



MINUTES
FEBRUARY 9, 2016
LAURENS COUNTY COUNCIL
HISTORIC COURTHOUSE – PUBLIC SQUARE
COUNTY COUNCIL CHAMBERS

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 and Laurens County Human Resources Manager, Debi Parker.

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

SCHEDULED MEETING AGENDA ITEMS –FEBRUARY 9, 2016 - 1.) Call to Order Chairman Wood; 2.) Invocation, Councilman McDaniel; 3.) Pledge of Allegiance; 4.) Approval of Agenda, February 9, 2016; 5.) Approval of Minutes – January 26, 2016; 6.) Public Hearing - Ordinance #806 - “An Ordinance To Acquire And Subsequently Transfer Real Estate For An Economic Development Project And All Other Matters Related Thereto”; A.) Third Reading - Ordinance #806 - “An Ordinance To Acquire And Subsequently Transfer Real Estate For An Economic Development Project And All Other Matters Related Thereto”. 7.) Public Hearing, Ordinance #807 – “An Ordinance To Acquire And Subsequently Transfer Real Estate For a Relocated Collection Facility In The Gray Court Area And All Other Matters Related Thereto”; A.) Second Reading, Ordinance #807 – “An Ordinance To Acquire And Subsequently Transfer Real Estate For a Relocated Collection Facility In The Gray Court Area And All Other Matters Related Thereto”; 8.) Laurens County FY 2014 / 2015 Financial Report, Craig Moye, Mauldin & Jenkins, CPA, LLC; 9.) Resolution #2016-01, “A Resolution of Laurens County Council Requesting Approximately Eighteen (18) Acres to be Removed From the Municipal Corporate Limits of the City of Clinton for Purposes of an Economic Development Project”; 10.) Second Reading, 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.”; 11.) 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”; 12.) Introduction of a proposed agreement for animal control services with the Cities of Laurens and Clinton – Rob Russian, Director, Public Works; 13.) Agency Allocation Requests – Laurens County Accommodation Tax Advisory Committee, Andy Howard, Director, Laurens County Parks, Recreation and Tourism; 14.) Council Committee Assignment - Preserving Lake Greenwood – Providing a Master Plan for Lake Greenwood – Chairman Wood 15.) Administrative Report - County Administrator Ernie Segars; 16.) 6:00 P.M. Public Comments; 17.) Comments from Council Members; 18.) 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.

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. Vice Chairman Tollison provided the invocation.

PUBLIC COMMENT SIGN UP – It was declared at 5:32 P.M. by the Chairman that one person had signed in requesting time during the Public Comment session.

APPROVAL OF AGENDA – Chairman Wood called for approval of the February 9, 2016 Agenda with any additions or deletions. COUNCILMAN JONES made the MOTION to approve the agenda as presented with any additions and / or deletions; COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

APPROVAL OF MINUTES – VICE CHAIRMAN TOLLISON made the MOTION to approve the minutes from the January 26, 2016 regular session of Council with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

PUBLIC HEARING - ORDINANCE #806 - “AN ORDINANCE TO ACQUIRE AND SUBSEQUENTLY TRANSFER REAL ESTATE FOR AN ECONOMIC DEVELOPMENT PROJECT AND ALL OTHER MATTERS RELATED THERETO” - Chairman Wood opened the public hearing at 5:33 P.M.

Attorney Cruickshanks stated, “This is the Public Hearing and Third Reading for an Ordinance that involves an economic development project involving the City of Clinton, the Clinton City Development Corporation, the County and the County Development Corporation with a building project that would benefit the City of Clinton. It involves the de-annexation of some property, and transferring of title to the County, with a final transfer back of title to the Clinton Development Corporation. There will be no cost to the County”.

With no one wishing to address Council, Chairman Wood closed the public hearing at 5:34 P.M.

- A.) **THIRD READING - ORDINANCE #806 - “AN ORDINANCE TO ACQUIRE AND SUBSEQUENTLY TRANSFER REAL ESTATE FOR AN ECONOMIC DEVELOPMENT PROJECT AND ALL OTHER MATTERS RELATED THERETO”** – Administrator Segars stated, “This Ordinance involves the City of Clinton, the Clinton City Development Corporation, the County and the County Development Corporation with a building project that would benefit the City of Clinton. It involves the de-annexation of some property, and transferring the title to the County, with a final transfer back of title to the Clinton Development Corporation. There will be no cost to the County”.

COUNCILMAN PITTS made the MOTION to approve Ordinance #806 with COUNCILWOMAN ANDERSON SECONDING for discussion; VOTE 7-0.

PUBLIC HEARING, ORDINANCE #807 – “AN ORDINANCE TO ACQUIRE AND SUBSEQUENTLY TRANSFER REAL ESTATE FOR A RELOCATED COLLECTION FACILITY IN THE GRAY COURT AREA AND ALL OTHER MATTERS RELATED THERETO”. - Chairman Wood opened the public hearing at 5:36 P.M.

County Attorney Cruickshanks explained, “This is an Ordinance for the transfer of land to Quarry Road for the relocation and development of a rural boxsite collection facility in the Gray Court community by Vulcan Materials”.

With no one wishing to address Council, Chairman Wood closed the public hearing at 5:37 P.M.

A.) THIRD READING, ORDINANCE #807 – “AN ORDINANCE TO ACQUIRE AND SUBSEQUENTLY TRANSFER REAL ESTATE FOR A RELOCATED COLLECTION FACILITY IN THE GRAY COURT AREA AND ALL OTHER MATTERS RELATED THERETO”. -

COUNCILMAN NASH made the MOTION to approve Ordinance #807 upon third reading as provided with COUNCILMAN PITTS SECONDING; VOTE 7-0.

LAURENS COUNTY FY 2014 / 2015 FINANCIAL REPORT, CRAIG MOYE, MAULDIN & JENKINS, CPA, LLC - Mr. Moyer from the Mauldin and Jenkins, CPA Firm presented the County's Financial Statement for FY 2014 / 2015.

Mr. Moyer said, “I'm here tonight to provide the results of the Fiscal Year 2015 finances for Laurens County. Laurens County has been consistent for the last three (3) years and with no collection problems for the last two (2) years”.

Mr. Moyer provided the following information in a PowerPoint presentation as follows:

June 30, 2015 Highlights - Opinion:

- 1.) The quality of financial reporting is the responsibility and representation of the County's management and County Council;
- 2.) Management is responsible for the presentation and fair presentation of the financial statements;
- 3.) We have issued an unmodified opinion as of 12/29/2015. This is the highest form of assurance we can render with regard to the fairness of the financial statements on which we are opining;
- 4.) We performed the audit of the County's financial statements in accordance with auditing standards generally accepted in the United States and Government Auditing Standards issued by the Comptroller General of the US
- 5.) The financial statements are considered to present fairly in all material respects the financial position and results of operations of the County as of and for the year ended June 30, 2015.

2015 Highlights – Entity Wide:

- 1.) The County ended the June 30, 2015 year with \$87.5 million in total assets and deferred outflows versus \$602.5 million in 2014. This consists mostly of capital assets (\$457.2 million);
- 2.) The County ended the year with \$48.8 million in total liabilities and deferred inflows versus \$4 million in 2014;
- 3.) The County ended the year with total net position of \$38.7 million versus \$43.8 million in 2014;
- 4.) Current year change in entity wide level net position was a decrease of \$5.1 million.

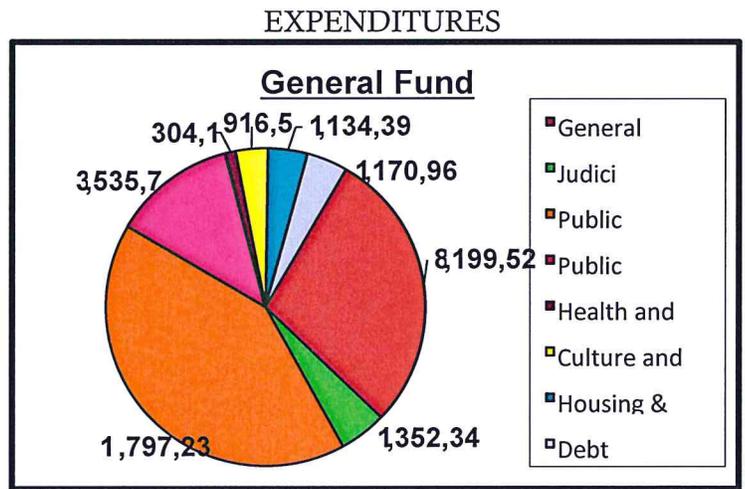
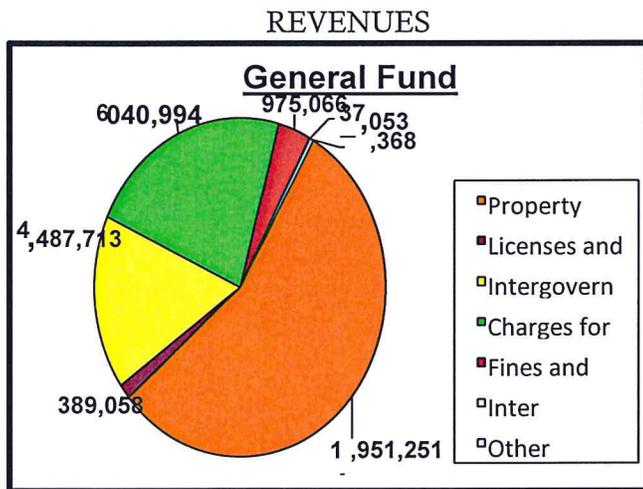
2015 Highlights – General Fund:

- 1.) The General Fund shows total assets at the end of the year of \$13.9 million as compared to \$15.8 million in 2014;
- 2.) Total assets as of June 30, 2015 consist of \$9.6 million of cash and investments;
- 3.) Total liabilities at the end of the year were \$6.3 million versus \$6.9 million in 2014;

- 4.) Total fund balance at June 30, 2015 was \$6.2 million. This was a decrease from the prior year amount of \$1.8 million;
- 5.) Of the total fund balance amount, \$5.1 million represents unassigned fund balance.

2015 Highlights – General Fund:

- 1.) The General Fund had total revenues in 2015 in the amount of \$27 million versus \$27.2 million in 2014;
- 2.) The General Fund had total expenditures in 2015 in the amount of \$28.4 million versus \$29.1 million in 2014;
- 3.) These two changes above varied very little and caused the total change before other financing sources to remain consistent at a deficiency of revenues of \$1.4 million in 2015 versus \$1.8 million 2014;
- 4.) With a net outflow of other financing sources (including net transfers out) of \$369 thousand in 2015, the fund saw a decrease in fund balance of \$1.8 million.



	2015 Actual	2015 Budget	2014 Actual
Taxes	\$ 14,471,997.00	\$ 14,951,251.00	\$ 479,254.00
Licenses and permits	\$ 369,900.00	\$ 389,058.00	\$ 19,158.00
Intergovernmental	\$ 328,490.00	\$ 4,487,713.00	\$ 159,223.00
Charges for Services	\$ 6,027,202.00	\$ 6,040,994.00	\$ 13,792.00
Fines and forfeits	\$ 1,030,000.00	\$ 975,066.00	\$ (54,934.00)
Interest Income	\$ 25,000.00	\$ 37,053.00	\$ 12,053.00
Miscellaneous	\$ 69,000.00	\$ 87,368.00	\$ 18,368.00
Total	\$ 22,321,589.00	\$ 26,968,503.00	\$ 646,914.00

	2015 Actual	2015 Budget	2014 Actual
General Government/Judicial	\$ 7,662,409.00	\$ 8,199,521.00	\$ (537,112.00)
Judicial	\$ 1,423,691.00	\$ 1,352,340.00	\$ 71,351.00
Public Safety	\$ 12,065,916.00	\$ 11,797,230.00	\$ 268,686.00
Public Works	\$ 3,606,933.00	\$ 3,535,735.00	\$ 71,198.00
Health and Welfare	\$ 155,284.00	\$ 304,106.00	\$ (138,822.00)
Culture and Recreation	\$ 353,816.00	\$ 916,520.00	\$ (62,704.00)
Housing and Development	\$ 855,927.00	\$ 1,134,359.00	\$ (248,472.00)
Debt Service	\$ 335,968.00	\$ 1,170,968.00	\$ (775,000.00)
Total	\$ 27,059,544.00	\$ 28,410,819.00	\$ (1,351,275.00)

General Fund Expenditure Budget Detail for Excess Expenditures

<u>General Government</u>			
	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Benefits and insurance	\$ 4,790,672.00	\$ 5,214,498.00	\$ 5,214,498.00
Equipment	\$ 263,350.00	\$ 471,381.00	\$ (208,031.00)
<u>Health and Welfare</u>			
	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Social services	\$ 16,026.00	\$ 163,301.00	\$ (147,275.00)
<u>Housing and Development</u>			
	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Airport	\$ 82,395.00	\$ 136,918.00	\$ (52,523.00)
Technical education	\$ -	\$ 208,152.00	\$ (208,152.00)
<u>Debt Service</u>			
	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Principal	\$ 337,184.00	\$ 1,025,788.00	\$ (648,604.00)
Interest	\$ 18,784.00	\$ 145,180.00	\$ (126,396.00)

2015 Financial Statement Changes
GASB 68 – Retirement Plan

<u>South Carolina Retirement System</u>	<u>2015</u>
County's proportion of the net pension liability	0.081547%
County's proportionate share of the net pension liability	\$ 14,039,690
County's covered-employee payroll	\$ 7,418,056
County's proportionate share of the net pension liability as a percentage of its covered-employee payroll	189.3%
Plan fiduciary net position as a percentage of the total pension liability	59.9%

<u>South Carolina Police Officers Retirement System</u>	<u>2015</u>
County's proportion of the net pension liability	0.44326%
County's proportionate share of the net pension liability	\$ 8,485,948
County's covered-employee payroll	\$ 5,525,694
County's proportionate share of the net pension liability as a percentage of its covered-employee payroll	153.6%
Plan fiduciary net position as a percentage of the total pension liability	67.5%

Financial Statement Summary

- 1.) Unmodified – “Clean Opinion”
- 2.) The County had the capacity to absorb \$22.6 million in pension related items
- 3.) No findings

RESOLUTION #2016-01, “A RESOLUTION OF LAURENS COUNTY COUNCIL REQUESTING APPROXIMATELY EIGHTEEN (18) ACRES TO BE REMOVED FROM THE MUNICIPAL CORPORATE LIMITS OF THE CITY OF CLINTON FOR PURPOSES OF AN ECONOMIC DEVELOPMENT PROJECT”. Attorney Cruickshanks said that this was a follow-up to Ordinance #806 that accepts and transfers property in the Clinton area Industrial Park to Laurens County. The Resolution is requesting the City of Clinton to de-annex the property.

COUNCILMAN PITTS made the MOTION to approve with COUNCILWOMAN ANDERSON SECONDING: VOTE 7-0.

SECOND READING, 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 stated that this is a conversion from the lease back fee to a simplified fee for Faurecia that is located in the Woodfield Park.

COUNCILMAN JONES made the MOTION to approve with VICE CHAIRMAN TOLLISON SECONDING:

Councilman Pitts asked if this was a change in the amount of fund generated. Attorney Cruickshanks replied that it did not change.

COUNCIL VOTED 7-0.

INTRODUCTION OF A PROPOSED AGREEMENT FOR ANIMAL CONTROL SERVICES WITH THE CITIES OF LAURENS AND CLINTON – ROB RUSSIAN, DIRECTOR, PUBLIC WORKS. – Public Works Director, Rob Russian approached Council by saying, “As you all know, the County has long standing contracts with the Town of Gray Court and Cross Hill for full animal control services to include pick-up, house care and euthanasia. We also have an agreement with the City of Laurens to house dogs that are picked up. They each pay a fee for services. Recently, the Cities of Laurens and Clinton inquired about the possibility of providing animal control services within their municipalities. To do this the County would have to expand the current facility. The municipalities could share in this capital cost while normal operating costs for an additional officer and vehicle would be paid for by the municipalities. This could be beneficial to all parties thus another opportunity for the three governments to work together to provide better service for the citizens of the County as well as provide better care for the animals”.

Mr. Russian provided Council with a preliminary animal control cost breakdown for Municipalities as follows:

		County 50%	Laurens 25%	Clinton 25%
Expansion of Kennels		\$ 104,180.00	\$ 26,045.00	\$ 26,045.00
Vehicle (F-150 Pickup)		\$ 24,500.00	\$ 6,125.00	\$ 6,125.00
Total Capital Cost		\$ 64,340.00	\$ 32,170.00	\$ 32,170.00
Annualized Capital Cost (5 years)			\$ 6,434.00	\$ 6,434.00
Salary	\$ 25,251.00			
Retirement	\$ 3,469.00			
FICA	\$ 1,436.00			
Workers Comp	\$ 1,200.00			
Health/Dental/Etc	\$ 8,615.00			
Uniforms / Equipment	\$ 1,000.00			
	\$ 40,971.00	Total Salary / Fringe		
Fuel	\$ 2,500.00			
Insurance	\$ 400.00			
Maintenance	\$ 600.00			
	\$ 3,500.00	Total Vehicle Operating Costs		
Number of Dogs	200			
Cost per Dog	\$ 28.70			
	\$ 5,740.00	Animal Care / Supplies		
	\$ 50,212.00	Total Operating Costs		

Option #1 - Spread Capital Cost Out Over Five (5) Year Contract

	Annual Operating Costs	Annualized Capital Cost	Total Annual Cost
City of Clinton	\$ 25,106.00	\$ 6,434.00	\$ 31,540.00
City of Laurens	\$ 25,106.00	\$ 6,434.00	\$ 31,540.00

Option #2 - Pay Capital Cost Up Front

	Up Front Capital Cost	Annual Cost
City of Clinton	\$ 32,170.00	\$ 25,106.00
City of Laurens	\$ 32,170.00	\$ 25,106.00

Chairman Wood asked if the Capital Cost of \$64,340 would be a one-time cost. Mr. Russian agreed and asked for the opinions of Council as to this being a matter to pursue.

Councilman Jones asked what the cities are currently paying. Mr. Russian said that the current program with the City of Laurens is six thousand dollars (\$6,000) a year to house the dogs that they capture.

Chairman Wood assigned the County Council Committee on Public Works the task of reviewing this in more detail and to report back to Council their findings.

AGENCY ALLOCATION REQUESTS - LAURENS COUNTY ACCOMMODATION TAX ADVISORY COMMITTEE, ANDY HOWARD, DIRECTOR, LAURENS COUNTY PARKS, RECREATION AND TOURISM - Mr. Andy Howard, Director, Parks, Recreation and Tourism approached Council to request the following agencies be approved towards awarding Accommodation Tax monies.

2015-2016 ATAX Requests and Recommendations

Applicant	Requested Amount	ATAX Commission Recommendation	PRT Commission Recommendation
City Of Clinton - Town Rythms	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Laurens County Museum	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Hospice of Laurens County - Flight of the Dove	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Laurens County 4-H - annual Ms. 4-H Pageant	\$ 750.00	\$ 750.00	\$ 750.00
Ware Shoals - Catfish Festival	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Main Street Laurens - Squealin' on the Square	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Waterloo - Cotton Festival	\$ 2,000.00	\$ 750.00	\$ 2,000.00
Crappie Masters - Private For Profit Business	\$ 2,000.00	Not eligible due to lack of 501-c-3	\$ -
TOTALS	\$ 14,750.00	\$ 11,500.00	\$ 12,750.00
Laurens County Parks Recreation & Tourism - Advertising - Laurens County Revolutionary History	Remaining Funds after all required allocations and awards	Remaining Funds after all required allocations and awards	Remaining Funds after all required allocations and awards

Upon a MOTION from COUNCILWOMAN ANDERSON and a SECOND from COUNCILMAN PITTS, Council approved the funding requests as presented; VOTE 7-0.

COUNCIL COMMITTEE ASSIGNMENT - PRESERVING LAKE GREENWOOD – PROVIDING A MASTER PLAN FOR LAKE GREENWOOD – CHAIRMAN WOOD – Chairman Wood assigned the County Council Committee on Parks, Recreation and Tourism to review the proposed Master Plan by Greenwood County.

ADMINISTRATIVE REPORT – Administrator Segars stated that he did not have anything to report.

PUBLIC COMMENT – Chairman Wood opened the floor for public comment at 6:25 P.M.

- 1.) Mrs. Pam Bennett stated, “I have been a resident of Lake Greenwood for the past twenty (20) years and plan on living there for the next twenty (20) years. I want to ask Council to embrace the Master Plan presented to Council at a former meeting. I recall reading that the encroachment fee was questioned at the last meeting and wanted to say that I have paid a fifty dollar (\$50) pier fee to Greenwood County for the last five (5) or so years. I do not know how those funds are spent, but I will look to see”.

Chairman Wood stated that according to the budget from Greenwood County the pier fees go towards helping with the Lake Management

Having no one else wishing to address Council, Chairman Wood closed the session at 6:35 P.M.

COUNTY COUNCIL COMMENTS:

- 1.) Councilman Nash noting the fees for Lake Greenwood and stated that he has paid these encroachment fees for years.
- 2.) Councilman McDaniel said, “I want to thank Major Tyson for the continued improvements to the Detention Center. And, to talk to your representatives and to hold them accountable during the discussions of the local government fund and be reminded that this is an election year”.

EXECUTIVE SESSION – COUNCILMAN JONES made the MOTION to move into Executive Session at 6:34 P.M. for an Employment Matter – position of County Administrator. VICE CHAIRMAN TOLLISON SECONDING; VOTE 7-0.

BY CONSENSUS Council moved back in to open session at 7:40 P.M.

- 1.) One (1) Employment Matter - position of County Administrator – VICE CHAIRMAN TOLLISON made the MOTION for Council to direct the staff to proceed with scheduling interviews for the position of County Administrator. COUNCILMAN PITTS SECONDING; VOTE 7-0.

ADJOURNMENT – With no further action required by Council, Chairman Wood adjourned the meeting at 7:49 P.M.

Respectfully Submitted,



Betty C. Walsh
Laurens County Clerk to Council