



**MINUTES**  
**APRIL 12, 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; Laurens County Human Resources Manager, Debi Parker; Joey Avery, Director, Laurens County Communications and Nick Nichols, Laurens County Coroner.

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

**SCHEDULED MEETING AGENDA ITEMS –APRIL 12, 2016 -** 1.) Call to Order Chairman Wood; 2.) Invocation, Councilman Pitts; 3.) Pledge of Allegiance; 4.) Approval of Agenda, April 12, 2016; 5.) Approval of Minutes – February 23, 2016 (Called meeting); February 23, 2016, (Regular Session) and March 22, 2016 (Regular Session); 6.) Public Hearing, Ordinance #811, “An Ordinance To Transfer Real Estate And Grant A Right of Way of Ingress and Egress To The Laurens Commission of Public Works And All Other Matters Related Thereto”; A.) Third Reading, Ordinance #811, “An Ordinance To Transfer Real Estate And Grant A Right of Way of Ingress and Egress To The Laurens Commission of Public Works And All Other Matters Related Thereto”; 7.) First Reading, Ordinance #815, by title only,– “Fiscal Year 2016-2017 Laurens County Budget”; 8.) First Reading, Ordinance #816 – “An Ordinance to Amend Ordinance #465 Providing For The Use of The Maximum Legal Percentage of Local Option Sales Tax Funds For the Fiscal Year 2015-2016; And To Further Use And Apply These Funds For The Purpose of Revenue Shortfalls In Laurens County And Other Matters Appertaining Thereto”; 9.) Resolution #2016-10 – Declaring May 15, 2016 as “Peace Officers’ Memorial Day”; 10.) Resolution #2016- 11 – “Commending Michael Sullivan for his Seventeen Years of Dedication With The Laurens County Emergency Medical Services And Service To The Citizens Laurens County”; 11.) Second Reading, Ordinance #814 – “An Ordinance To Rescind And Repeal Laurens County Ordinance #433 And Laurens County Ordinance #554, And Replace Said Ordinances With The New Text As Set Forth Herein And All Other Matters Related Thereto For The regulation Of Junkyards in Laurens County, South Carolina”; 12.) Update – County Council Committee on Public Works – Committee Chairman, Stewart Jones; 13.) 6:00 P.M. Public Comments; 14.) Comments from Council Members; 15.) Executive Session – A.) Contractual Matter - Potential Purchase of Property.

**ADDED AGENDA ITEMS** – Appointment, Laurens County Planning Commission by Councilwoman Anderson, and Appointments, Laurens County appointees to the Lake Greenwood Committee by Chairman Wood.

**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 Pledge of Allegiance and prayer. Councilman McDaniel provided the invocation.

**PUBLIC COMMENT SIGN UP** – It was declared at 5:32 P.M. by the Chairman that the following had signed in requesting time during the Public Comment session: Representatives from the Dogwood Alliance.

**APPROVAL OF AGENDA** – Chairman Wood called for approval of the April 12, 2016 Agenda with any additions or deletions. Councilwoman Anderson asked for the addition of an appointment to the Laurens County Planning Commission. Chairman Wood said that he would be appointing the requested three (3) County representatives to the Lake Greenwood Committee.

COUNCILMAN NASH made the MOTION to approve the amended agenda as presented with COUNCILMAN JONES VICE CHAIRMAN TOLLISON SECONDDING; VOTE 7-0.

**APPROVAL OF MINUTES** - COUNCILMAN MCDANIEL made the MOTION to approve the February 23, 2016 (Called meeting); February 23, 2016, (Regular Session) and March 22, 2016 (Regular Session) sets of minutes as presented with COUNCILMAN JONES SECONDDING; VOTE 7-0.

**PUBLIC HEARING, ORDINANCE #811, “AN ORDINANCE TO TRANSFER REAL ESTATE AND GRANT A RIGHT OF WAY OF INGRESS AND EGRESS TO THE LAURENS COMMISSION OF PUBLIC WORKS AND ALL OTHER MATTERS RELATED THERETO”** Chairman Wood opened the public hearing at 5:34 P.M.

County Attorney Cruickshanks stated that this is the final reading on the Ordinance concerning the property in the Hunter Industrial Park and is currently serving as the site of a utility pump station for the Laurens City Commission of Public Works. The Ordinance allows for the transfer of a small parcel of property owned by Laurens County to the Laurens Commission of Public Works allowing for ingress and egress to the property.

Having no one wishing to address the Ordinance, Chairman Wood closed the public hearing at 5:35 P.M.

A.) **THIRD READING, ORDINANCE #811, “AN ORDINANCE TO TRANSFER REAL ESTATE AND GRANT A RIGHT OF WAY OF INGRESS AND EGRESS TO THE LAURENS COMMISSION OF PUBLIC WORKS AND ALL OTHER MATTERS RELATED THERETO”** – VICE CHAIRMAN TOLLISON made the MOTION to approve Ordinance #811 upon third and final reading with COUNCILWOMAN ANDERSON SECONDDING for discussion.

Vice Chairman Tollison asked for confirmation that this ordinance is for the easement only and not the property. Attorney Cruickshanks replied that it was for both. COUNCIL VOTED 7-0.

**FIRST READING, BY TITLE ONLY, ORDINANCE #815 – “FISCAL YEAR 2016-2017 LAURENS COUNTY BUDGET”** – Administrator Segars explained, “To keep the budget ordinance readings in line with the budget process, the staff requests first reading on the ordinance based on the approved budget from the last budget deliberations of Fiscal Year 2015-2016. The Council budget books are now ready for distribution and will be hand delivered to you on Friday.”

The current FY 2015 - 2016 budget includes the following for the FY 2016-2017 first reading purposes:

General Fund	\$21,919,216
EMS	\$ 3,389,328
Victim’s Assist	\$ 170,230
Solid Waste	\$ 2,015,749
Total	\$27,494,523

**FIRST READING, ORDINANCE #816 – “AN ORDINANCE TO AMEND ORDINANCE #465 PROVIDING FOR THE USE OF THE MAXIMUM LEGAL PERCENTAGE OF LOCAL OPTION SALES TAX FUNDS FOR THE FISCAL YEAR 2015-2016; AND TO FURTHER USE AND APPLY THESE FUNDS FOR THE PURPOSE OF REVENUE SHORTFALLS IN LAURENS COUNTY AND**

**OTHER MATTERS APPERTAINING THERETO** – Administrator Segars explained that this is another budget ordinance to be approved on first reading that relates to the one hundred percent (100%) roll back of the Local Option Sales Tax.

COUNCILMAN MCDANIEL made the MOTION to approve Ordinance #816 upon first reading as presented with COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.

**FIRST READING, BY TITLE ONLY, ORDINANCE #817 - “AN ORDINANCE FOR THE ACQUISITION OF TWO (2) PARCELS OF REAL ESTATE LOCATED IN STRATEGIC AREAS OF LAURENS COUNTY FOR THE PURPOSES OF CONSTRUCTING FIRE SUBSTATIONS”**. Chairman Wood said, “At the March 22<sup>nd</sup> meeting Council gave authority for the Laurens County Fire Director to proceed with the property acquisitions. First Reading of this Ordinance, by title only, will begin the process to acquire the two (2) additional parcels of land for the Laurens County Fire Service Substations and will allow for the fire service to implement necessary paper work for the acquisition of these two (2) locations. These properties will be paid from the Bond Account”.

COUNCILMAN NASH made the MOTION to approve Ordinance #817 upon first reading with COUNCILMAN JONES SECONDING; VOTE 7-0.

**RESOLUTION #2016-10 – DECLARING MAY 15, 2016 AS “PEACE OFFICERS’ MEMORIAL DAY”**  
Administrator Segars read the proposed Resolution. Chairman Wood saying that the Resolution is being requested by Sheriff Chastain by means of the state agency “Carolina Concerns of Police Survivors” and is on behalf of the surviving families of the one hundred twenty three (123) law enforcement officers that lost their lives in the line of duty during the year of 2015. To honor officers who gave their lives in the line of duty, in 1962 President Kennedy designated May 15<sup>th</sup> as Peace Officer’ Memorial Day. May 15<sup>th</sup> will be declared as “Peace Officers’ Memorial Day” with all flags flown at half-staff for the day.

VICE CHAIRMAN TOLLISON made the MOTION to approve the Resolution with COUNCILMAN JONES SECONDING; VOTE 7-0.

**RESOLUTION #2016- 11 – “COMMENDING MICHAEL SULLIVAN FOR HIS SEVENTEEN YEARS OF DEDICATION WITH THE LAURENS COUNTY EMERGENCY MEDICAL SERVICES AND SERVICE TO THE CITIZENS LAURENS COUNTY”** – Administrator Segars informed Council that Laurens County is losing a key individual within the Emergency Medical Services Department. Mr. Sullivan began work with EMS in 1999 and has served the County in various capacities with his most recent position as EMS Education Coordinator. His duties were training and infection control as well as several of the areas.

COUNCILMAN JONES made the MOTION to approve the Resolution with COUNCILMAN MCDANIEL SECONDING: VOTE 7-0.

**SECOND READING, ORDINANCE #814 – “AN ORDINANCE TO RESCIND AND REPEAL LAURENS COUNTY ORDINANCE #433 AND LAURENS COUNTY ORDINANCE #554, AND REPLACE SAID ORDINANCES WITH THE NEW TEXT AS SET FORTH HEREIN AND ALL OTHER MATTERS RELATED THERETO FOR THE REGULATION OF JUNKYARDS IN LAURENS COUNTY, SOUTH CAROLINA”** – Chairman Wood asked for Kay Weeks, Chairwoman of the Laurens County Planning Commission to come forward while Council discusses the proposed changes.

Councilman McDaniel questioned the one thousand foot (1,000) easement. Mrs. Weeks replied that they were now at a minimal.

Councilman McDaniel questioned the ownership changes and asked if inheritance could not be a determining factor too. Codes Officer Chuck Bobo replied, “If a property is sold the present status is lost and would have to be considered a new junkyard and follow new junkyard guidelines”.

Councilman Pitts asked how it would be determined if it was any transfer of property was made and how enforcement of the ordinance would be implemented? Attorney Cruickshanks replied that in the true sense, a transfer would affect the property. Codes Office Chuck Bobo said. “This is a good ordinance and can be enforced. There could be some areas that would be difficult”.

Vice Chairman Tollison questioned again the enforcement side of the Ordinance when the department is experiencing problems now with junkyards. Codes Officer Bobo replied that the problems at hand now are being taken to court in May.

Vice Chairman Tollison spoke of the fencing and screening requirements and said that not all of the junkyards in Laurens County are fenced now. Mr. Bobo replied that a lot of those do have a natural buffer which is part of the screening / fencing requirements.

Following the discussions by Council, the following changes were approved and to be implemented into the Junkyard Ordinance.

### ORDINANCE #814

#### Section 1 - Definitions

##### Page 4:

From: p.) Junk Vehicle - A junk vehicle is defined as any vehicle, automobile, truck, van, or trailer of any kind or type that is abandoned, wrecked, dismantled, partially dismantled, inoperative, or has no current tag. A junk vehicle may be kept at a residence as long as it is kept in a fully enclosed building (fully enclosed buildings do not include open carports) or a natural buffer and / or out of view from the general public.

##### To:

p.) Junk Vehicle - A junk vehicle is defined as any vehicle, automobile, truck, van, or trailer of any kind or type that is abandoned, wrecked, dismantled, partially dismantled, inoperative, or has no current tag.

#### Section 3 – Operations

##### Page 7:

From: h.) Any sale, transfer, lease or other disposition of ownership of a junkyard, shall require that the provisions of any notice of violation of this ordinance must be complied with and the owner shall furnish to the Building Official a signed and notarized statement acknowledging the receipt of such notice of violation and fully accepting the responsibility, without condition, for making the corrections or repairs required by such notice of violation.

To: h.) Any sale, transfer, lease or other disposition of ownership of a junkyard, except for such cases of inheritance or estate matters, shall require that the provisions of any notice of violation of this ordinance must be complied with and the owner shall furnish to the Building Official a signed and notarized statement acknowledging the receipt of such notice of violation and fully accepting the responsibility, without condition, for making the corrections or repairs required by such notice of violation.

#### Section 5 – New Junkyards / Salvage Yard Procedures

##### Page 8

From: c.) Any addition, enlargement, or expansion of a junkyard shall require a permit and be permitted in accordance with this division as a new junkyard.

To: c.) Any addition, enlargement, or expansion, except for such cases of inheritance or estate matters of a junkyard shall require a permit and be permitted in accordance with this division as a new junkyard.

Section 5 – New Junkyards / Salvage Yard Procedures

Page 10

From: k.) Failure to pay a Permit fee, annual permit renewal fee, or late fee shall be punishable in Summary Court as a misdemeanor by a fine of not more than two hundred dollars (\$200) or by imprisonment for not more than thirty (30) days. Each day any violation of this Ordinance continues shall constitute a separate offense.

To: k.) Failure to pay a Permit fee, shall be punishable in Summary Court as a misdemeanor by a fine of not more than two hundred dollars (\$200) or by imprisonment for not more than thirty (30) days. Each day any violation of this Ordinance continues shall constitute a separate offense.

Exhibit 2 – Fee Schedule

Page 14

From: A.) Junkyard / Salvage Permit Fees:

Initial Permit Fee	\$100.00
Annual Renewal Fee	\$ 50.00
Late Fee	\$ 25.00

To: A.) Junkyard / Salvage Permit Fees:

Initial Permit Fee	\$100.00
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**UPDATE – COUNTY COUNCIL COMMITTEE ON PUBLIC WORKS – COMMITTEE CHAIRMAN, STEWART JONES.-** Councilman Jones said, “The Council Committee on Public Works met on Tuesday, April 5<sup>th</sup> at 3:00 P.M. in the Conference Room of the Hillcrest Administrative Building. The Committee was tasked to review the requests of occupancy from the three (3) County Departments that submitted a request and to discuss other possible uses for the building. It was clearly noted that the Emergency Medical Services have an immediate need for space. Mr. Russian informed us that there would be at least a ten thousand dollar (\$10,000) justification in just utilities for EMS to move to the Church Street Offices”.

Continuing, Councilman Jones said, “We reviewed other possible users of the building such as the Sheriff’s Department, Department of Juvenile Justice (DJJ) and the Magistrates. Our recommendation from the Council Committee is solicit sealed bids from advertising in order to see if there was any interest for the properties.”

Public Works Director Rob Russian replied that it would be ideal to see from the general public if there were any interest for the properties.

Attorney Cruickshanks asked for the Council to call it proposals instead of bids due to a sealed bid being considered a final act.

Councilman Jones noted that dialogue was represented from Mr. Wilson that a sealed bid could be implemented to determine interest. The basic idea was to sell the Exchange Drive property and to use the funds to make any necessary changes or repairs to the Church Street facility for EMS.

PUBLIC WORKS COMMITTEE CHAIRMAN STEWART JONES, wished to AMEND the Council Committee motion to say that the County would advertise the property for sale. COUNCILMAN MCDANIEL SECONDING the amended motion: COUNCIL VOTED 6-1 (Council Chairman Wood was in opposition).

**ADDED AGENDA ITEMS:**

- 1.) **APPOINTMENT – LAURENS COUNTY PLANNING COMMISSION** - COUNCILWOMAN ANDERSON nominated Reverend Sylvester Grant as a member of the Planning Commission from her Council District. COUNCILMAN JONES SECONDDING; VOTE 7-0.
- 2.) **APPOINTMENT(S) – LAURENS COUNTY REPRESENTATIVE FOR THE LAKE GREENWOOD MASTER PLAN COMMITTEE** – CHAIRMAN WOOD nominated Mr. Ernest Segars and Councilwoman Anderson while SECONDDING, COUNCILMAN JONES nominated Mr. Jeff Field as the third nominee. COUNCIL VOTED 7-0.

**PUBLIC COMMENT** – Chairman Wood opened the floor for public comment at 6:54 P.M.

- 1.) Captain Joe Tyson of the Laurens County Detention Center approached Council to say that the Detention Center is one (1) of two (2) counties in the state to be approved as a mobile GED testing site.
- 2.) Several Representatives of the Dogwood Alliance approached Council about the negative impacts on Laurens County from a wood pellet company. Impacts such as stress on existing forests; the disruption of the tranquility of nature; economic impacts on communities due to the fact that there are no regulations for them and the environmental issues from the burning of the pellets.

Chairman Wood stated that he appreciated the voice of the young showing interest in their County and asked for Jonathan Coleman to implement dialogue with them.

Having no one else wishing to address Council, Chairman Wood closed the session at 7:05 P.M.

**COUNTY COUNCIL COMMENTS:**

- 1.) Vice Chairman Tollison asked if due to the recent retiring of Mr. Segars and the new incoming County Administrator, if there should not be a contract with Mr. Segars towards him working during the interim.

Administrator Segars said that it was totally left up to the County Council as to how he would now be classified. Vice Chairman Tollison mentioned a short term contract while Councilman Pitts suggested as a part time position.

Councilwoman Anderson asked if the current salary could be used as a benchmark to include the vehicle.

Attorney Cruickshanks noted that South Carolina is an employment at will state. Vice Chairman Tollison said to leave the contract open ended until we close it.

There was a COUNCIL CONSENSUS to develop an open ended contract with Mr. Segars.

- 2.) Councilman Nash expressed his appreciation to all of the County Employees.
- 3.) Chairman Wood said, “Greenwood County has recently built and paid for in cash, a new library. It took them two (2) years to raise six (6) to seven (7) million dollars using a one penny sales tax. I would like for Council to entertain adding a one cent sales with our budget this year to go towards capital improvements for Laurens County.

Administrator Segars added that a special committee would need to be set up to determine what project the funds would be applied to.

Councilman Pitts said, “We already have a one cent tax and we don’t need the second one. This is really a regressive tax. A tax that affects the impoverished. I have my reservations about doing this.”

Chairman Wood said, “All would be paying and not just our tax paying citizens”.

Chairman Wood assigned the County Council Committee on Finance and Administration the task of reviewing the one cent sales tax as well as the Fee-in-Lieu-of-Tax monies collected by Laurens County. Chairman Wood also asked for the County Attorney and Mrs. Kirk to be included.

**EXECUTIVE SESSION** – COUNCILMAN JONES made the MOTION for Council to move into Executive Session at 7:15 P.M. to discuss a contractual matter for the purchase of land; COUNCILMAN PITTS SECONDING; VOTE 7-0.

There was a COUNCIL CONSENSUS to reconvene in open session at 7:37 P.M.

As a MOTION, COUNCILMAN MCDANIEL said, “I move that Council allow for the Administrator to pursue the contract to purchase property adjacent to the existing landfill. COUNCILWOMAN ANDERSON SECONDING: VOTE 7-0.

**ADJOURNMENT** – With no further action required by Council, Chairman Wood adjourned the meeting at 7:45 P.M.

Respectfully Submitted,



Betty C. Walsh  
Laurens County Clerk to Council