made the MOTION to approve Ordinance #667 upon first reading as presented. VICE CHAIR ANDERSON SECONDING for discussion.

Councilman Nash said, "In my opinion with Ordinance #667, it is good to have the possibility of the Pharmacy School coming to Laurens County. But, County Government is to provide services for the taxpayers. The way to provide these services is for this Council to continue to build the reserve funds; this was also advised by our Auditors. We need to help our employees by seriously considering the pay issues and the things they need to conduct these services. This is not a normal fee-in-lieu-of-taxes request but is all about borrowing seven hundred fifty thousand dollars. We are asked to approve bond indebtedness so that the City of Clinton can purchase an older building for its use by Presbyterian College. All Laurens County taxpayers will be paying

for this bond. This is taxpayer's money. The government can not be the same to all. I fell it more important to help our employees by bringing their salaries up to the mid range noted in the salary study. Remember government has no money and is what it is as it taxes money from the people. I do not support borrowing this money. This is not a taxable project"

Councilman Wood said, "Why is it that the Chairman always starts on this end of the table allowing Councilman Tribble the last voice. I ask, who wrote this ordinance? I have read it three times and still think it is a joke on the behalf of the taxpayers of Laurens County. It was written for the City of Clinton and not for Laurens County. On page two, item number seven, the only time that it mentions Clinton actually contributing to this was where it states that they will contribute a similar sum. A similar sum could be just a dollar. On page three, item "i" religious activities...just who are we trying to fool by saying that no religious type of activity can be conducted within the school. With this, we are taking prayer out of school now. There are all kinds of estimates in this document with no true facts. The legal fees, I understand now that fifteen thousand (\$15,000) of these monies will be going to Attorney Pope; and at first I was told it would be twenty five thousand (\$25,000). We are going to exceed this ordinance in legal fees. There is absolutely nothing in this ordinance that provides a follow-up with this money. The early advertising was all done to expedite the process. Mrs. Pope spoke for five minutes telling us how we are going to break the laws of this state. We all were elected to this Council to provide services for the taxpayers of this County and not to give away tax money. If this was a true economic development project for the County it would bring a return back to the County Treasurer. We have spent thousands of dollars to develop the Laurens County Development Corporation. From the very start of this, it was handled selfishly by those for personal gain. This is nothing but a procedure to expand a business using tax payer dollars. This money will never be returned to the County Treasurer. This has been a project that has been held in private. There are several members on this Council that have been held in the dark and know nothing about it. The people in charge used their positions to get end results. Until this past week, I had nothing in writing about a building, estimates or impact studies; I had to ask for it. Three members of this Council were summoned to Clinton to discuss all of this. I know I will be told that what Clinton does is none of my business. You are coming to me asking me to sign my name for you to get close to a million dollars. The people of this County are struggling....you are forgetting about those that have not. This is not a time to raise taxes on the people of Laurens County. I am ashamed that this has come to this Council to take the taxpayers money."

Vice Chair Anderson said, "One of our missions on County Council is to bring about economic development....to improve the quality of life. To do this it is a required task to be creative, innovative and open to various types. This is a positive move and a positive change for Laurens Countywe all will be better in doing this. We need to have a vision for Laurens County."

Councilman Tribble said, "While Mayor of Clinton, we had new industry every year for about five (5) years. Many of these industries have fallen with financial problems. Avery Dennison has prospered.....Clinton Mill for many years incredibly prospered...the Torrington Company and Whitten Center were classified as major employers within the County. The point I am making is that it is all about business all of the time....there is nothing better than something started here and prospering here. In one hundred fifty years from now, I have no doubt in my mind that this Pharmacy School will still be here and prospering."

VOTE 4-3 (Council Members McDaniel, Nash and Wood were in opposition).

ADMINISTRATIVE BRIEFING – SOUTH CAROLINA DEPARTMENT OF CORRECTIONS – Administrator Segars informed Council that he had spoken with Mr. Blake Taylor of the South Carolina Department of Corrections concerning a meeting with the Laurens County Council Committee on Criminal Justice to discuss issues related to the Laurens County Johnson Detention Center. A meeting will be scheduled in the coming weeks.

BID RESULTS – OLD LAURENS ROAD – Administrator Segars informed Council that four (4) bids were received today with the low bid (\$1,240,407.85) being submitted by S&S Construction, Incorporated. The engineered estimate (\$1,750,000) was very close to the low bid submitted. This will complete the project for the area and present Owings with new rail, new crossing with lights, water and sewer.

Public Works Director Scott Holland indicated that the work should begin within thirty (30) to forty five (45) days.

ORDINANCE #668 – FIRST READING - “APPROVING AN AMENDMENT TO THE INFRASTRUCTURE FINANCE AGREEMENT AMONG LAURENS COUNTY AND “PROJECT PICTURE” DATED DECEMBER 1, 2007, TO PROVIDE FOR ADDITIONAL PROJECT INVESTMENT AND AN INCREASE IN INFRASTRUCTURE CREDITS; AND OTHER MATERS RELATED THERETO”- Attorney Cruickshanks informed Council that this was an amending ordinance addressing a financial agreement on an existing industry in Laurens County that is proposing an expansion of five (5) to six (6) million dollars. The expansion is looking at creating an additional seventy (70) jobs. The details regarding the project are not complete at this time but Attorney Cruickshanks recommended Council to approve this Ordinance upon first reading due to competition related to the project.

VICE CHAIR ANDERSON made the MOTION to approve Ordinance #668 upon first reading with COUNCILMAN TRIBBLE SECONDING; VOTE 7-0.

PUBLIC COMMENTS:

- 1.) Joe Brouillette –Owner and Operator of L&L Office Supply stated, “The proposed Pharmacy School would certainly be a help for my business as well as positive move for Laurens County. In listening to the discussions earlier, I felt like I was at a Laurens-Clinton football game. We have lost major industry and I certainly would hate to see this chain being broken by the Laurens County Council and all that it would do and create for Laurens County.”
- 2.) Ed Burns – Greenpond Community, “I hate it that the Presbyterian College Delegation left so early to hear these comments. I am a property owner in Laurens county and this is my tax dollars being spent. How can this Council, in all honesty, break the law by making a decision of this magnitude with no facts. This is breaking the law as it relates to Church and State. This will not bring that much money back to Laurens County. You are breaking the law....this can be written any way that you want to write it. I thank you Council Members for standing up for Laurens County. I am a volunteer fireman with the Greenpond Fire Department. You won't give us the money to operate our services but you will give it away to this school. The Sheriff's Department does not have enough manpower to offer services to the citizens and here you want to give the money to an institution that has money in excess. I know for a fact about the ambulance situation because I am on call until they can get an ambulance out to our location.”
- 3.) Tom Fry – “I am a retired Microsoft Engineer and I now volunteer with a Laurens County Rural Fire Department. Gentlemen, I ask that you think this through.....there are not enough ambulances in Laurens County to serve the people, especially in Northern Laurens County...Greenville County has to be called in to help serve the people. We have to scrimp and save to make things happen and this Council is giving things away. There is no true economic development happening in Laurens County.....look at all of the empty buildings in Laurens County. The College will not find the quality of people to go to the school from Laurens County. We have crack houses going on in our county and we can not get any action from the law enforcement. Please don't spend our money for Presbyterian College”.
- 4.) Alton Barrington – “I thank you for passing this Ordinance. We moved here fourteen years ago and we own a small business in Clinton. We love the City and the County. The school opens the doors for Laurens County by inviting students and their families here. These same people spend money here in Laurens County. Progress is being made here folks”.
- 5.) Ken Couser – “I have a housing rental business in Laurens County and if you think they are going to get your tax dollars they will. Looking at my reassessment notices, from what I paid in 2004 to 2008 is a one hundred sixty three percent (163%)increase, that is a lot of money; a one hundred thirty seven percent (137%) increase in market values on the rental properties.”

Having no one else wishing to address Council, Chairman Coleman closed the public session at 7:00 P.M.

COUNTY COUNCIL COMMENTS:

- 1.) Councilman Joe Wood – “Nothing said here is against Presbyterian College. I am not against the Pharmacy School coming to Clinton; I hope it does come to Clinton; my problem is that it is against the law to take tax money and give it to a private institution....a violation of church and state. In my opinion that is where it was going from the very start. This all started when Josh Kay and Randy Randall – the Mayor of Clinton and who also works for Presbyterian College came up with this idea; not Presbyterian College. Are we going to set a precedence here? This is nothing but a business expansion. Are we setting a precedence here for anyone that wants expand their business coming to Council asking for the money? The two ladies that wrote a letter to the editor, they just don’t know what is coming. We just gave Piedmont Tech some more money; reassessment is going to add to the taxpayers. The City of Clinton has already said that they were going to raise taxes help with this project; the residents of the City of Clinton pay county taxes too; this is double taxation. No one on Council against the school, just against the strategies and not including all on Council from day one.....only the present yes votes were privaledged.”
- 2.) Councilman Ted Nash – “Enough has been said. This is against the law to spend tax dollars on private institutions that are not for profit. PC can take some of the ninety million dollars and start the school. This is not the taxpayers problem and it is not right to our county employees to spend the money this way when they are needing better compensation. We are telling them that they have to wait.”
- 3.) Councilman Keith Tollison – “There is a point to be made here and I agree with Mr. Nash. Council, as a County, and how it relates to a school is important. If I was sitting on their side of the fence, I would ask, if they can spend a lot, why can’t we spend a little to invest in Laurens County by bringing this school to Laurens County. This is a non-traditional economic development project; and that does not mean that it is not an economic development project. As I have said before, we are looking at three hundred students and in excess of eighty jobs. We are here to provide services to Laurens County and we can not do it by ourselves. This is a non-traditional economic development project that will help.”
- 4.) Councilman Wood – “This is not the time to do this. On top of all this there is a forty million dollar referendum set for the City of Clinton. These people are already struggling to put bread on the table. This is not the time to do this.”

Chairman Coleman thanked all for their comments and stated that he regrets that this has become controversial project but it is in the best interest for Laurens County.

ADJOURNMENT – With no further business to conduct, there was a CONSENSUS to adjourn the meeting at 7:06 P.M.

Respectfully submitted,



Betty C. Walsh
Clerk to Council