

**HAMPTON COUNTY COUNCIL MEETING MINUTES
TUESDAY; JANUARY 18, 2005; 6:00 P. M.
COUNCIL CHAMBERS, B. T. DeLOACH BUILDING, HAMPTON, SC**

Hampton County Council held a regularly scheduled meeting on Tuesday, January 18, 2005, 6:00 p. m., Council Chambers, B. T. DeLoach Building, Hampton, South Carolina. Council Member(s) present: Lisa Ball; Virgin Johnson, Sr., Margaret S. Parker, Chairman and Willard E. Wilson, Vice Chairman. Council Members absent: Lee S. Bowers. Staff present: Sabrena Posey, Administrator; Aline Newton, Clerk to Council and A. G. Solomons, Jr., County Attorney. Notification as prescribed by law was sent to the local media, Cruise 92 Radio and the Hampton County Guardian.

CALL MEETING TO ORDER

CALL TO ORDER:

Vice Chairman Wilson called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION:

Pastor Neil Sullivan gave the invocation.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Vice Chairman Wilson.

PUBLIC COMMENTS

**MR. NEIL SULLIVAN, CITIZEN, REGARDING COMMENTS IN OPPOSITION TO THE
NUISANCE AND UNFIT DWELLINGS ORDINANCE:**

Mr. Sullivan came before Council and stated that the committee needed to let Ordinance #2004-012, Nuisance and Unfit Dwellings Ordinance die, or send it back to the committee for rewrite for this area. He stated that ordinance as it is written now is not for a rural area.

ADOPTION OF THE AGENDA

ADOPTION OF JANUARY 18, 2005 COUNTY COUNCIL MEETING AGENDA:

Administrator Posey stated that she had a revision. She asked that Council defer action on Ordinance #2004-004 and add a contractual matter to the executive session for an update regarding Nevamar. **Moved** by Council Member Ball, seconded by Council Member Johnson, to adopt the agenda with the revisions. Motion carried unanimously.

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APPROVAL OF MINUTES

JANUARY 3, 2004 REGULAR MEETING MINUTES:

Vice Chairman Wilson asked Council if there were any additions or corrections. There were none. **Moved** by Council member Ball, seconded by Council Member Johnson, to approve the minutes as written and read. Motion carried unanimously.

PRESENTATIONS

There were no presentations.

APPOINTMENTS TO BOARDS AND COMMISSIONS

COUNCIL ON AGING ADVISORY BOARD:

Council voted by secret ballot to reappoint Elaise Bowers to the Council on Aging Advisory Board.

RESOLUTIONS

RESOLUTION #R-2005-002, DESIGNATION OF THE HAMPTON COUNTY COUNCIL ON AGING AS AN ENTITY IN HAMPTON COUNTY, SOUTH CAROLINA TO PROVIDE TRANSPORTATION TO THE ELDERLY AND/OR PERSONS WITH DISABILITIES:

Moved by Council Member Johnson, seconded by Council Member Ball, to adopt resolution #R-2005-002, designating the Hampton County Council on Aging as an entity in Hampton County, South Carolina to provide transportation to the elderly and/or persons with disabilities. Motion carried unanimously.

RESOLUTION #R-2005-003, RESOLUTION SUPPORTING THE CONTINUED SAFE OPERATION OF THE CHEM-NUCLEAR SITE:

Moved by Council Member Ball, seconded by Council Member Johnson, to adopt Resolution #R-2005-003, a resolution supporting the continued safe operation of the Chem-Nuclear site. Motion carried unanimously.

RESOLUTION #R-2005-004, RESOLUTION ENDORSING THE NATURAL HAZARD MITIGATION PLAN:

Moved by Council Member Johnson, seconded by Council Member Ball, to adopt Resolution #R-2005-004, a resolution endorsing the Natural Hazard Mitigation Plan. Motion carried unanimously.

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ORDINANCES

THIRD (3rd) AND FINAL READING TO ORDINANCE #2004-004 - ORDINANCE AUTHORIZING THE EXECUTION OF AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN HAMPTON COUNTY, SOUTH CAROLINA AND NEVAMAR COMPANY, LLC

Moved by Council Member Ball, seconded by Council Member Johnson, to defer action on Ordinance #2004-004 and to receive an update from Administrator Posey on a contractual matter regarding Nevamar in executive session. Motion carried unanimously.

THIRD (3rd) AND FINAL READING TO ORDINANCE #2004-006, ESTABLISHMENT OF THE HAMPTON COUNTY ANIMAL CONTROL OFFICER AND DUTIES:

Vice Chairman Wilson stated that Ordinance #2004-006 has been deferred to committee for further study.

SECOND (2nd) READING TO ORDINANCE #200-012, PUBLIC NUISANCES AND UNFIT DWELLINGS ORDINANCE:

Vice Chairman Wilson stated that Council will pass this item until Chairman Parker arrives. He stated that Chairman Parker has some updates regarding Ordinance #2004-012, Nuisance and Unfit Dwelling Ordinance.

BIDS

There were no bids.

COUNCIL'S BRIEFING

Vice Chairman Wilson stated that they will skip this until Chairman Parker arrives.

REPORTS TO COUNCIL

NEW VOTING MACHINES:

Mr. Clyde A. "Jack" Elzroth, Jr., Chairman of the Hampton County Election Commission came before council and asked that the Council accept the new voting machines and accessories. He read Article 7-13-16-60 (see excerpt attached) stating that the governing body has the authority to choose a system. Mr. Elzroth stated that there should be one machine per two hundred fifty voters. He stated that the system that he is asking the Council to accept was purchased by the State of South Carolina. He stated that the State paid for everything. He stated that the machines comply with the American with Disabilities Act more so than the Shouptronic machines. Mr. Elzroth stated that if the County accepted the system, they will not be accepting the cost, but the yearly maintenance cost \$2,252 on the machines and \$6,648 on the software. He stated that the maintenance cost will not start until 2007. He stated that the County can go through the 2006 elections without paying the maintenance cost. He stated that the technician would be able to maintain the machines. Mr. Elzroth stated that all technicians in all counties are receiving the same training; therefore, if

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assistance was needed from another county, assistance would be available from another county, because they all will have had the same training. **Council Member Johnson** asked how the machines were different. Mr. Elzroth stated that they were not as bulky as the Shouptronic machines. He stated that the Shouptronic machines weighed about three hundred pounds and these machines weigh about fifty to sixty pounds. He stated that it is a newer and better system. **Moved** by Council Member Johnson, seconded by Council Member Ball, to accept the new machines and accessories and to be responsible for the optional warranty and support services from Election Systems and Software at an annual cost of \$8,900 (eight thousand, nine hundred dollars) beginning January 1, 2007. Motion carried unanimously. Mr. Elzroth thanked Council.

DEPARTMENT OF TRANSPORTATION (DOT) LAND PURCHASE:

Mr. Jim Daniel, Executive Director, Economic Development Commission, came before Council. He stated that the item was not ready for presentation, because the deeds came back with the wrong price. Ms. Posey asked the County Attorney if Council could approve with the agreed numbers and then when they come back, just execute. Mr. Solomons stated that they could. Mr. Daniel stated that the Department of Transportation plans to four lane Highway 68 from I-95 to the Lowcountry Regional Industrial Park. He stated that although funds are available at this time to only four lanes to Firetower Road, DOT is buying up the right-of-way all the way to the Park. He stated that DOT needs approximately 4.45 acres of the County's property that fronts Highway 68. Mr. Daniel stated that Hampton County will receive \$45,000 (forty-five thousand dollars) for the 4.45 acres. Mr. Daniel stated that \$45,000 for the 4.45 acres equates to about \$10,112 per acre. He stated that when the County purchased the 122.5 acres from Mike Copeland, the County paid about \$8,570 (eight thousand, five hundred seventy dollars) per acre. Mr. Daniel stated that the funds generated from this will be put in the Lowcountry Regional Industrial Park Fund. **Moved** by Council Member Ball, seconded by Council Member Johnson, to approve the sale of approximately 4.45 acres of land in the Lowcountry Regional Industrial Park to the South Carolina Department of Transportation (SCDOT) for \$45,000 (forty-five thousand dollars) and to authorize the Chairman or Vice Chairman of the County Council to execute the documents. Motion carried unanimously.

LOWCOUNTRY REGIONAL INDUSTRIAL PARK MASTER PLAN:

Mr. Jim Daniel, Executive Director, Economic Development Commission stated that Council awarded a contract to Stantec in June 2004 to develop a master plan and engineer two, ten acre sites in the Lowcountry Regional Industrial Park. Mr. Daniel stated that:

- the contract was for \$38,885 (thirty-eight thousand, eight hundred eighty-five dollars).
- the plan was put on hold as the County negotiated with Mike Copeland and Tom Johnson to acquire the front half of the Park.
- the whole scope and services needed has changed due to the reconfiguration of the park.
- Stantec had submitted a new bid based on the new and different needs.
- the bid submitted is \$44,350 (forty-four thousand, three hundred fifty dollars).
- under the original plan, the County was going to master plan approximately 300 acres, create two, ten acre shovel ready sites and perform various environmental tests including Phase One, Wetlands and Geo Technical work.
- because of a site certification grant from Commerce, the County no longer needed to

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- spend money on the environmental tests, since the grant will pay for the tests.
- with the County's new acquisition, the amount of land that will be master planned has now grown from 300 acres to about 478 acres.
- because of the configuration, the County will be creating two shovel ready sites; one which will be approximately twenty acres and the other which will be about ten acres.
- the contract with Stantec will raise approximately \$6,000 (six thousand dollars), because the County will be master planning a site that is now about fifty-nine percent larger; two shovel ready sites which will total about thirty acres as opposed to two shovel ready sites that totaled approximately twenty acres.
- all funds for the work will come from the Lowcountry Regional Industrial Park account.
- no taxpayer funds will be used for this project.

Mr. Daniel stated that it was recommended that Stantec be awarded the contract for \$44,350 (forty-four thousand, three hundred fifty dollars). **Moved** by Council Member Johnson, seconded by Council Member Ball, to approve the revised contract with Stantec with the new contract amount being \$44,350 (forty-four thousand, three hundred fifty dollars). Motion carried unanimously.

LANDFILL WELL INSTALLATION:

Administrator Posey stated the following:

- Three groundwater monitoring wells needed to be installed at the landfill.
- The Department of Health and Environmental Services (DHEC) had requested that these wells be installed in 2001.
- Quotes were received from seven contractors ranging from \$6,265 (six thousand two hundred sixty-five dollars) to \$10,230 (ten thousand, two hundred thirty dollars).
- These are basic quotes and may vary on developmental times per well.
- It was recommended that the lowest bid be accepted from Cypress Bay to install three wells.
- Davis and Floyd are responsible for the testing of all wells at the landfill and will assist in the installation of the new wells.
- The cost of the wells are not budgeted.
- The wells could be paid from the projected sale of 220 tons of scrap metal collected at the landfill.
- The scrap metal will produce a minimum of \$14,625 (fourteen thousand, six hundred twenty-five dollars).
- This will cover the cost of installation which will satisfy DHEC's requirements.

Moved by Council Member Johnson, seconded by Council Member Ball, to accept the low bid of \$6,265 (six thousand, two hundred sixty-five dollars) from Cypress Bay for the installation of three groundwater monitoring wells. Motion carried unanimously.

CAPITAL PROJECTS PROGRESS REPORT:

Administrator Posey stated that having moved forward on Council directions, she has met with Moseley Architects on January 10, 2005 regarding the Emergency Services Building. Administrator stated:

- that they will present the changes to the project.

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- that the Hazard Mitigation grant will pay for the generator which would have cost the County approximately \$100,000 (one hundred thousand dollars).
- that the architects are looking at what is required versus just building a building.
- that the architects will bring back the numbers with all the cost.

Administrator Posey gave Council an update on the expenditures and collections regarding the Capital Projects (see Attachments #1a, 1b and 1c).

QUARTERLY FINANCIAL REPORT (OCTOBER - DECEMBER 2004):

Mr. Micheal Meyer, Finance Director, gave the financial report to Council. He stated that revenues have been collected at approximately thirty-three percent (33%). He stated that he is meeting with departments and going over budget by budget addressing questions as a part of the process of their year end review. He stated that a more accurate report of the revenues can be given after the next quarter. Mr. Meyer stated that the majority of taxes are received during the next quarter. Council thanked Mr. Meyer for his report.

ORDINANCES (CONTINUED)

SECOND (2nd) READING TO ORDINANCE #2004-012, PUBLIC NUISANCES AND UNFIT DWELLINGS ORDINANCE:

Chairman Parker stated that the changes that she had are listed in green. (See Attachment 2, Color Coded Copy of Ordinance #2004-012, Nuisance and Unfit Dwellings Ordinance). Chairman Parker stated that the Building Inspector or the Appointed Designee should not go onto someone else's property if not pleasing to the Building Inspector or Appointed Designee. She stated that unless it affect the health, safety, economic value or sanitation, then they should not go on to someone's property. Council Member Ball stated that she had some concerns regarding the Ordinance. Council Member Johnson wanted to know how much time was Council going to give the people to change. Council Members had several concerns regarding the wording and interpretation of the ordinance. Council Member Ball stated that Council did say that they would go slowly with this ordinance. **Moved** by Council Member Wilson, seconded by Council Member Ball to give second (2nd) reading to Ordinance #2004-012, Nuisance and Unfit Dwellings Ordinance, with the understanding the Council will clarify concerns and have another workshop regarding the ordinance. Motion carried unanimously.

COUNCIL'S BRIEFING

JOINT COMMITTEE WITH THE TOWN OF HAMPTON AND BUSINESS OWNERS FOR DOWNTOWN/COURTHOUSE REVITALIZATION PROJECT:

Chairman Parker stated that they will write a Department of Transportation Grant. She stated that a committee needed to be formed. She stated that Russell Laffitte will Chair the committee. Chairman Parker stated that the committee will consists of two representatives from the Town Council and two from the County Council. Chairman Parker stated that she would like the Buildings and Grounds Committee (Lee S. Bowers and Margaret S. "Peggy" Parker) to serve on this

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committee. Council had no objections.

APPOINTMENT OF COUNCIL COMMITTEES:

Chairman Parker stated that an alternate was added to each committee. She stated that there are times when the Administrator needs to meet with a committee, and a member may not be able to meet but with an alternate, if one member cannot meet, then the alternate will replace the missing member. Chairman Parker read the following committee assignments:

Administration/Finance Committee

Margaret S. "Peggy" Parker, Chair
Willard E. Wilson
Lisa Ball, Alternate

Buildings and Grounds Committee

Lee S. Bowers, Chair
Margaret S. "Peggy" Parker
Virgin Johnson, Sr., Alternate

Emergency Services Committee

Lisa Ball, Chair
Virgin Johnson, Sr.
Margaret S. "Peggy" Parker, Alternate

Jail and Law Enforcement Committee

Virgin Johnson, Sr., Chair
Lee S. Bowers
Willard E. Wilson, Alternate

Public Works/Solid Waste Committee

Willard E. Wilson, Chair
Lisa Ball
Lee S. Bowers, Alternate

**Lowcountry Council of Governments
Representative**

Margaret S. "Peggy" Parker

Economic Development Representative

Lisa Ball

Moved by Council Member Wilson, seconded by Council Member Ball to approve the committee appointments as listed. Motion carried unanimously.

SCHEDULING OF A COUNCIL WORKSHOP:

Chairman Parker stated that at the last meeting Council agreed to schedule a workshop on a Tuesday, but the people who will be conducting the workshop can come on Monday. Administrator Posey stated that the Institute of Public Affairs can come on Monday, January 31, 2005, 5:00 p. m. to 8:00 p. m. Chairman Parker asked if Council Members had any problem with attending on January 31, 2005. All present stated that it was fine with them. Chairman Parker asked the Clerk to Council to check with Council Member Bowers to see if he can make it on this date. Chairman Parker stated that the workshop is tentatively scheduled for January 31, 2005, 5:00 p. m. to 8:00 p. m. in the Council Chambers.

EXECUTIVE SESSION

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EXECUTIVE SESSION REGARDING CONTRACTUAL MATTERS CONCERNING THE DEPARTMENT OF SOCIAL SERVICES (DSS) PROJECT, ECONOMIC DEVELOPMENT AND THE LIBRARY:

Moved by Council Member Ball, seconded by Council Member Johnson, to go into executive session to discuss contractual matters regarding the library, DSS Parking Lot and Nevamar. Motion carried. Council convened into executive session. Session began 7:35 p. m. and ended 9:15 p. m.

Moved by Council Member Wilson, seconded by Council Member Johnson, to come out of executive session. Motion carried. **After coming out of Executive Session**, Chairman Parker stated that:

- a contractual matter regarding the library was discussed, and Council gave direction to the County Attorney and the Administrator to work together.
- a contractual matter regarding the DSS was discussed, and they are seeking additional information.
- a contractual matter regarding Nevamar was discussed, and Council gave direction to the County Attorney.

ADJOURNMENT

Moved by Council Member Johnson, seconded by Council Member Wilson, to adjourn. Chairman Parker adjourned the meeting at 9:17 p. m.