

**HAMPTON COUNTY COUNCIL'S MEETING MINUTES
MONDAY; APRIL 7, 2008; 6:00 P. M.
COUNCIL CHAMBERS, B. T. DeLOACH BUILDING
201 JACKSON AVENUE, WEST, HAMPTON, SC**

Hampton County Council held its regularly scheduled meeting on Monday, April 7, 2008, 6:00 p. m., Council Chambers, B. T. DeLoach Building, Hampton, South Carolina. Council Member(s) present: Hugh B. Gray, Chairman; Virgin Johnson, Sr.; Charles H. "Buddy" Phillips; Margaret S. "Peggy" Parker, Vice Chairman and Willard E. Wilson. Staff present: Sabrena Posey Graham, Administrator; Aline Newton, Clerk to Council and A. G. Solomons, Jr., County Attorney. Media present: Wayne Knuckles, The Hampton County Guardian. The meeting was advertised as prescribed by law.

CALL MEETING TO ORDER

CALL TO ORDER:

Chairman Gray called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION:

Pastor Byrd gave the invocation.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Council Member Phillips.

PUBLIC HEARING(S)

**ORDINANCE #2008-004, AMENDMENT TO THE UNIFIED LAND DEVELOPMENT
ORDINANCE, SECTION 7.11, AUTOMOTIVE WRECKING, SALVAGE AND
JUNKYARDS:**

Chairman Gray opened the public hearing to receive public comments regarding Ordinance #2008-004, Amendment to the Hampton County Unified Land Development Ordinance, Section 7.11, Automotive Wrecking, Salvage and Junkyards. There were no public comments. Chairman Gray closed the public hearing.

PUBLIC COMMENT(S)

There were no public comment(s).

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ADOPTION OF THE AGENDA

ADOPTION OF THE APRIL 7, 2008 COUNTY COUNCIL MEETING AGENDA:
Moved by Council Member Phillips, seconded by Council Member Parker, to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

MARCH 17, 2008 REGULAR MEETING MINUTES:

Chairman Gray stated that he reviewed the minutes. He asked for a motion to adopt. **Moved** by Council Member Phillips, seconded by Council Member Johnson, to approve the minutes. Motion carried unanimously.

PRESENTATIONS

PRESENTATION BY DR. WILLIAM SMALL, EXECUTIVE DIRECTOR, HAMPTON COUNTY ECONOMIC DEVELOPMENT COMMISSION (HCEDC):

Dr. Small presented the Home Grown Champion Award to Mrs. Hattie Askew on behalf of the South Carolina Department of Commerce.

ECONOMIC DEVELOPMENT ISSUES

Dr. Small came before council and gave an update regarding ongoing projects and initiatives by the Economic Development Commission. (See Attachment #1 – Report)

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointment(s) scheduled.

RESOLUTION(S)

FAIR HOUSING MONTH RESOLUTION:

Moved by Council Member Parker, seconded by Council Member Phillips, to adopt the resolution as presented proclaiming the month of April as Fair Housing Month. Motion carried unanimously.

NATIONAL COUNTY GOVERNMENT WEEK:

Moved by Council Member Parker, seconded by Council Member Phillips, to adopt the resolution proclaiming the week of April 6 – 12, 2008 as National County Government Week. Motion carried unanimously.

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ORDINANCE(S)

**ORDINANCE #2008-004, AMENDMENT TO THE UNIFIED LAND DEVELOPMENT
ORDINANCE, SECTION 7.11, AUTOMOTIVE WRECKING, SALVAGE AND
JUNKYARDS:**

Chairman Gray stated that council held a public hearing at the beginning of the meeting. Council Member Phillips stated that it has been advertised, and the public has had an opportunity to comment. **Moved** by Council Member Phillips, seconded by Council Member Parker, to give third reading to Ordinance #2008-004, Amendment to the Unified Land Development Ordinance, Section 7.11, Automotive Wrecking, Salvage and Junkyards. Motion carried unanimously.

**ORDINANCE #2008-007, AMENDMENT TO THE RULES AND BYLAWS OF THE
COUNCIL ON AGING ADVISORY COMMITTEE:**

Moved by Council Member Phillips, seconded by Council Member Parker, to give first reading to Ordinance #2008-007, Amendment to the Rules and Bylaws of the Council on Aging Advisory Committee. Motion carried unanimously.

ORDINANCE #2008-008, SCANA TOWER LEASE AGREEMENT:

Moved by Council Member Wilson, seconded by Council Member Phillips, to give first reading to Ordinance #2008-008, SCANA Tower Lease Agreement. Motion carried unanimously.

**ORDINANCE #2008-009, AN AGREEMENT FOR DEVELOPMENT OF A JOINT
COUNTY INDUSTRIAL AND BUSINESS PARK:**

Moved by Council Member Johnson, seconded by Council Member Wilson, to give first reading by title only to Ordinance #2008-009, An Agreement for Development of a Joint County Industrial and Business Park. Motion carried unanimously.

BIDS

There were no bid(s).

COUNCIL'S BRIEFING(S)

CHAIRMAN'S UPDATE (CHAIRMAN GRAY):
Chairman Gray gave his update. (See Attachment #2)

COUNCIL'S DISCUSSION POINT:
There were no discussion points.

**INVITATION TO THE TOWN OF FURMAN'S MAYFEST PARADE, MAY 3, 2008,
10:00 AM:**

Chairman Gray stated that he had his vehicle available. Council Member Parker asked that council members be notified next week regarding the parade.

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ACTION REGARDING THE CHARRETTÉ COMMITTEE:

Council Member Parker stated that the next steps needed to be taken in regards to the recommendations from Walter Harris and his team, Clemson University's Institute of Economic and Community Development, the creators of the Charrette. **Moved** by Council Member Phillips, seconded by Council Member Johnson, to move forward to set up the committee to look into the Charrette. Motion carried unanimously.

REPORTS TO COUNCIL

ADMINISTRATOR'S REPORT:

Proposal for Constructing an Industrial Speculative Building in the Lowcountry Regional Industrial Park (Dr. William Small, Executive Director, Economic Development Commission)

Administrator Graham stated that Dr. Small would make the presentation regarding the Spec Building Proposal as received from Hussey, Gay, Bell and Deyoung International. Dr. Small came before council and stated that the proposal was for a new speculative building at the Lowcountry Industrial Park. He stated that it would be a fifty thousand (50,000) square foot building with a clear height of thirty (30) feet. He stated that the building would be expandable to one hundred fifty thousand (150,000) square feet. He stated that there would be no floor in the building, because the type of business is not known that would be located there. He stated that the cost of the building would be \$30.00 per square foot. **Moved** by Council Member Wilson, seconded by Council Member Johnson, to approve proposal for the Spec Building as presented. Motion carried unanimously. (See Attachment #3- Spec Building Proposal)

Amendment to the Contract with Tuten Landscaping and Tree Service

Mr. Lee Ellis, Chairman, Airport Commission, came before council to request an amendment to the contract with Tuten Landscaping and Tree Service. He stated that Hampton County entered into a contract with Tuten Landscaping and Tree Service on August 30, 2007 for the sum of \$17,200 for tree removal work at the County Airport with payment terms for 50% of the contract value due upon completion of perimeter cutting and the felling of all relevant trees. He stated that final payment of the remaining 50% would be due upon the final cleanup, disposal and satisfactory acceptance of the completed project. Mr. Ellis stated that the contractor says that it has been really wet, and he can't get back there, the northwest side of the runway. He stated that a payment of \$8,600 or half the contract was made in September 2007 when 50% of the work was satisfactorily completed. He stated that the request is made for an additional 25% payment or \$4,300 now and the remaining 25% upon completion of the work. Mr. Ellis stated that the contractor stated that approximately 95% of the work has been completed, but he feels that at least 85% of the work has been completed. Council Member Wilson asked if the remaining 25% if the request was granted was enough for someone else to complete the job if the present contractor stopped. Mr. Ellis stated that it would be. **Moved** by Council Member Wilson, seconded by Council Member Phillips, to approve the amendment to the contract with Tuten Landscaping and Tree Service for the payment of up to 25% (twenty-five percent) of the remaining balance with the condition that the contract does not exceed the original balance. Motion carried unanimously.

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Request for Statement of Qualifications for Airport Consultant

Mr. Jack Woodard, Hampton County Airport Commission, came before council and presented a request for a Statement of Qualification for an Airport Consultant. He stated that there would not be a cost. **Moved** by Council Member Phillips, seconded by Council Member Johnson, to approve the request for Statement of Qualifications for Airport Consultant as long as there was no cost associated. Motion carried unanimously.

Retiree Healthcare Benefits Eligibility Amendment

Mr. Mike Meyer, Finance Director, came before council to request an amendment to the policy for retiree insurance eligibility to require that the last ten years of the employee's career be continuous and consecutive with Hampton County in a permanent, full-time position with other retirement eligibility requirements met in order to qualify for the benefit. **Moved** by Council Member Phillips, seconded by Council Member Parker, to approve the Retiree Healthcare Benefits Eligibility Amendment as recommended by Mike Meyer, Finance Director. **Moved** by Council Member Wilson, seconded by Council Member Johnson, to amend the motion to change the number of years to be employed by Hampton County from ten (10) to five (5) to be eligible for healthcare benefits upon retirement. Motion to amend failed with Council Members Johnson and Wilson voting in favor and Council Members Gray, Parker and Phillips voting against. Chairman Gray called for the vote on the original motion. Motion carried with Council Member Gray, Parker and Phillips voting in favor and Council Member Johnson and Wilson voting against.

EXECUTIVE SESSION

CONTRACTUAL MATTER:

Chairman Gray stated that council needed to meet in executive session to discuss change orders/contractual matters. **Moved** by Council Member Johnson, seconded by Council Member Phillips, to go into executive session regarding a contractual matter (Courthouse Project). Motion carried unanimously. **Moved** by Council Member Wilson, to come out of executive session. Motion carried unanimously.

CHANGE ORDERS FOR THE COURTHOUSE PROJECT:

Mr. Richard Madison came before council and stated that they had a packet before them that included Change Orders #6, 7 and 8 to discuss. Mr. Madison stated that there were several items to discuss in connection with the Change Orders such as oversight of an impact fee by the Town of Hampton Building Official, Front doors of existing building, double doors, etc. Robert Smith, Moseley Architects responded to several of the items presented. He stated that they were given a daunting task of meeting budget regarding the project. He stated that it was the county's option to replace the doors, etc. There was much discussion among council, architects and contractors. Council Member Johnson wanted to know if there were future change orders. They stated that there would be additional change orders. Chairman Parker wanted to read a statement regarding the courthouse project's issues. (See Attachment #4 – Council Member Parker's Statement)

Change Order #8

Moved by Council Member Parker, seconded by Council Member Wilson, to approve the payment of Change Order #8 in the amount of \$40,171 (Forty thousand, one hundred

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seventy-one dollars) under protest for further investigation and who should pay. Motion carried unanimously. (See Attachment #5 – Change Order #8)

Change Order #4

Moved by Council Member Phillips, seconded by Council Member Wilson, to approve the payment for Change Order # 4 under protest for further investigation and who should pay. Motion carried unanimously. (See Attachment #6 – Change Order #4)

Change Order #5

Moved by Council Member Phillips, seconded by Council Member Wilson, to approve the payment of the balance of Change Order # 5 in the amount of \$21,796 (Twenty one thousand, seven hundred ninety-six dollars) under protest for further investigation and who should pay. Motion carried unanimously. (See Attachment #7 – Change Order #5)

Change Order #6

Moved by Council Member Phillips, seconded by Council Member Wilson, to approve the payment for Change Order # 6 under protest pending who is responsible for extra money. Motion carried unanimously. (See Attachment #8 – Change Order #6)

Future Change Orders

By consensus, Council stated that there should be no other work completed requiring a change order prior to a change order being approved by council.

ADJOURNMENT

Moved by Council Member Johnson, seconded by Council Member Wilson, to adjourn the meeting. Motion carried unanimously. Chairman Gray adjourned the meeting at 8:45 p. m.