



**MINUTES**  
**JANUARY 26, 2016**  
**LAURENS COUNTY COUNCIL**  
**HISTORIC COURTHOUSE – PUBLIC SQUARE**  
**COUNTY COUNCIL CHAMBERS**

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

**COUNCIL MEMBERS ABSENT:** None

**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 Rob Russian; Captain Tyson, Detention Center Administrator; Laurens County Fire Director, Gregg Lindley, Joey Avery, Laurens County E-911; and Laurens County Human Resources Manager, Debi Parker.

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

**SCHEDULED MEETING AGENDA ITEMS –DECEMBER 8, 2015 - 1.)** Call to Order Chairman Wood; **2.)** Invocation, Councilman Pitts; **3.)** Pledge of Allegiance; **4.)** Approval of Amended Agenda, January 26, 2016; **5.)** Approval of Minutes – January 12, 2016; **6.)** Public Hearing, Ordinance #805, "An Ordinance Authorizing And Ratifying The Transfer And Assignment Of Three Separate Fee In Lieu Of Tax Agreements And Rights Related Thereto By Emitec, Inc. To A Related Entity; The Continuation In Force Of Such Agreements Following Such Transfer; The Execution And Delivery Of An Agreement Requesting And Approving The Transfers By And Among The County, Emitec, Inc. And The Transferee; And Other Matters Related Thereto"; **A.)** Public Hearing, Ordinance #805, "An Ordinance Authorizing And Ratifying The Transfer And Assignment Of Three Separate Fee In Lieu Of Tax Agreements And Rights Related Thereto By Emitec, Inc. To A Related Entity; The Continuation In Force Of Such Agreements Following Such Transfer; The Execution And Delivery Of An Agreement Requesting And Approving The Transfers By And Among The County, Emitec, Inc. And The Transferee; And Other Matters Related Thereto"; **7.)** Preserving Lake Greenwood – Providing a Master Plan for Lake Greenwood, Phil Lindler, Director of Planning, Greenwood County; **8.)** Update, Laurens County Economic Development Corporation, Mr. Jonathan Coleman, ED; **9.)** Second First Reading, Ordinance #808, "An Ordinance (1) To Amend The Existing Master Agreement Governing The Octagon Industrial Park By And Between Laurens County, South Carolina And Greenville County, South Carolina, To Enlarge The Boundaries Of The Park To Include Certain Additional Property Located In Laurens County, South Carolina And Presently Owned And / Or Operated By D&W Fine Pack, LLC, And / Or More Of Its Affiliates Or Related Companies; (2) And Authorizing Other Related Matters"; **10.)** Second Reading, Ordinance #809, "An Ordinance To Exchange And Transfer Real Property With The City Of Laurens And All Other Matters Related Thereto"; **11.)** First Reading (title only), Ordinance #810, "An Ordinance Authorizing The Conversion Of A Fee In Lieu Of Ad Valorem Taxes Arrangement Under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, As Amended, Between Laurens County (The "County") And A Company Known To The County At This Time As Project Duo (The "Company") TO a simplified Fee In Lieu Of Ad Valorem Taxes Arrangement Under Title 12, Chapter 44 Code of Laurens Of South Carolina, 1976, As Amended; The Cancellation And Termination Of Certain Lase And Industrial Revenue Bond Documentation Between The County And The Company; The Conveyance By The County Of Related Property To The Company; And Other Matters Related Thereto."; **12.)** Discussion, "County Council Committee of the Whole", Program of Work involving the Laurens County Emergency Medical Services; **13.)** Discussion for clarification, fourth Tuesday meetings of County Council; **14.)** Administrative Report - County Administrator Ernie Segars; **15.)** 6:00 P.M. Public Comments; **16.)** Comments from Council Members; **17.)** Executive Session – **A.)** One (1) Employment Matter – position of County Administrator.

**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 their bulletin boards and also posted on the County Web Site.

As to the Amended Agenda, the general public and Press were informed of the Agenda in a timely manner as well as posting in County facilities on bulletin boards and the County Web Site.

**CALL TO ORDER** – Chairman Wood called the meeting to order at 5:30 P.M. and invited all to stand for the invocation and the Pledge of Allegiance. Councilman Pitts provided the invocation.

Chairman Wood reminded all attending that as a new procedure of Council, anyone wishing to address Council during the public comment segment, will be required to sign in prior to the meeting listing name and their subject matter.

**PUBLIC COMMENT SIGN UP** – It was declared at 5:32 P.M. by the Chairman that one (1), James Hayes, had signed in requesting time in the Public Comment session regarding Emergency Medical Services.

**APPROVAL OF AGENDA** – Chairman Wood called for approval of the Amended January 26, 2016 Agenda with any additions or deletions. VICE CHAIRMAN TOLLISON made the MOTION to approve the amended agenda as presented with any additions and / or deletions; COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.

**APPROVAL OF MINUTES** – COUNCILMAN NASH made the MOTION to approve the minutes from the January 12, 2016 regular session of Council with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

**PUBLIC HEARING, ORDINANCE #805, "AN ORDINANCE AUTHORIZING AND RATIFYING THE TRANSFER AND ASSIGNMENT OF THREE SEPARATE FEE IN LIEU OF TAX AGREEMENTS AND RIGHTS RELATED THERETO BY EMITEC, INC. TO A RELATED ENTITY; THE CONTINUATION IN FORCE OF SUCH AGREEMENTS FOLLOWING SUCH TRANSFER; THE EXECUTION AND DELIVERY OF AN AGREEMENT REQUESTING AND APPROVING THE TRANSFERS BY AND AMONG THE COUNTY, EMITEC, INC. AND THE TRANSFEREE; AND OTHER MATTERS RELATED THERETO"** – Chairman Wood opened the public hearing at 5:35 P.M.

Attorney Tom Martin of the McNair Law Firm said, "This project Emitec has implemented three (3) Fee-In-Lieu-of-Taxes over the years with the first two being of the title transfer type and the most recent one being of a non-title transfer. Emitec is now owned by parent company Continental Tire and is going through a corporate rearrangement allowing them to be a corporate division and not just a subsidiary industry. They want to keep all of the three (3) fee arrangements in place. They are simply asking Council to now approve transferring the fee from the subsidiary to the corporate name".

Having no one else wishing to address Council, Chairman Wood closed the public hearing at 5:36 P.M.

- A.) **THIRD READING, ORDINANCE #805, "AN ORDINANCE AUTHORIZING AND RATIFYING THE TRANSFER AND ASSIGNMENT OF THREE SEPARATE FEE IN LIEU OF TAX AGREEMENTS AND RIGHTS RELATED THERETO BY EMITEC, INC. TO A RELATED ENTITY; THE CONTINUATION IN FORCE OF SUCH AGREEMENTS FOLLOWING SUCH TRANSFER; THE EXECUTION AND DELIVERY OF AN AGREEMENT REQUESTING AND APPROVING THE TRANSFERS BY AND AMONG THE COUNTY, EMITEC, INC. AND THE TRANSFEREE; AND OTHER MATTERS RELATED THERETO"** – COUNCILMAN PITTS made the MOTION to approve Ordinance #805 upon second reading as provided with COUCNILWOMAN ANDERSON SECONDING; VOTE 7-0.

**PRESERVING LAKE GREENWOOD – PROVIDING A MASTER PLAN FOR LAKE GREENWOOD,**

**PHIL LINDLER, DIRECTOR OF PLANNING, GREENWOOD COUNTY** - Mr. Lindler, Program Director for the “Preservation of Lake Greenwood”, appeared before Council to provide a brief overview of their current proposed Lake Greenwood Master Plan.

Mr. Lindler began by saying, “I am here tonight to present to you the Master Plan that we discussed about a year ago. This Master Plan is to be considered a comprehensive study of the Lake Greenwood waters as well as the surrounding properties and lake users within a three (3) County region – Greenwood, Laurens and Newberry. Specifics relate to natural resources, environment, tourism, infrastructure and economic development with input from users and non-users of the lake, as well as agencies like the Greenwood Commission of Public Works, Laurens Water and Sewer Commission, neighborhood associations and Regional Tourism and Visitors Bureau”.

Mr. Lindler said, “Greenwood County has adopted the Plan, however, if Laurens County sees anything they wish to add or change, they are welcomed to do so. This Plan was developed by the Orion Planning Group, the Matheny-Burns Group and Arnett Muldrow and Associates. The main study area is shown by the data collected in March of 2015”.

Below are excerpts of the PowerPoint presentation presented by Mr. Lindler:

Initial Questions

What characteristics make Lake Greenwood a special place?

What are the long-term challenges and opportunities facing Lake Greenwood?

What are the assets that must be preserved for the future of Lake Greenwood and its users?

What are the key goals that should direct this project?

Focus Areas

Environment – Make Lake cleaner, protect sensitive areas from development and reduce sedimentation.

Community facilities / services – Make Lake safer and more accessible; expand opportunities for recreation, trails and open space and increase awareness of public events, recreation and fishing opportunities.

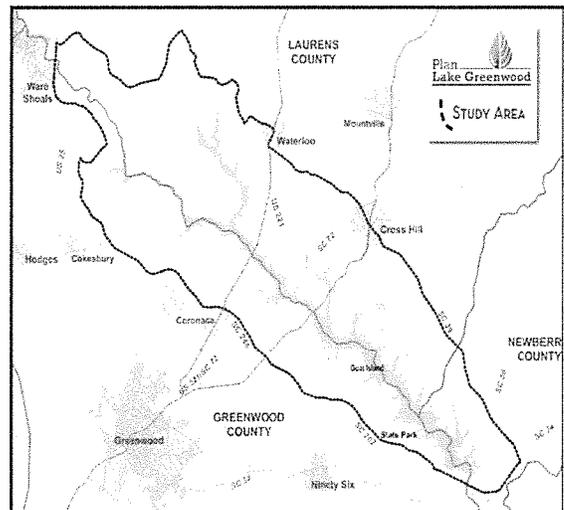
Land use / design – Create a cohesive identity for the lake; plan for new growth through coordinated efforts; create coordinated wayfinding signage for the Lake area; establish guidelines for commercial development.

The economy – Grow the economy in ways that support lake living, recreation and tourism; Create a focalpoint for economic development by defining SC Highway #72 as “Main Street of the Lake or “Lake Greenwood Boulevard.

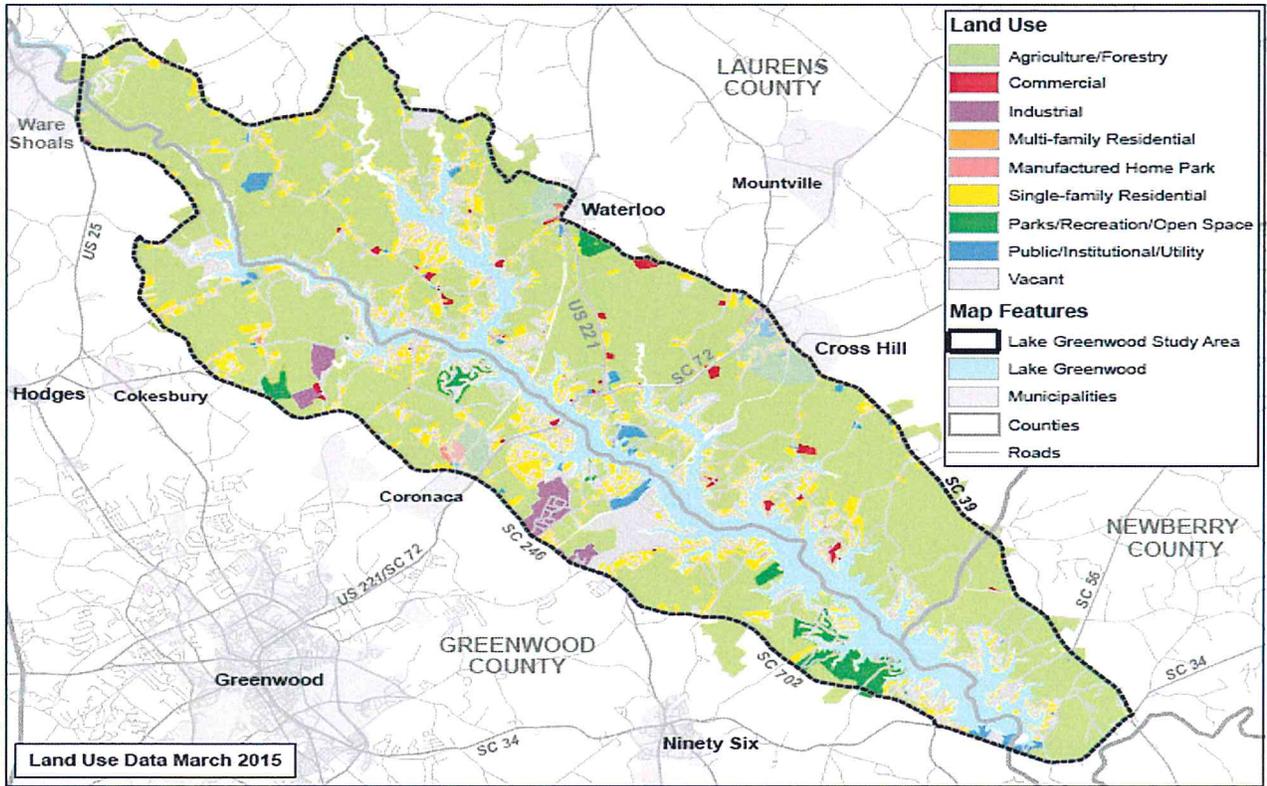
Transportation - Create a coordinated multi-modul transportation network; maintain and improve existing roadways and create a newwork of bikeways and off-road multi-use pedestrian network.

Intergovernmental coordination – Support and promote coordinated use and development of the Lake and Lake area; Create a shared management structure to address the needs and impacts of the Lake area by adopting a Master Plan by the three counties, create an interjurisdictional board to focus on issues related to the Lake and advisory to the governing bodies, develop partnerships between local governments and public agencies.

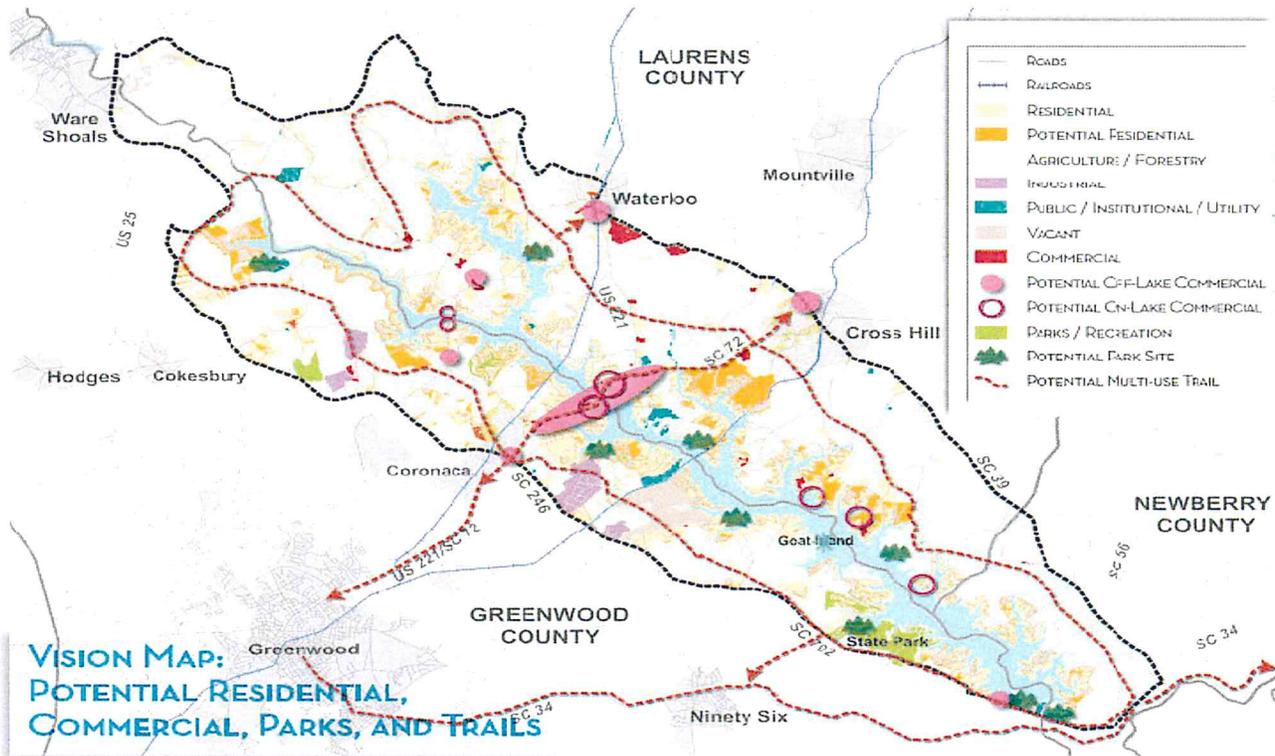
Study Area



LAND USE DATA FROM MARCH 2015



VISIONS MAP – POTENTIAL DEVELOPMENT

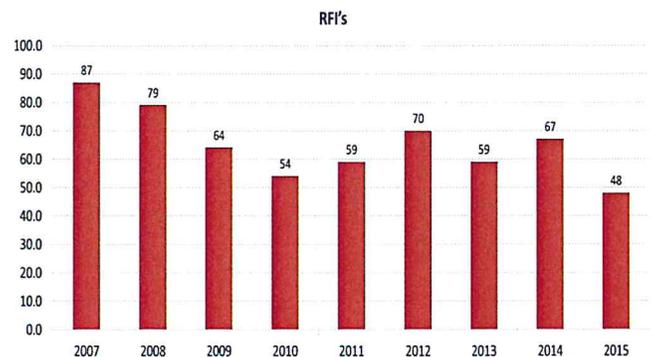
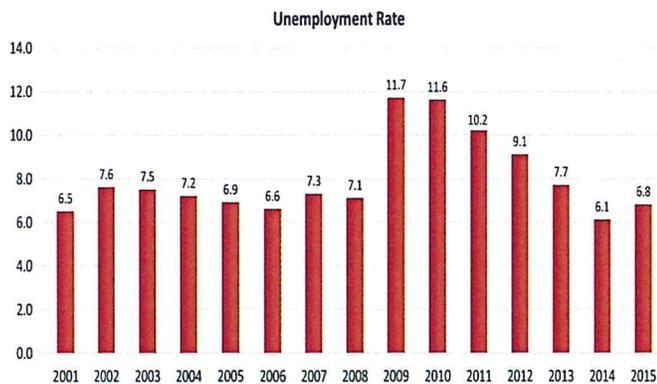
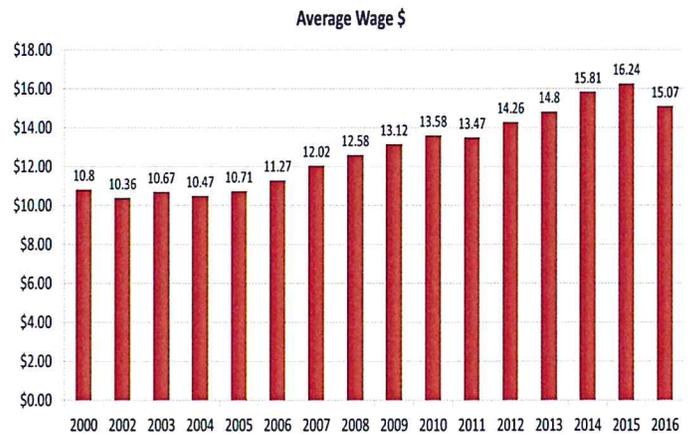
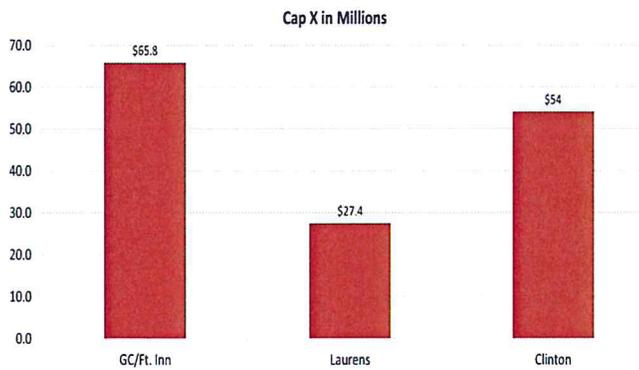
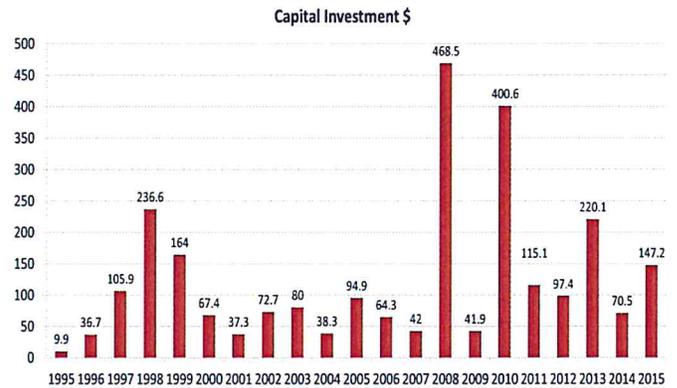
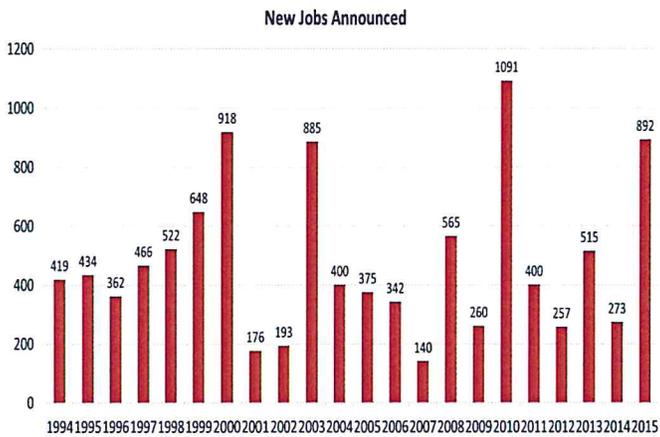


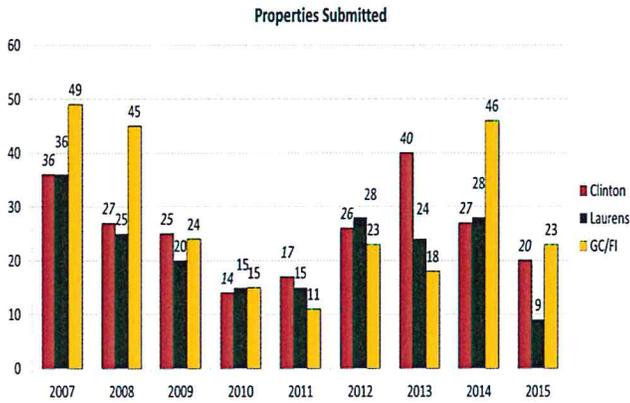
Chairman Wood asked if Newberry County had adopted the plan? Mr. Lindler replied that they had not yet but the Plan would be presented to them within the next couple of weeks.

Councilman Nash questioned the encroachment fees. Mr. Lindler replied that Council would have to contact the Lake Management Office to secure more financial data as it relates to the lake management.

Chairman Wood thanked Mr. Lindler for his presentation and that Council would accept it as information at this time with a more detailed discussion held with a County Council Committee.

**UPDATE – LAURENS COUNTY ECONOMIC DEVELOPMENT CORPORATION** - Mr. Jonathan Coleman, Executive Director of the Laurens County Economic Development Corporation, appeared before Council to provide an update on the industrial activities during calendar year 2015 as noted below.





**Summary of FILOT Revenues**

The following is a quick review and comparison of FILOT revenues and allocations for the past three (3) years. These figures indicate the amount of revenue contributed by industry FILOT funds and allocated to the particular County category. Please note that 2015 amounts are the anticipated totals that were billed in October 2015 and will be allocated upon receipt of payments by the industries in Laurens County.

| Category            | 2013                  | 2014                  | 2015                  |
|---------------------|-----------------------|-----------------------|-----------------------|
| County              |                       |                       |                       |
| General             | \$1,048,547.26        | \$929,249.38          | \$1,136,007.35        |
| Reserve             | \$87,005.84           | \$90,816.24           | \$108,873.00          |
| Capital             | \$70,703.85           | \$75,580.19           | \$101,877.53          |
| EMS                 | \$122,901.86          | \$131,696.70          | \$183,794.70          |
| Fire                |                       |                       |                       |
| General             | \$177,339.84          | \$202,259.16          | \$249,595.97          |
| Special Fire Coord. | \$29,159.96           | \$31,902.63           | \$44,125.73           |
| Reserve             | \$27,646.92           | \$30,498.42           | \$42,275.17           |
| Indigent Care       | \$13,712.37           | \$14,510.49           | \$18,557.25           |
| Ed. Colleges        | \$17,545.70           | \$18,556.87           | \$26,117.81           |
| <b>COUNTY TOTAL</b> | <b>\$1,594,563.60</b> | <b>\$1,525,070.08</b> | <b>\$1,911,224.51</b> |
| School Dist.        | \$2,487,720.58        | \$2,694,659.97        | \$3,765,864.67        |
| <b>TOTAL</b>        | <b>\$4,082,284.18</b> | <b>\$4,219,730.05</b> | <b>\$5,677,089.18</b> |

**SECOND READING, ORDINANCE #808, “AN ORDINANCE (1) TO AMEND THE EXISTING MASTER AGREEMENT GOVERNING THE OCTAGON INDUSTRIAL PARK BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND GREENVILLE COUNTY, SOUTH CAROLINA, TO ENLARGE THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN ADDITIONAL PROPERTY LOCATED IN LAURENS COUNTY, SOUTH CAROLINA AND PRESENTLY OWNED AND / OR OPERATED BY D&W FINE PACK, LLC, AND / OR MORE OF ITS AFFILIATES OR RELATED COMPANIES; (2) AND AUTHORIZING OTHER RELATED MATTERS”.** Attorney Cruickshanks explained that this was second reading of an Ordinance that will allow the expansion of an existing multi-county industrial park (MCIP) – Octagon Park, to include D&W Fine Pack, LLC. And noted this is for the expansion of company that will have an investment of \$20 million with sixty (60) new jobs for Laurens County. There will be no financial charge by either entity.

COUNCILMAN JONES made the MOTION to approve Ordinance #808 upon second reading as provided with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

**SECOND READING, ORDINANCE #809, “AN ORDINANCE TO EXCHANGE AND TRANSFER REAL PROPERTY WITH THE CITY OF LAURENS AND ALL OTHER MATTERS RELATED THERETO”** - Attorney Cruickshanks explained that this was second reading of an Ordinance that allows a mutual agreement by the City of Laurens and Laurens County to allow for the exchange and transfer of presently owned municipal / county parking lots. The intent is that both the City of Laurens and the County of Laurens are to convey, by title / ownership, the noted properties from each agency as an exchange of ownership collectively.

VICE CHAIRMAN TOLLISON made the MOTION to approve Ordinance #809 upon second reading as provided with COUNCILMAN JONES SECONDING; VOTE 7-0.

**ADDED AGENDA ITEM – FIRST READING (TITLE ONLY), ORDINANCE #810, “AN ORDINANCE AUTHORIZING THE CONVERSION OF A FEE IN LIEU OF AD VALOREM TAXES ARRANGEMENT UNDER TITLE 4, CHAPTER 29, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, BETWEEN LAURENS COUNTY (THE “COUNTY”) AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT DUO (THE “COMPANY”) TO A SIMPLIFIED FEE IN LIEU OF AD VALOREM TAXES ARRANGEMENT UNDER TITLE 12, CHAPTER 44 CODE OF LAURENS OF SOUTH CAROLINA, 1976, AS AMENDED; THE CANCELLATION AND TERMINATION OF CERTAIN LASE AND INDUSTRIAL REVENUE BOND DOCUMENTATION BETWEEN THE COUNTY AND THE COMPANY; THE CONVEYANCE BY THE COUNTY OF RELATED PROPERTY TO THE COMPANY; AND OTHER MATTERS RELATED THERETO.”** -

Attorney Cruickshanks informed Council that this item was added due to the process being on a fast track to implement. This deals with an industry in the Woodfield Park and is similar to the recent amended documents with Emitec.

COUNCILMAN JONES made the MOTION to approve Ordinance #810 upon first reading as provided with COUNCILMAN PITTS SECONDING; VOTE 7-0.

**DISCUSSION, “COUNTY COUNCIL COMMITTEE OF THE WHOLE”, PROGRAM OF WORK INVOLVING THE LAURENS COUNTY EMERGENCY MEDICAL SERVICES.**- Administrator Segars stated that the intent of this Committee is to identify the components of further discussing the County Emergency Medical Services and to determine what information Council Members are in need of a prior to a decision on further action.

Councilman Jones stated that my previous motion was based on the meeting of the Committee on Health and Emergency Services, by calling another meeting of the Committee to start the process for qualifications towards the private providers in providing aid to the County Emergency Medical Services as back up on emergency calls.

Chairman Wood explained that he put this to a full County Council Committee simply because those on the Committee would hear all the facts presented instead of just the assigned Council Committee on Health and Public Safety.

Administrator Segars asked for Council comments as to when to meet. There was a COUNCIL CONSENSUS to meet immediately following the next session of Council on February 9<sup>th</sup>.

**DISCUSSION FOR CLARIFICATION, THE FOURTH TUESDAY MEETINGS OF COUNTY COUNCIL** – Chairman Wood stated, “This came about with the article in the *Clinton Chronicle* and I’m not really sure where that came from. We did not have but one (1) meeting in November and December but that does not mean that we are not going to have two (2) meetings in January and February. I know that Mr. Tollison stated that if we did not have a lot for our agenda to keep the meetings open for Committee meetings. We will continue to hold two (2) meetings a month.”

**ADMINISTRATIVE REPORT** – Administrator Segars reminded Council of the Chamber of Commerce Annual Banquet on the 29<sup>th</sup> and that there was a table for eight (8) reserved for Council.

**PUBLIC COMMENT** – Chairman Wood opened the floor for public comment at 6:39 P.M.

- 1.) Mr. James Hayes approached Council asking, “How is the provider networking agreements working for Laurens County. During our inclement weather last Friday, I know that Ryan Thorne of Thorne Ambulance Service called or messaged one of the admin saying that if your need my assistance....” Chairman Wood called for order by saying this is not a question or answer period with Council.

Mr. Hayes spoke up by saying, “This is my freedom of speech according to the first amendment.” Chairman Wood again called order by saying that he was speaking and that Council has rules noted with the sign-up sheet to follow....”This is not a question and answer session nor a session where names will be called. You are addressing this full Council and not Ryan Thorne. I asked for you to not call names. Mr. Hayes replied, “Okay, I can do that. So how would you like for me to do this sir? I mean I do not want to sweep up an issue that could potentially kill somebody.”

Chairman Wood replied, “I am not making the presentation, you are. I just asked that you not call any names and insinuations against anyone”. Mr. Hayes said, “Someone had called the Admin of the County asking if their services were needed on that Friday night and was told no. Two hours later, this individual was called and was asked to provide assistance to Laurens County. He had already sent home his employees. This resulted in a patient being on the side of Interstate 26 with a representative of the fire department and no ambulance. It was between twenty five and thirty degrees out there. Because the County did not allow this service, a citizen, a patient or whatever was suffering because of the County’s lack to provide EMS services for this County. This is all I had to say”.

Chairman Wood stated, “I have the right to reply to your statement. Your comments were not true. Things change in a moment’s notice when you got ice on the ground. When this happened, we had plenty of ambulances. Newberry County was asked to come in because of location. The matter was taken care of and nobody was left on the side of the interstate freezing to death no matter what you heard or say”. Mr. Hayes replied, “I don’t care what you say either”. Chairman Wood stated you are through Mr. Hayes. Mr. Hayes replied, “I’m done alright. Y’all are a joke”.

Having no one else wishing to address Council, Chairman Wood closed the session at 6:43 P.M.

**COUNTY COUNCIL COMMENTS:**

- 1.) Councilwoman Anderson encouraged all to talk with the House and Senate Representatives encouraging them to approve full funding for the State Local Government Fund proposed by the Governor.
- 2.) Councilman Nash stated that he had spoken with two (2) House Representatives asking to support the local government funding.
- 3.) Councilman Jones echoed the same encouragement towards the House and Senate Representatives voting to fully fund the local governments.

Continuing, Councilman Jones said, “With regards to the 911 call on Friday evening, I have discussed this in detail with Mr. Avery and I can completely understand why Newberry County was called. The part that I do not understand and have gotten questions on is the miscommunication from the private providers under our network agreement. I know that a provider called and asked if assistance was needed. There was miscommunication from what I am seeing about this call. Two hours later they were called asking for assistance, after the fact that he had sent his staff home. I hope to see this dialogue at the County Council Committee meeting in hopes that we can work through a public / private

partnership.”

- 4.) Vice Chairman Tollison asked for an update on the proposed move. Administrator Segars replied, “The project has been underway now for a year and half. The problem now is the cabinet provider had financial difficulties. We were able to secure the cabinets from the provider and are in the process of attempting to install them. Some painting and rails are still pending installation. The certification of occupancy should be decided about the first or second week in February.”

Vice Chairman Tollison asked to hold a ribbon cutting as this was a big plus for the County.

- 5.) Chairman Wood said, “It irritates and makes me angry when someone finds fault with one small detail and tries to make a big deal out of it. Each of our County Departments do the best that they can. We need to hear more of the good because not all of the times are bad.”

**EXECUTIVE SESSION** – COUNCILMAN MCDANIEL made the MOTION to move into Executive Session at 6:48 P.M. for an Employment Matter. VICE CHAIRMAN TOLLISON SECONDDING; VOTE 7-0.

BY CONSENSUS Council moved back in to open session at 7:25 P.M.

- 1.) One (1) Employment Matter - position of County Administrator - Chairman Wood reported that no action was taken.

**ADJOURNMENT** – With no further action required by Council, Chairman Wood adjourned the meeting at 7:30 P.M.

Respectfully Submitted,



Betty C. Walsh  
Laurens County Clerk to Council

