

WORKSESSION MINUTES

Tuesday, June 16, 2009

6:00 pm

1. Pending Appointment Resolutions
 - a. No appointments were made.
2. Clarification and Discussion of Agenda Items
 - a. The following changes were made to the agenda:
 1. To Table Old Business Item 4 at the appropriate time.
 2. Amend Consent Item 3 – add one Appraiser IV position for the Tax Assessor’s Office; add five positions for the Sheriff’s Office, one Sergeant of Community Policing, three Investigator I positions and one Investigator II position; and add one Assistant Public Defender I position.
 3. Amend Consent Item 25 – change the total amount of the principal and interest outstanding from \$350,000 to \$250,000.
 4. Add Consent Item 26 – Proposed Resolution to Authorize a Method for Distribution of County funds to the Volunteer Fire Departments in Aiken County.
 5. Add Consent Item 27 – Proposed Resolution Extending the Maturity of the 1997 Bond for the Aiken Center for Alcohol and Other Drug Service Projects.
3. Status of Contingency Funds
 - a. The following allocations were made from the FY 2009 County Council Contingency Fund:

1.	Jesse C. Lynch Memorial Post 71	\$400	Smith	Sponsor Girls State Program
2.	Community Ministry of North Augusta	\$250	Smith	Sponsor outreach programs
3.	Aiken County Public Works	\$500	Bunker	Allocated for calcium chloride treatment for roads in District 7
4.	Horse Creek Midland Valley Veterans Park	\$807	Young & Barton	Park improvements
4. Position Vacancy Report
 - a. The vacancy report was distributed and reviewed. Staff recommended the following be added:
 - one Appraiser IV position for the Tax Assessor’s Office
 - one Sergeant of Community Policing, Sheriff’s Office
 - three Investigator I positions, Sheriff’s Office
 - one Investigator II position, Sheriff’s Office
 - one Assistant Public Defender I position, Public Defender’s Office

Respectfully submitted,

Tamara Sullivan, Council Clerk

SIGNED:

Ronnie Young, Chairman

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – JUNE 16, 2009 – 7:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
LaWana McKenzie
Chuck Smith
Eddie Butler
Charles Barton
Gary Bunker
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator
James M. Holly, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Councilman Hightower led in the invocation.

(C) PLEDGE OF ALLEGIANCE

Councilman Bunker led in the Pledge of Allegiance.

(D) APPROVAL OF MINUTES

1. May 19, 2009 Worksession
2. May 19, 2009 Regular Meeting
3. June 2, 2009 Worksession
4. June 2, 2009 Regular Meeting

- a. Councilman Butler made a motion to approve the minutes. Councilwoman McKenzie seconded.
- b. The minutes were approved by unanimous vote.

(E) APPROVAL OF AGENDA

- a. Councilwoman McKenzie made a motion to amend and approve the agenda as follows:
 1. To Table Old Business Item 4 at the appropriate time.
 2. Amend Consent Item 3 – add one Appraiser IV position for the Tax Assessor’s Office; add five positions for the Sheriff’s Office, one Sergeant of Community Policing, three Investigator I positions and one Investigator II position; and add one Assistant Public Defender I position.

3. Amend Consent Item 25 – change the total amount of the principal and interest outstanding from \$350,000 to \$250,000.
 4. Add Consent Item 26 – Proposed Resolution to Authorize a Method for Distribution of County funds to the Volunteer Fire Departments in Aiken County.
 5. Add Consent Item 27 – Proposed Resolution Extending the Maturity of the 1997 Bond for the Aiken Center for Alcohol and Other Drug Service Projects.
- b. Councilman Smith seconded the amendment motion. The amended agenda was approved by unanimous vote.

(F) PUBLIC HEARINGS

1. Proposed Ordinance to Authorize the Council Chairman to Declare as Surplus the Property Known as Salley-Sardis Park, Located in Salley, South Carolina, and Deed to Aiken-Barnwell Community Action Commission, Inc.
 - a. Council asked what was planned for the use of the property and questioned why not lease the land rather than deed it.
 - b. Mr. Brian Sanders, Assistant County Administrator, responded that the property would be used to expand services and the parking area of the Head Start Program facility.
 - c. A reversion clause, liability, and insurance issues will be addressed prior to third reading.
2. Proposed Resolution to Authorize the Council Chairman to Execute a Lease with Savannah River National Solutions (SRNS) for Office Space at the Cooperative Research Center.
 - a. It was clarified that the funds from rental space were included in the budget and that the lease changes requested by Aiken County were made.

(G) OLD BUSINESS

1. Proposed Ordinance to Amend Chapter 2 Administration, Article II Council of the Aiken County Code of Ordinances to Add Section 2-50 Audit Committee Charter.
(Administrative Committee) (Third Reading)

(To create an audit committee and to adopt the audit charter)
 - a. Councilman Bunker made a motion for the approval. Councilman Barton seconded.
 - b. Passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Smith, Councilman Butler, Councilman Barton, Councilman Bunker and Chairman Young voting in favor. Councilman Hightower voted in opposition.
2. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning Map Atlas to Rezone 116 Tax Parcels (Approximately 2,700 Acres) Located Along Pickett Lane (P-107), Casa Lake Drive (P-127), Silver Bluff Road (SC 302), Sarahsetter Trail (P-397), Kimball Pond Road (C-2330), Holley Haven Drive (P-915), Gray Mare Hollow Road (S-146), Brownlee Street (P-861), Bimini Lane (P-1679), White Pond Road (S-504), Sunnyside Circle (C-373), and Chime Bell Church Road (S-861), Aiken, SC in Council District 2 from RUD and RD to AP.
(Singer) (Third Reading)

(To rezone land located along Pickett Lane, Casa Lake Drive, Silver Bluff Road, Sarahsetter Trail, Kimball Pond Road, Holley Haven Drive, Gray Mare Hollow Road, Brownlee Street, Bimini Lane, White Pond Road, Sunnyside Circle, and Chime Bell Church Road for agricultural preservation.)

- a. Councilman Hightower made a motion for the approval. Councilman Singer seconded.
- b. Councilman Hightower made an amendment motion to exclude the two parcels, 092-14-01-002 and 092-14-01-003, belonging to Mr. McRonel W. Smith, from the Ordinance. Councilwoman Rawls seconded the amendment motion.

Councilman Singer asked Mr. Smith if he would be willing to work with him, as the area continues to be rezoned, on finding a more suitable zoning classification that would accommodate Mr. Smith's wishes for the property's use and still maintain the quality of the neighborhood desired by the residents of the area. Mr. Smith agreed to that arrangement.

- c. The amendment passed by unanimous vote.
- d. The amended Ordinance passed by unanimous vote.

- 3. Proposed Ordinance to Establish Operating, Capital and Debt Service Budgets for Aiken County, South Carolina for the Fiscal Year July 1, 2009 Through June 30, 2010; to Provide for the Levy of Taxes for County Operations, Capital and Debt Service; to Provide for All Other Estimated Revenues and for the Appropriation Thereof; and to Provide for Other Matters Related Thereto. (County Council) (Third Reading) (To Be Distributed)

(To adopt an operating budget for the County for the next fiscal year)

- a. Councilman Smith made a motion for the approval. Councilman Hightower seconded.
- b. Councilman Singer made an amendment motion that the fee structure provided by the New Ellenton Fire Department be contingent upon the City of New Ellenton adopting the new budget that the Fire Chief and the Mayor presented to County Council. Councilman Smith seconded the amendment.
- c. The amendment was approved by unanimous vote.
- d. Councilman Singer made an amendment motion to create a separate budget line item, for both the expenditures and the revenues, for funds raised or donated to the Aiken County Animal Shelter and to allocate \$15,000 for each accordingly. Councilman Bunker seconded the amendment.
- e. The amendment was approved by unanimous vote.
- f. Councilman Bunker made an amendment motion decrease the General Fund Revenues with the following changes:

- 1. DEPT 13 Administrator
DIV 71 Risk Management

- per the insurance recommendation from the Administrative Committee \$350,000
- 2. DEPT 18 Tax Assessor
DIV 01 Administration

- replaces subcontractor with new position \$20,000
- 3. DEPT 46 Agencies and Municipalities
DIV 04 Aid to Municipalities
 - represents a 20% reduction \$94,000
- 4. DEPT 46 Agencies and Municipalities
DIV 05 Aiken County Health Department
 - assumes 12/31/09 lease expiration \$42,000
- g. Councilwoman Rawls seconded the amendment motion.
- h. Councilman Smith made an amendment to the amendment to increase the insurance savings (f-1) from \$350,000 to \$375,000. Councilman Singer seconded the motion.
- i. The amendment to increase the insurance savings to \$375,000 passed by majority vote with Councilman Singer, Councilwoman McKenzie, Councilman Smith, Councilman Butler, Councilman Barton, Councilman Bunker and Councilman Hightower voting in favor. Councilwoman Rawls and Chairman Young voted in opposition.
- j. Councilman Singer made an amendment to the amendment to decrease the 20% reduction in the Aid to Municipalities (f-3) to 10%. Councilman Smith seconded the motion.
- k. The motion failed by majority vote with Councilman Singer, Councilman Smith, Councilman Hightower and Chairman Young voting in favor. Councilwoman Rawls, Councilwoman McKenzie, Councilman Butler, Councilman Barton and Councilman Bunker voted in opposition.
- l. The vote to leave the reduction at 20% passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Butler, Councilman Barton and Councilman Bunker voting in favor. Councilman Smith, Councilman Hightower and Chairman Young voted in opposition.
- m. Councilman Bunker's amendment for decreases to the General Fund Revenues passed by unanimous vote.
- n. Councilman Bunker made an amendment motion to increase the General Fund for the following:
 - 1. DEPT 10 County Council
DIV 01 Administration
 - increase Council Contingency Fund for State/Federal revenue consultant;
assumes evaluation and hiring by 1/1/10 \$50,000
- o. Councilman Hightower seconded the amendment motion.
- p. Councilman Smith made a motion to amend the amendment by increasing the \$50,000 to \$100,000. Those funds would come from decreasing Administrator's General Project Account by \$25,000 and absorbing the \$25,000 insurance savings (f-1) increase. Councilman Singer seconded the motion.
- q. The motion passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Smith, Councilman Butler, Councilman Bunker

and Chairman Young voting in favor. Councilman Barton and Councilman Hightower voted in opposition.

- r. Councilman Bunker made an amendment motion to increase the General Fund by adding:
 - 1. DEPT 13 Administrator
DIV 14 General Pool Accounts
 - increases autos and light trucks \$372,900
 - s. Councilman Singer seconded the amendment. The amendment was approved by unanimous vote.
 - t. Councilman Bunker made an amendment motion to increase the General Fund by adding:
 - 1. DEPT 26 Clerk of Court
DIV 01 Administration
 - increase mileage (Joe Grass support) \$2,500
 - u. Councilwoman Rawls seconded. The amendment was approved by unanimous vote.
 - v. Councilman Bunker made an amendment motion to increase the General Fund by adding:
 - 1. DEPT 28 Coroner
DIV 01 Administration
 - fund one replacement vehicle \$22,300
 - w. Councilman Smith seconded the amendment motion.
 - x. Councilman Barton made an amendment to the amendment to allow the Coroner to use the funds at his discretion. Councilman Bunker seconded.
 - y. The amendment to the amendment failed with Councilman Barton, Councilman Bunker, Councilman Hightower and Chairman Young voting in favor. Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Smith and Councilman Butler voted in opposition.
 - z. The amendment passed by unanimous vote.
 - aa. The amended FY 2010 Budget Ordinance passed by unanimous vote.
4. Proposed Ordinance Amend the Aiken County Code of Ordinances by Adding Chapter 19.6, Stormwater Management Program, for the Purpose of Regulating Stormwater Runoff Resulting from Land Development Activities and by Repealing any Ordinances in Conflict Therewith. (County Council) (Third Reading)
- (To add a new chapter to the Aiken County Code of Ordinances)
- a. Councilwoman McKenzie made a motion for the approval. Councilman Hightower seconded.
 - b. Councilwoman McKenzie made a motion to Table the Ordinance. Councilman Hightower seconded the motion.

- c. The motion to Table passed by unanimous vote.

(H) CONSENT AGENDA

I. REGULAR CONSENT AGENDA

- 1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts At-Large, 2, 3, 4, 5, 6, and 7.
(Young, Singer, McKenzie, Smith, Butler, Barton, Bunker)

(To appoint members to standing committees created by Council.)

- 2. Proposed Resolution to Approve the Allocation of Funds for Various Non-Profit Agencies from the FY 2009 Council Contingency Fund.
(County Council)

(Council has a certain amount of money allocated in the budget which can be used for projects at its discretion. This resolution distributes some of the money.)

- 3. Proposed Resolution to Authorize the Filling of Certain Vital Positions Previously Restricted by the Hiring Moratorium.
(County Council)

(To fill certain vital positions frozen during the hiring freeze)

AS AMENDED

- 4. Proposed Resolution to Congratulate Oscar and Rubena Kemp on Their Fiftieth Wedding Anniversary.
(McKenzie)

(To congratulate Oscar and Rubena Kemp on their 50th wedding anniversary)

- 5. Proposed Resolution to Adopt the Manual of Uniform Traffic Control Devices as the Guiding Policy on Traffic Sign Erection for Aiken County Public Works.
(Development Committee)

(To adopt the manual of uniform traffic control devices as the guiding policy on traffic sign erection)

- 6. Proposed Resolution to Authorize the Council Chairman to Execute a Lease with Savannah River National Solutions (SRNS) for Office Space at the Cooperative Research Center.
(Administrative Committee)

(To award a contract to Savannah River National Solutions (SRNS) for office space at the Cooperative Research Center)

- 7. Proposed Resolution to Authorize the Council Chairman to Execute an Amended Intergovernmental Agreement with Allendale County, Bamberg County, Barnwell County, Calhoun County and Orangeburg County for the South Carolina GIS Water and Sewer Line Update Project.
(Development Committee)

- (To amend an intergovernmental agreement for the South Carolina GIS water and sewer line update project)
8. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Gene Ray Fulmer Construction for the Kedron Church Road Improvements.
(Development Committee)

(To award a contract for Kedron Church Road improvements)
 9. Proposed Resolution to Accept Easements on Fire Tower Rd (C-491) Needed for Capital Projects Sales Tax II Paving Project.
(Development Committee)

(To accept easements needed for paving project)
 10. Proposed Resolution to Authorize the Acceptance of RPM Engineers of Lexington, SC, as the Design Engineer for 0.6 Miles (DeMedicis Boulevard, C-252) of the C-Fund Program.
(Development Committee)

(To award a contract for a design engineer)
 11. Proposed Resolution to Authorize the Acceptance of BP Barber, Inc. of Columbia, SC, as the Design Engineer for 1.53 Miles (Wendy Lane, C-802) of the C-Fund Program.
(Development Committee)

(To award a contract for a design engineer)
 12. Proposed Resolution to Authorize the Acceptance of W.R. Toole Engineers, Inc, of Augusta, GA, as the Design Engineer for 0.6 Miles (Sudlow Lane, C-86) of the Sales Tax Phase II Program.
(Development Committee)

(To award a contract for a design engineer)
 13. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with Motorola for Communication Equipment Maintenance.
(Judicial and Public Safety Committee)

(To award a contract for communication equipment maintenance with Motorola)
 14. Proposed Resolution to Award a Contract to Wells Fargo of North Carolina, Inc for Certain Insurance Coverage.
(Administrative Committee)

(To award a contract for certain insurance coverage to Wells Fargo of North Carolina, Inc)
 15. Proposed Resolution to Accept Permission Agreements on Anderson Pond Rd (C-274) Needed for Capital Projects Sales Tax I Paving Project.
(Development Committee)

(To accept permission agreements on Anderson Pond Rd)

16. Proposed Resolution to Authorize the Council Chairman to Execute a Renewal Lease for an Additional Year with KMJ Enterprises for Space for the Monetta-Oak Grove Magistrate
(Judicial and Public Safety Committee)

(To renew a lease for the Monetta-Oak Grove Magistrate)
17. Proposed Resolution to Approve a Waiver of Fees from Savannah River Site United Way Campaign Committee for Boyd Pond Park.
(Development Committee)

(To waive the fees at Boyd Pond Park)
18. Proposed Resolution to Ratify the Emergency Storm Cleanup Costs Incurred During the Tornado of April 10, 2009 and Authorize the Expenditures Not to Exceed \$45,000
(Development Committee)

(Authorize expenditures for the emergency storm cleanup cost incurred during the tornado on April 10, 2009)
19. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with the SC Coordinating Council for Economic Development that Allows Aiken County to Capture License Tax on Admissions for Aiken County Infrastructure Projects.
(Development Committee)

(To enter into an agreement with SC Coordinating Council for Economic Development to capture license tax on admissions for Aiken County infrastructure projects)
20. Proposed Resolution to Authorize the Central Procurement Division to Purchase Ambulances from Custom Truck & Body Works.
(Judicial and Public Safety Committee)

(To purchase ambulances from Custom Truck & Body Works)
21. Proposed Resolution to Accept a Deed and Certificate of Title for an Extension of Bristol Pass (C-2659) in Bristol Station Phase II Subdivision Located in Council District 6.
(Barton)

(To accept a deed and certificate of title for an extension of Bristol Pass in Bristol Station Phase II Subdivision)
22. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Eddins Electric Co. for Barden Landfill Recycle Center Tire Loading Dock.
(Development Committee)

(To enter into an agreement for a tire lock dock at Barden Landfill Recycle Center with Eddins Electric Co)
23. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with United Painting, Inc. for the Aiken County Library Windows.
(Development Committee)

(To enter into an agreement for windows at the Aiken County Library with United Painting, Inc)

24. Proposed Ordinance to Authorize the Council Chairman to Declare as Surplus the Property Known as Salley-Sardis Park, Located in Salley, South Carolina, and Deed to Aiken-Barnwell Community Action Commission, Inc.
(Development Committee) (Second Reading)

(To deed property known as Salley-Sardis Park to Aiken-Barnwell Community Action Commission)

25. Proposed Ordinance to Amend Section 11-95.1 of the Aiken County Code of Ordinances so as to Allow the Aiken County Commission on Alcohol and Drug Abuse to Incur Debt Secured by Real Property Owned by it Under Certain Conditions.
(County Council) (Second Reading)

(To allow the Aiken County Commission on Alcohol and Drug Abuse to incur debt secured by real property owned by it under certain conditions)

AS AMENDED

26. Proposed Resolution To Authorize a Method for Distribution of County funds to the Volunteer Fire Departments in Aiken County.

ADDITION

27. Proposed Resolution Extending the Maturity of the 1997 Bond for the Aiken Center for Alcohol and Other Drug Service Projects.

ADDITION

(I) INTRODUCTION OF ORDINANCES FOR FIRST READING

1. Proposed Ordinance Suspending the Application of Sunday Work Prohibitions and Sunday Operating Prohibitions Contained in Chapter 1, Title 53, of the Code of Laws of South Carolina, Adding Section 13-4 to the Aiken County Code of Ordinances to Effect Such Suspension, and Dealing With Other Matters Related Thereto.
(County Council)

(To suspend the Sunday work prohibitions in Aiken County)

- a. Councilman Butler made a motion to approve the Consent Agenda. Councilman Hightower seconded.
- b. The Consent Agenda was approved by unanimous vote.

(J) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2009 Aiken County Contingency Report as of May 20, 2009.

(K) INFORMAL MEETING OF WHOLE

- a. Reverend Sam Fulmer and Mr. Andy Windham voiced concern about the state of the Nation.
- b. Councilman Butler made a motion to recess for Executive Session to discuss litigation, personnel matters and contract negotiations. Councilman Smith seconded the motion.
- c. The motion to recess passed by unanimous vote.

RECESSED – 8:17 P. M.

(L) EXECUTIVE SESSION

1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.
(County Attorney) (Verbal)
2. Contractual Matters:
3. Personnel Matters:

RECONVENED – 9:10 P. M.

- a. Councilman Singer made a motion to reconsider the FY 2010 Budget Ordinance. Councilwoman Rawls seconded.
- b. The motion to reconsider passed by unanimous vote.
- c. Councilman Singer made an amendment motion to allow any member of County Council to reduce their salary below what is allocated by the FY 2010 Budget Ordinance. Councilman Smith seconded.
- d. The motion passed by unanimous vote.
- e. Councilwoman Rawls made a motion to adjourn the meeting. Councilwoman McKenzie seconded.
- f. The motion to adjourn passed by unanimous vote.

(M) ADJOURNMENT – 9:13 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman