

EDGEFIELD COUNTY COUNCIL

November 1, 2022

6:00 PM

County Council Chambers

The Edgefield County Council held its regular meeting at 6:00 P.M. Tuesday, November 1, 2022, in the County Council Chambers, 225 Jeter Street, Edgefield, SC. Notice of this meeting was provided to The Edgefield Advertiser and others as requested.

Members Present

Dean Campbell, Chairman

Albert Talbert, Vice Chairman

Scott Cooper, Councilman

Tiffani Ireland, Councilwoman

Dr. Jackie Kennion, Councilwoman

Others Present

Roger LeDuc, Interim Administrator

David Caddell, Administrator

Taz Potts, County Finance Director

Aretha Eubanks, Clerk to Council

Hart Doc Clark, Building and Planning

Chairman Campbell called the meeting to order at 6:00 PM. The invocation was given by Minister Aretha Eubanks of Chalk Hill Baptist Church.

Approval of Agenda

Chairman Campbell asked Council to move New Business number one regarding the Mr. James “Fab” Burt Resolution to just after approval of minutes. Councilman Talbert made the motion and Councilwoman Kennion seconded. Motion passed unanimously.

Approval of Minutes

Chairman Campbell asked for approval of October 11, 2022, regular meeting minutes. Councilwoman Ireland made the motion and Councilwoman Kennion seconded. Motion passed unanimously.

Resolution

Chairman Campbell read resolution 21-22-1151, honoring Mr. James “Fab” Burt for his many years of service to Edgefield County. After reading the resolution, Chairman Campbell asked Council for a motion to approve this resolution. Councilman Talbert made the motion and Councilwoman Kennion seconded. Motion passed unanimously. Council presented the resolution to Mr. James “Fab” Burt and a picture was taken.

Comments from the Public

There being no comments from the public during this comment period, Chairman Campbell closed this public comment period.

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Reports

Chairman Campbell asked Council if they had any questions or comments on the reports. There were none.

Old Business

1. Consideration of approval of the second reading of ordinance 21-22-290 to modify section 24-79 Recreational Vehicle Parks and 24-91 Campgrounds of the Code of Ordinance.

Chairman Campbell: I will ask Administrator Caddell if there is anything new or different that we need to discuss.

Administrator Caddell: The Planning Commission recently took a look at campgrounds and RV parks. The ordinance currently combines both of them. The Planning Commission recommended that they be broken apart to represent the details of each. We are asking for your approval on second reading on this recommendation. But I would like to bring to Council's attention that during the last meeting, there were two sections for RV parks. One section used the phrase "aesthetically pleasing." Per discussion from the October council meeting that version was removed because it is hard to define. You will now find in the first exhibit, one campground section and one RV park section.

Chairman Campbell asked Council if they had any questions or comments on this ordinance. Hearing none, Councilwoman Ireland made the motion and Councilman Talbert seconded. Motion passed unanimously.

2. Consideration of approval of the second reading of Ordinance 21-22-791 to rezone parcel number 145-09-00-044-000 from General Residential (GR) to General Commercial (GC).

Chairman Campbell: I will ask Administrator Caddell if there is anything we need to know about this ordinance since first reading.

Administrator Caddell: I have no new information to share on this ordinance.

Chairman Campbell: Council we have discussed this at our last meeting. Do we have any other questions or comments?

Councilman Talbert: I know at the last meeting, I voted to oppose this ordinance due to not having the proper information to render an agreeable vote. But after doing some research and study, I would like to make a motion to approve the second reading on this ordinance.

Chairman Campbell: Councilman Talbert made the motion to give second reading to ordinance 21-22-791. Councilman Cooper seconded the motion. Motion passed unanimously.

New Business

1. Consideration of approval of Resolution number 21-22-1151, honoring Mr. James "Fab" Burt, was moved to earlier on the agenda.

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2. Consideration of approval of Blue Sky/Greystone's bid of \$554,400 to construct a new Animal Control Facility.

Chairman Campbell: I will ask Administrator Caddell to discuss this with us.

Administrator Caddell: Council is aware that Aiken County notified us earlier this year that they would no longer be able to accept our animals due to capacity issues within their facility. The original deadline to sever this agreement was at the end of 2022. Once we began the process to construct our own Animal Control Facility, they agreed to extend the agreement until we complete our facility. If approved by Council, this facility would be constructed on the same parcel as the LEC and located in the rear of the property. The Animal Control Facility should be completed approximately by summer of 2023. In September, we received three bids. The lowest bid of \$553,250 was rejected due to lack of a structural license. This particular contractor had an interior renovation license that does not allow structural work. Of the two remaining qualified bids, Greystone had the lowest remaining bid. They are a local contractor and had the correct license to fulfill the needed requirements. The bids were close to our estimated cost and that gave us some comfort. We recommend using the American Rescue Plan Funds to pay for this shelter.

Chairman Campbell: Thank you. Council do you have any questions or comments?

Councilman Talbert: Administrator Caddell, I know you said unqualified bid. Would you explain this in more detail?

Administrator Caddell: Yes. The builder we had to reject only had a license that allowed them to do the interior renovations. Their license does not allow them to erect a structural building from the ground up. Because we had two bidders that met the qualifications, we had to reject CMB.

Councilman Talbert: You said he was an unqualified bid. But, if he won this bid, with him being the lowest bidder, could he have contracted out what was needed to fulfill the needs for this building?

Administrator Caddell: I understand what you are saying, but our concern is that a decision to choose the lowest bidder knowing he is not qualified would place us in legal jeopardy with the builders who were qualified. I will ask the Building and Planning Official, Hart Clark or the County Attorney, Andrew Marine to discuss in more details.

Attorney Marine: The unqualified bid did not meet all the qualifications for the proposal. The other two builders did. If a builder does not meet the qualifications for the bid, then you are to reject that bid.

Councilwoman Kennion: For example, if I bid to paint this building and don't have the credentials to paint on the outside of this building. Can I subcontract that portion to another builder?

Attorney Marine: Not if you don't have the license.

Councilwoman Kennion: I have a license to do the inside and not the outside. I am thinking CMB has the license to do the work but can they subcontract to fulfill the qualifications.

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Attorney Marine: When discussing the erection of a building and doing the interior work in the building, there is a major difference.

Councilwoman Kennion: What I am asking is, could he have subcontracted this work out to win this bid?

Chairman Campbell: Let me interrupt and ask Hart Clark to answer these concerns.

Hart Clark: Just to clarify, in this particular case it is not about subcontracting out the job. In this case we had three bidders of which two are qualified and fully capable to do the entire project. One of the three bidders was not qualified. If we were to accept the underqualified instead of the qualified bidders, we would put ourselves in a legal situation where we could be sued by the qualified bidders for accepting an unqualified bidder.

Councilwoman Ireland: So, let me clarify this, we are not talking about painting the inside of a building. We are talking about this bid project was for the entire building, inside and outside. We are not talking about piecemealing it out and subcontracting.

Hart Clark: Correct. In order to do structural work, you need a General Contractor's License that is designated as building. This is the license the lowest bidder does not have. He has the Interior Renovations License, which allows him to do interior work such as hanging sheetrock and putting up partitions. But that disqualifies him from actually erecting the building itself.

Councilwoman Ireland: We would still have to find someone else to build the building because he could only go in and paint?

Hart Clark: We would have to hire a general contractor to come in and build the building. Then the lowest bidder would come in and do the work in the inside of that building. We could not do that on this project or that would put us in legal jeopardy of being sued by the qualified builders who can complete this project on their own.

Councilwoman Ireland: This bidder must know he cannot fulfill the requirements for this project. Is \$553,250 for painting?

Hart Clark: No.

Councilwoman Kennion: I gave painting as an example.

Councilwoman Ireland: Okay. What was his bid for if he can't build this building?

Hart Clark: His bid was for the entire project but he would have to subcontract out to another builder to actually erect this building. In this particular case, we cannot allow that because we have qualified bidders. It is a legal issue.

Councilwoman Kennion: Thank you for clarifying this concern for the public.

Interim Administrator LeDuc: Greystone is an Edgefield County Builder and could have asked for the 5% Local Preference Option which would have made him lower than the lowest bidder who is out of the county.

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Councilwoman Kennion: I want to repeat, I was not talking about painting. I just wanted this clarified for the public.

Chairman Campbell: Do we have any other questions or comments from Council. Hearing none, Councilwoman Ireland made the motion and Councilman Cooper seconded. Motion passed unanimously.

Comments from the Public

Pao Lin Hatch: She is the president of Paws and Hooves Rescue, which is a registered South Carolina charity as well as a non-profit 501 C3. She explained the mission of the business relating to animal awareness, funding and animal welfare. Ms. Hatch described their recent campaign of spaying feral cats and that the process is not simple. She continued to inform Council that she worked with Edgefield Veterinarians, and the Aiken SPCA to spay and neuter as many cats as they could catch. Ms. Hatch expressed her support for the new Edgefield County Animal Shelter as well as offered suggestions and comments to Council in community support/outreach, ordinance development, staff coverage, and contractual arrangements. She briefly spoke about the voucher program for the spay and neuter of cats and dogs used in Edgefield County. She stated the difficulty in obtaining an appointment at the local veterinarian. Ms. Hatch encouraged communication between the new animal shelter and other CSRA veterinarians in the area. Ms. Hatch also discussed briefly the law concerning loose dogs and the penalties for which she thought was laughable. She ended her comment with offering her assistance if needed.

Chairman Campbell: The next meeting will have our Animal Control Ordinance perhaps.

Administrator Caddell: We are working on that now.

Chairman Campbell: I will tell you to watch and see when it is coming up because we will be discussing the ordinance at that time. It is at that time when we will be discussing what you have spoken about in the ordinance.

There being no more comments, Chairman Campbell closed this Comment period.

County Administrator's Report

1. Fire Department - The fire departments have been experiencing issues with recruitment and have expressed a need for additional training. Our EMA Manager, Foster Crowder is assisting the fire departments with these issues. Two representatives of the Fire Academy made presentations and offers of assistance at the October 27 meeting. We are also exploring opportunities to provide training through the Strom Thurmond High School Career Center.
2. Sweetwater Community Center – A system has now been installed that allows Aretha to issue key codes to allow renters access to the building This saves the renter both a trip to pick up the key and a trip to return it. Foundation repairs have been completed and floor refinishing is scheduled for February.
3. Animal Control Facility – We are now taking a look at the ordinance needs for Animal Control. We looked at the Aiken County ordinance and made modifications to simplify it. Hart

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Clark and Jason Ramey presented it to the Planning Commission for review during a recent work session. I believe two members of Council attended. We appreciate their work and look forward to bringing an updated ordinance to Council very soon. We need to have this in place before next summer when the facility is expected to open.

As things progress, we will need to partner with a local veterinarian, set up a website, arrange staffing, and establish a mechanism for adopting out abandoned animals whether in house or through a nonprofit.

4. LEC – There are two items to report here.

1. First, after numerous meetings, phone conferences, and collecting and sharing documents on the issue of our revenue bonds, we have received an A+ long term rating from Standard and Poors. To quote from the report, “The rating reflects our view of Edgefield County's history of consistent budgetary performance and conservative budgeting practices which have enabled it to build very strong reserves.” We are very happy with that.
2. Second, our preconstruction meeting for the LEC is in two days so we expect things to progress rapidly from that point.

5. There is a Legislative Delegation meeting right here in Council Chambers November 9 at 6pm. Council is invited of course, and this meeting is open to the public.

6. I would like to acknowledge Lee Ann Anderson for all of her work organizing the Preventive Worksite Screening for County Employees that was held last Wednesday. Our goal will be to increase participation each year.

7. I would like to acknowledge LaKeisha Bryant for her work on grants. The total of grants completed and grants in progress for 2022 exceeds one million dollars covering everything from School Resource Officer funding to Park improvements. I appreciate her hard work in securing these funds.

8. And finally, I have been on the job for a little over two weeks now and I would just like to thank everyone who has helped me transition into this new role. In that regard a special thanks to Roger LeDuc, Doc Clark, Taz Potts and Aretha Eubanks.

Comments by County Council Chairman

We had a short agenda tonight, but that’s always a good way to break-in a new Administrator. I appreciate Council and everyone working through tonight’s issues.

In the spirit of a brief meeting, I have only one item I want to announce.

The December meeting of the County Council marks the last meeting for Scott Cooper as a County Council member. As we know, he chose not to run for re-election. In honor of his service, we will have a reception for him at the December 6 County Council Meeting. The reception will be 4:30 p.m.-5:45 p.m. Our meeting begins at 6 p.m. This reception will be held right here in Council Chambers. We encourage all employees, the public, elected officials, and

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all others to come out and chat with him and wish him well. Refreshments will be served. We hope to see a lot of people there.

Adjourn

Chairman Campbell: That's all I have. There being no other business, I'd entertain a motion to adjourn. Councilman Talbert made the motion and Councilman Cooper seconded the motion to adjourn. Motion passed unanimously. County Council meeting adjourned at 6:33 P.M.

Edgefield County Council

Dean Campbell, Council Chairman

ATTEST

Aretha Eubanks, Clerk to Council