

The regular meeting of the Kershaw County Council was held on Tuesday, April 25, 2017, at 5:30 p.m. in Council Chambers at the Kershaw County Government Center.

Council Present: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

Staff Present: Vic Carpenter Danny Templar Merri Seigler Ken DuBose
Judge Branham Lauren Reeder Barry Nelson Brenda Blackman
Michael Conley Peter Furlong Angie Helms Gene Faulkenberry
Keith Ray Scott Wiles Gerald Blanchard Kevin Weathers
Jill Catoe Janet Hasty

Members of the public and representatives of the media were also present.

In accordance with the Freedom of Information Act, the agenda was sent to the newspapers, TV and radio stations, citizens of the county, department heads, and posted on the county website and in the lobby of the Kershaw County Government Center.

Chairman Burns called the meeting to order and welcomed those in attendance, after which Councilman Arledge gave the invocation and led the pledge of allegiance.

PUBLIC COMMENTS

Mr. Lee McLaughlin opposes the “debris” ordinance because the definitions are unclear.

Mr. Chris Yandle is in opposition to the “debris” ordinance.

Mr. David Dean asked if the “debris” ordinance had been vetted to comply with ADA and also felt the definitions were vague.

Mr. Dustin Tate served his country as a Marine to defend freedoms and doesn't want his neighbors to determine what he can do on his property.

Mr. Doug Fielding read the 4th amendment of the Constitution and believes the “debris” ordinance is an overreach. It is vague and subjective.

Mr. Justin Jones has researched one federal law and three South Carolina laws that already address the issue. Kershaw County doesn't need this “debris” ordinance.

Mr. Mark Hagan believes the “debris” ordinance to be vague, but supports the intent.

Mr. Jimmy Plummer opposes the “debris” ordinance and believes it would allow County agencies to unlawfully search his property.

Mr. Jim Methe doesn't want the “debris” ordinance forced on the community.

Mr. Craig Radvensky feels the “debris” ordinance doesn't distinguish between businesses and homeowners.

Ms. Lora Compas-Kobor is chairman of the Kershaw County Board of Realtors and is in favor of the “debris” ordinance to abate debris as to its effect on real estate.

Ms. Natalie DiDonato is a realtor and opposes the “debris” ordinance.

Mr. Thomas Webb opposes the “debris” ordinance.

Mr. Randy Armentrout thanked Council for working on the turkey feather issue.

Mr. Steve Wilson opposes the “debris” ordinance and feels it needs to be well defined.

Mr. Jerry Tidwell opposes the “debris” ordinance.

Ms. Denise Polson suggested requiring a privacy fence instead of the proposed measures in the “debris” ordinance.

ADOPTION OF AGENDA

Councilman Connell moved to amend the agenda to remove the ATAX Public Presentation and the ATAX Committee Discussion, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

Vice-Chairman Tucker moved to adopt the agenda as amended, seconded by Councilman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

PUBLIC PRESENTATION

Kershaw County School District – Dr. Frank Morgan & Chairman Ron Blackmon

Mr. Ron Blackmon, Chairman of the Kershaw County School Board, thanked Council for including the School District in Vision2030. Dr. Frank Morgan, Kershaw County School District Superintendent, presented a PowerPoint defining budgetary needs.

ATAX Committee – Mr. Chip Galloway

Removed from the agenda.

APPROVAL OF MINUTES

Councilman Gardner moved to approve the minutes of April 11, 2017, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Tom Gardner
 Al Bozard Jimmy Jones

Abstained: Sammie Tucker, Jr. Ben Connell (both absent from April 11 meeting)

RESOLUTION

A Resolution by Kershaw County Council Authorizing the Extension of the Memorandum of Understanding between Kershaw County and Central Carolina Technical College

Mr. Carpenter explained the MOU is in regards to the downstairs space at the Government Center and will extend the agreement until December 31, 2017. Vice-Chairman Tucker moved to approve the resolution, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

ORDINANCES

Third Reading of an Ordinance Authorizing Kershaw County to Abate Rubbish, Debris, Junk and Other Materials that Constitute a Common Public Nuisance and Affect the General Health and Welfare of the Citizens of Kershaw County

Councilman moved to adopt the ordinance. There was no second. Ordinance fails.

First Reading of an Ordinance of the County Council of Kershaw County, South Carolina to Amend the County's Official Zoning Map Designation for Tax Parcel # 321-01-00-006 SPW for C and C Builders from RD-2 to R-15 and Providing an Effective Date

Councilman Tucker moved to adopt the ordinance, seconded by Councilman Connell.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

First Reading in Title Only of an Ordinance to Provide Budget Appropriations for County Ordinary Purposes in the County of Kershaw for the Fiscal Year Beginning July 1, 2017 and Ending June 30, 2018 and Adopt and Implement the Charge and Collection of Service and User Fees; and for Other Tax Purposes and County Appropriation Purposes

Councilman Gardner moved to adopt the ordinance in title only, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

NEW BUSINESS

Recommendation of a Lease/Purchase

BB&T submitted the lowest bid for interest rates at 1.59%. Vice-Chairman Tucker moved to approve the resolution approving the financing terms for the lease/purchase, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell

Opposed: Jimmy Jones

ATAX Committee Discussion and Vote

Remove from the agenda.

Tremble Branch Road Culvert Replacement

Site Concepts submitted the lowest bid at \$287,293.40. Councilman Gardner moved to accept the bid, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

COUNCIL BRIEFINGS

Councilman Arledge

Mr. Arledge stated the original "debris" ordinance did not affect 99% of the citizens. He apologizes for the failure.

Vice-Chairman Tucker

Mr. Tucker explained that the ordinance failed because it did not get a second and it will have to start the process back over. He thanked staff and the ATAX Committee for their work.

Councilman Gardner

None

Councilman Bozard

None

Councilman Connell

Mr. Connell expressed his gratitude to staff for the work with ATAX. He advised that instead of the “debris” ordinance, you can get a court injunction. He reminded everyone of the special election on May 2 for Congress. He also invited everyone to the West Wateree Rotary dinner at McCaskill Farm.

Councilman Jones

Mr. Jones voted against the “debris” ordinance every reading. He thanked Council for listening to the people and not voting to adopt the ordinance.

Chairman Burns

Mr. Burns recognized Mr. Cleatus Ray for his work with Special Olympics along with Col. Eric Boland and the Kershaw County School District. He commended Mr. David Branham for being named Principal of the Year and Ms. Brooke Bradshaw for Teacher of the Year. Mr. Burns encouraged everyone to VOTE to make a difference. The “debris” ordinance should motivate us to be good neighbors.

ADMINISTRATOR’S BRIEFING

Mr. Carpenter advised Council of the excellent turnout for the *Yakking the River* this past weekend coordinated by the Recreation Department and sponsored by Mullikan Law Firm.

LEGAL BRIEFING

None

ADJOURNMENT

Vice-Chairman Tucker moved to adjourn, seconded by Councilman Arledge.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.	Tom Gardner
	Al Bozard	Ben Connell	Jimmy Jones	

The meeting adjourned at 7:20 p.m.

5-9-17

Date Approved

Merri on Seigler

Clerk to Council