

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

Hampton County Council held a regularly scheduled meeting on Monday, April 18, 2005, 6:00 p. m., Council Chambers, B. T. DeLoach Building, Hampton, South Carolina. Council Member(s) present: Lisa Ball; Lee S. Bowers; Virgin Johnson, Sr., Margaret S. Parker, Chairman and Willard E. Wilson, Vice Chairman. Staff present: Sabrena Posey, Administrator; Aline Newton, Clerk to Council and A. G. Solomons, Jr., County Attorney. Media present: Mr. Wayne Knuckles, The Hampton County Guardian.

CALL MEETING TO ORDER

CALL TO ORDER:

Chairman Parker called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION:

Pastor Kevin Byrd, Hampton county Chaplain, gave the invocation.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Parker.

PUBLIC HEARING(S)

PUBLIC HEARING FOR AN AMENDMENT FOR FISCAL YEAR 2004-2005:

Administrator Posey stated that the public hearing was for the mid-year budget review for the current fiscal year. She stated that there had been two readings on the mid year budget amendment. Administrator Posey stated that she wanted to add one item in which was added to this ordinance as well as point out the main highlights. She stated that:

- the personal services budgeted at the beginning of the fiscal year needed to be adjusted for the class and comp study to spread those figures throughout all the departments. She stated that this is one of the larger items, \$168,200 (one hundred sixty-eight, two hundred dollars); it is not new monies; it just has to be spread throughout the departments as it needed to be expended.
- \$50,000 was transferred from the contingency account which was requested for various departmental expenses, including two positions that were approved but were not budgeted, one in public works and one in the detention center.
- a third major item was \$73,000 increase requested in the general fund to cover \$50,000 in equipment and repairs and \$23,000 in fuel.
- the new item that was mentioned is \$3,521 that was received in a grant for bullet proof vests for the sheriff's department. She stated that they wanted to add that grant item to this ordinance.

Administrator Posey stated that this made up the major items for this ordinance, and she would be

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

glad to answer any questions. Chairman Parker asked if the public had any questions about the amendments to the budget. There were no comments. Chairman Parker closed the public hearing.

PUBLIC COMMENT(S)

MR. GROVER BOWERS PERTAINING TO TAX GENERALLY IN HAMPTON COUNTY:

Mr. Bowers told Council that they were not going to appreciate what he was going to say. He stated that most people knew that he was the last Senator from Hampton County. He stated that when he left Hampton County in 1966 for the Senate, the taxes were 62 mils. He stated that there was the Sheriff and maybe four or five deputies and the sheriff's office was in the County Courthouse and the County didn't have the Taj Mahal down there (referring to the building on 601 South- new DSS building). He stated that this is one of the finest buildings that he has been in. Mr. Bowers stated that every room in that building has a lock on it except the main entrance going into that building. Mr. Bowers stated that he was not talking for himself, Grover Bowers, because he was 85 years old. He stated that he will pay his taxes no matter what requests the County puts on him. He stated that he was talking about his children and his grandchildren and others children and grandchildren. Mr. Bowers addressed the Council and stated that he knew some people who tried to spend themselves rich, and they were very unsuccessful. He stated that Hampton County cannot tax itself rich. He stated that it was time that the Council of Hampton County realized that. Mr. Bowers made a plea to Council not to "try to spend yourself rich" because it cannot be done. Chairman Parker told Mr. Bowers that his comments didn't hurt much. She asked if he would like to stay with Council for the remainder of the meeting. Mr. Bowers stated that he would.

ADOPTION OF THE AGENDA

ADOPTION OF MARCH 21, 2005 COUNTY COUNCIL MEETING AGENDA:

Chairman Parker asked if the Administrator had anything to add to the agenda. Administrator Posey stated that she did not. Chairman Parker asked Council if they had anything to add. They did not. Chairman Parker stated that a motion was needed to adopt the agenda as received in the packet. **Moved** by Council Member Ball, seconded by Council Member Wilson, to adopt the agenda. There was no discussion. Motion carried.

APPROVAL OF MINUTES

APRIL 4, 2005 REGULAR MEETING MINUTES:

Chairman Parker stated that Ms. Newton requested that the April 4, 2005 meeting minutes be tabled until the next meeting. Chairman Parker asked if this was alright with everyone. There were no objections. The minutes were tabled until the next meeting.

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

PRESENTATIONS

NAMING OF THE DEPARTMENT OF SOCIAL SERVICES' NEW BUILDING:

Chairman Parker asked if Mrs. Crews was there. She asked if there was anyone representing her from COFAC. Administrator Posey stated that she could make the presentation if the Chairman would like. Chairman Parker stated that the Administrator could make the presentation, because she attended the COFAC meetings. Administrator Posey stated that the matter was in regards to naming the DSS building. She stated she also wanted to point out that Mr. Bernie Zurenda was here and also attended the COFAC meeting regarding this item. She stated that the Committee met and wanted to plan a naming and a dedication for the DSS building. She stated that they were trying to do it in conjunction with the Watermelon Festival this year. Administrator Posey stated that there were requests to name the building in the honor of Mrs. Iva T. Mace who served as Director of DSS for 45 years. She stated that Mr. Zurenda attended the meeting and is also supporting this recommendation. She stated that DSS is seeking Council's approval so that Mr. Zurenda and his staff can proceed with the dedication. **Council Member Johnson** wanted to know if Mrs. Mace was still living. Administrator Posey stated that she did not believe so. **Council Member Bowers** stated that he was in favor of it but thought that the public should have had notice of it, and he did not see any harm in waiting two weeks, because the agenda only said naming of the building; it did not say for who. He stated that he did not know any reason that it should not be named for her but he stated that his experience tells him to wait two weeks. He stated that you might have a flock of people who would come and be for it and you may have a flock of people who may come and be against it. Council Member Bowers stated that Willingham Cohen taught him that. Chairman Parker asked if he wanted to make that in the form of a motion. **Moved** by Council Member Bowers, seconded by Council Member Wilson, to table the matter of naming the Department of Social Services building until the next meeting. Council Member Bowers stated that he had no intentions of not voting for it but would like to give the public information prior to voting on it. Chairman Parker stated that Council has now stated who it is that the building would be named and asked that it be shown in the next agenda. Council asked Mr. Zurenda if there were any problems with acting at the next meeting. Mr. Zurenda stated that it was not. Motion carried. Chairman Parker stated that the item will be on the agenda for the next time.

**MR. JOHN HENDERSON, SOUTH CAROLINA ASSOCIATION OF COUNTIES
DIRECTOR OF RISK MANAGEMENT SERVICES , REGARDING A RISK
MANAGEMENT PRESENTATION:**

Chairman Parker asked Mr. Henderson to come and make his presentation. She stated that it was a very, very serious and important subject. Chairman Parker stated that Mr. Henderson worked with the South Carolina Association of Counties and more specifically with risk management. Mr. Henderson stated that he was the Director of Risk Management Services for the Association of Counties. He thanked Chairman Parker and the Council for allowing him to speak to them. Mr. Henderson stated that:

- Hampton County is a member of the South Carolina Association of Counties Compensation Trust and has been for many years.
- this program started in 1984 and it was designed for counties by counties.
- it is a non-profit organization that's administered by the South Carolina Association of Counties and the claims portion of it is administered for the Association by Companion

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

Property and Casualty Company in Columbia which is an off shoot of Blue Cross and Blue Shield.

- the Trust is not a profit organization but sometimes there's confusion about that because folks think that workers's comp is by some insurance company that is off somewhere but it is by county, for county.
- The assets of this program belong to the members as do the liability.

Mr. Henderson stated that the liabilities was what he wanted to talk to Council about tonight. He stated that over the past several years, SCAC has had increasing losses in the Workers's Compensation Trust that which can be attributed to a number of things in addition to increasing costs. Mr. Henderson stated that he wanted to talk about increasing costs which resulted primarily after the 911 event in which the international re-insurance market went up in price. He stated that when SCAC has a lost, they only obtain a certain portion of it, then they ship the excess portion off to another insurer who is called the re-insurer. He stated that the cost for those things have gone up dramatically. He stated that Medical Inflation is another issue that everyone is dealing with on many different levels, the cost for treating folks that get hurt are going up and the awards that are given by the Workers' Comp Commissioners for claims have become somewhat unpredictable over the past few years. He stated that awards that might have been \$100,000 traditionally are much higher than now. He stated that it is hard to figure out where the Commissioners are going to go next with some of these things, and there have been some changes in the local Comp law that is making it more difficult for insurers to defend cases that's hand strung somewhat. Mr. Henderson stated that there is another item out there called the second injury fund. He stated that the County may not be familiar with that, but this organization was formed a number of years ago to encourage employers to hire folks who have had previous injuries. He stated, for example, if someone lost an arm in an agricultural accident, years ago people would not very likely hire them, because they would be handicapped, but with the second injury fund it encourages folks to hire those people and if there is a workers' comp claim from that individual that is made worse by the pre-existing condition, the lost of the arm, the second injury fund would pay a portion of that claim. Mr. Henderson stated that as a result of that luxury, there is an assessment that is made to the insurers based on the number of claims that they have had. He stated that the Association's losses have gone up quite a bit and the assessment on the second injury fund have gone up quite a bit. He stated that this hurts. He stated that:

- they have looked at this thing and have tried to get the message out to the members that the losses belong to the members, the assets too.
- It's a partnership-everybody's in it together and as a result the claims values have doubled from 1999 to 2004.
- before 2000, they never had a claim that was over one million dollars.
- since then, they have had three of them. For example in 2000 they had a fireman that was burned and finally succumbed to his injuries, 1.4 million dollars.
- they had a 3.3 million dollar claim for a deputy that was struck by an automobile. He is now a paraplegic and the workmen's comp law requires that they pay lifetime medical. The cost for the remainder of this fellow's life is estimated at 3.3 million.
- a deputy was hit by a car in 2003, his claim was 2.4 million dollars for a closed head injury; the claim is just an estimate. He stated that these things are out there.

Mr. Henderson stated that as a result of this, Hampton County's premiums have been going up, and the premiums have doubled between 2002 and 2004. Mr. Henderson stated that they hate that and as

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

a non-profit organization, he stated that it is not like they are socking away a bunch of money. He stated that, in fact, the money that had been accumulated over the years is gone. The money that was called surplus has disappeared. He stated that 15 million of it gone in three years to pay these claims. Mr. Henderson stated that:

- the Trust now has a deficit of 1.5 million dollars, but he needed to explain that a little.
- you might say that they have gone broke; they are getting ready to close the doors and go out of business.
- it does not work that way. On paper, there is a deficit. If every claim had to be settled tomorrow, there would not be enough money to pay for it.
- Workers' Comp claims take quite a while to settle; therefore, it is very possible to have an assessment to offset this deficit and move on with no problem.
- this is what the Trustees have voted to do. The bylaws require that if there is any deficit out there, that it be retired.
- the County has received information about what the Board of Trustees is telling you about this assessment which is 15.2 percent of your final audited premium as of 06/30/05.
- the final audit will not be completed until sometime in October so the bill for the assessment will come sometime in October.
- The Board of Trustees, as many of you know, are made up of County Officials, and they are mindful of what it takes to run a county, so they purposely put this assessment so that it would be in another fiscal year so that you would not get a double hit in your current year.
- this bill will be coming in October and the estimated impact for Hampton County will be around \$39,000.
- he believes that this has been communicated to the County. The bill is based on what the payroll audit is. He stated that it could be a little more or it could be a little less, but the amount quoted is a reasonable estimate of what it is going to be.
- the Trustees wanted the Counties to know about this with no surprises.

Mr. Henderson stated that what he was interested in is what he can do to help the County reverse this. He stated that the way to reverse the trend is for the county to get control of the claims they have. He stated that there have been an excessive number of claims in Hampton County over the years. He stated that the Workmen's Comp Trust:

- evaluate the claims on something called the experience modification factor which is really the comparison of the premium and payroll with what is normal and expected losses of an organization your size and what the County actually has.
- they go back and look at the claims for two, three and four years to come up with that factor.
- if you had average losses, the factor would be one time what that rate is. He stated that unfortunately, for Hampton County, the rate is 1.51 times your rate.
- if you had 1.0 times your rate with average expected losses that would have been a premium of about \$87,000 less than what you have now.
- Hampton County is paying a heavy price for the excessive losses that they have had over the past years.
- unfortunately the picture does not look any better for the current or coming year which is 7/1/2005 through 6/30/2006, and they are projecting that the experience modifier for that period, (and he saying projected because he does not know for sure) but it looks like it may be about 1.84.
- this is going to be a very significant impact on the premiums if the County had normal

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

expected losses. He asked what do you call normal losses? Mr. Henderson stated that , he couldn't tell you, but he stated that it is a mathematical formula.

- the bottom line is that Hampton County has had a lot and you're having to pay for it in addition to this assessment. He stated that he hates that all this is coming onto the County.

Mr. Henderson stated that the bright spot on this is what Dobie and Ms. Posey and the Safety Committee are doing. He stated that he's been working with Hampton County for a number of years, and he has been to Hampton County more in the last six months than he has been in the last eight years. He stated that it is great to see the work of the Safety Committee. He stated that they have established a safety committee with the Council's blessings. He stated that folks have started doing some work identifying the goals that they want to achieve as a safety policy that is written in draft form; he stated that they are pretty close to approving it. Mr. Henderson stated that Ms. Posey has directed Dobie to get a lot of training done to help folks understand what the risks are, and they have done that. Hampton County has had 65 folks trained in Defensive Driving this year, and there are two defensive driving classes that are scheduled at the end of the month for the Sheriff's department. He stated that when they finish that up he thinks that they will have everyone in Hampton County trained for Defensive Driving. He stated that he has worked with the Safety Committee and the Department Heads a couple of times on various training issues. On March 23, he said that they had a session for Department Heads where they talked about the basics of workmen's compensation and how it works and what goes into it. They had a representative from Companion who is the Claims Administrator to speak to them about claims. He stated that they had a good discussion. On March 24, a defensive driving class was held at the Hampton Fire Station. He stated that there were 34 people in it. He said that it was a lively exchange and people got a lot out of it. Mr. Henderson stated that he didn't think that they felt like they were being punished for having to take a defensive driving class. He stated that he believes that they realized that it was a benefit for them that the County provided personally for the driving that they do on their way from work. Mr. Henderson stated that what they have done is established basic standards in which they expect all members to meet in risk management for their programs. He stated that those standards are that they want:

- all claims reported within five days on an average
- all accidents investigated using a written accident investigation process
- light duty to be offered whenever it is feasible for a person. Light duty is if they are injured, they can't come back to their normal duties, but they can do something. Light duty allows the injured employee to be productive, and they are more likely to come back to work instead of sitting on a sofa and watching television, because when that happens, people get used to not working. Mr. Henderson stated that psychologically it is better for the worker to be back in the environment making a contribution to their employer. He stated that they are encouraging Council to do this.
- utilize a designated doctor that the County has whenever possible. He stated that worker's comp law says the employer can tell the insured worker what doctor to go to. He stated that if you don't do that, then people can go to any doctor they want to, and they go to a family physician who has the interest of the injured person in mind and you have the worker's comp doctor who the County is using; they have the injured worker usually in mind but they also have the employers' interest. He stated and the idea is to get the injured worker back to work as quickly as possible so that

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

you can control the cost of the claim. Mr. Henderson stated that if the basic risk management standards are not met during the policy period of 7/1/06 - 6/30/06, there could be an assessment of up to 2% of your final audited premium as of 6/30/06. The purpose of that assessment is to get people's attention; he stated that it is not to collect additional premiums. Mr. Henderson stated that since they have told folks that there is an assessment that could be coming as a result of these basic standards, a lot of folks are saying that we are glad you're doing that. He stated that since they have got people's attention, and Counties are going to support it. He stated that:

- he knows that Council has given great support to the Risk Management Program in Hampton County here and would encourage council to continue doing that.
- the Association of Counties, they are willing to everything they can to work with Hampton County to control the claims and move forward and reduce the cost.
- it is a hard job but as soon as they focus on it and get the cooperation of all departments and all employees, the sooner Hampton County will see a change.
- you will not see it overnight, because the losses did not occur overnight, and it's going to take time to reduce it.
- the Association would like to work with Council to do this, and they appreciated County's membership in the Workmen's Comp Trust and in the Association of Counties. Mr. Henderson asked if there were any questions. Council Member Bowers asked if there was any particular area that the County was going down in with having claims more often than other counties. Mr. Henderson stated that Hampton County would look at the claims that they have, not in comparison with other counties, but most claims are coming out of the sheriff's office and that pretty much is true everywhere.
- the greater percentage of counties' claims are in sheriff departments. In Hampton County, he stated that he did not know. He stated that he would have to look to do the comparison; he stated that the greatest exposure is in the sheriff's department. The claims are from there. Can they do a better job controlling the claims that mostly result from motor vehicle accidents. He stated that the answer to that is yes.
- the training that they will do in a couple of weeks will help that. He said that it really is the philosophy of how the department is run and what the sheriff wants to do. He stated that they can do all the training in the world for the County, but it's going to be what are the day to day operations and to know what is expected of them. He stated that hopefully they can help there and do a good job. He stated that EMS has done particularly well over the past four years with very few claims. He stated that there is one large back injury which is to be expected. He stated that in the last four years, the EMS losses were very low. He stated that in other departments in general, the claims have been quite good. He stated that good meant low.

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

Council Member Bowers stated that the rates for people who work in an office are not very high. Mr. Henderson stated that the people working in the office rates are low and the rates reflect that. Council Member Johnson stated that he understood him to say that the County will tell you what doctor to go to. Mr. Henderson stated that:

- that the County as the employer has the right to designate which doctor the injured worker goes to. He stated that the injured employee starts there and then if the doctor says that the employee needs to go to see specialist x, y or z , then the employee can go to the specialist.
- the County has that right to designate what doctor the employees go to. He stated that he believed that the County has selected a doctor to handle worker's comp.

Administrator Posey stated that this was correct. Council Member Johnson stated that he hoped that this was not a direct order, because he knew a doctor who sent a fellow back to work, and they ended up cutting his leg off. He said that the doctor said that the man was able to work. Council Member Johnson stated that in another incident this person ended up in a wheelchair and a bed, because he went to the wrong doctor. Mr. Henderson stated that he thought that the County had a good doctor selected, and he thought that the doctor was doing a good job for the County. He stated that the County could always look and evaluate the performance of the doctor. He stated that the County could always change doctors if the County felt that the doctors were not meeting the County's expectations. Council Member Johnson stated that he hoped so, because he did not agree. Mr. Henderson asked if there were any other questions. Council Member Ball asked how long would it take, generally, before the County would start seeing the benefits with the work the County is doing now? Mr. Henderson stated it was a couple of ways to answer that. He stated that as far as the premiums goes, it was going to take at least two years, because the claims are not evaluated until they are two years old, because workmen's comp claims take a loss to mature-settle out. He stated the other side of it is if you're reducing the number of claims now, there are benefits in that in which there are indirect cost benefits that don't show up in these other figures like overtime costs to pick up the slack when somebody's out of a department, damaged equipment, vehicles, etc., lack of efficiency, because you broke up an experienced crew and brought a new person in there. He stated that these were the things you would see, but they would not show up on the premium figure for two years. He stated that it is worth doing immediately, because it is the right thing to do for Hampton County and the employees. Mr. Henderson stated that he thought people did a better job when they know that you are interested in their safety. He stated that the response from the safety committee in general from the employees have been very positive. Council Member Wilson stated that he had a question concerning the sheriff's department. He stated that he knew that the sheriff's deputies have been working excessive hours. He wanted to know if this possible could contribute to vehicle accidents if he had employees working eighty hours instead forty or seventy instead of forty in the run of that week. He wanted to know if working a lot of overtime could affect an employee's alertness. Mr. Henderson stated that you have to watch it when you say, but fatigue would be a factor. Mr. Henderson stated that he could not really answer that question accurately, because he did not know the details of the claims that have occurred, but people that are tired make more mistakes. He stated that they are more likely to be injured but exactly how the schedules are worked out and the folks have been hurt, he just don't know. He stated that he does not know how all that breaks down, but it is possible. Chairman Parker stated that one of the best things that she has heard is the

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

light duty policy. Mr. Henderson stated that it is absolutely. She stated that if you don't have it in that department, then you can just think of something that won't hurt you more then you report to Dobie, and maybe he will put you in another department. Chairman Parker stated that you are coming to work and doing a service. Mr. Henderson stated that you are not sitting on the sofa watching television. He stated that as far as light duty goes, the doctor has to approve to say this person can come back and do this, this and this, but they can't do this. He stated that the whole idea is to get them back doing something they can do without increasing their chances of being injured and making a contribution to the county until the recovery of the person. He stated that there are going to be some people who are going to be hurt so bad that they can't come back to work, and they are not going to be candidates for light duty. He stated that light duty is only in a couple departments in which they can make it fit. He stated that what Workers' Comp is asking is to make it available in all departments whenever the doctor says it is feasible for someone to come back to work. He stated that they will evaluate that to see how good a job the County has done. Mr. Henderson stated that they would like to work with the County if the County finds that there are things that need to be improved in the County's programs. He stated that it is not going to be that you are failing so we are going to assess you 2%; he stated that what they would do when this happens is to try and help you. He stated that this is the whole idea. He stated that they don't want anyone to get an assessment. Mr. Henderson stated that they want the counties to control their claims by having strong programs that work. Programs that work for the employees and work for the citizens. He stated that the money that is being spent extra for the claims is money that is taken away and could be spent in other areas. Chairman Parker stated that Hampton County has everything doubled and that is very hard. Mr. Henderson stated that it is. Mr. Henderson stated that the Association's Workmen's Comp Trust appreciates Hampton County hanging with them and the participation in the other programs and would continue to do so in the coming year, because they do realize the services that the Association of Counties has to offer. He stated that he is the Director of Risk Management Services, but he has another gentlemen that works with him Mr. Robert Bensfield who is a Risk Manager and his area is law enforcement. He stated that he will be coming down for the training with the sheriff's department. Mr. Henderson thanked Council for their support of the South Carolina Workmen's Compensation Trust and the Association of Counties. Council thanked Mr. Henderson for his presentation.

MR. DOBIE HIERS, HAMPTON COUNTY'S RISK MANAGER, REGARDING HAMPTON COUNTY WORKPLACE SAFETY POLICIES AND PROCEDURES:

Mr. Hiers came before Council and stated that he would like Council to adopt the workplace safety policies and procedures. He stated that:

- they are addressing safety in the workplace.
- the policy established two levels of safety review, the Central Safety Committee and the Department Safety Committee.
- the primary duty of the Central Safety committee is to develop a safety program to include enforcement and implementation and the Department safety committee will discuss and review operational safety issues within each department.
- the policy also includes accident reporting procedures and disciplinary action in which the employees may be assessed a fine of \$10 plus 10 percent of the cost of repair of the county vehicle for a first accident and \$10 plus 20 percent of the cost of repair for the second accident within the same twelve month period up to a maximum fine of \$200 per claim.

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

- staff has been trained on the Workers compensation claim and procedures by the Association. Mr. Henderson came down and trained them.

Mr. Hiers asked that Council adopt the Workplace Safety Policies and Procedures and the Modified Duty Program. Council stated that they wanted more time to review the information. **Motioned** by Council Member Johnson, seconded by Council Member Wilson, to table the Safety Policies and Procedures and the Modified Duty Policy. Motion carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments.

RESOLUTION(S)

JASPER COUNTY PORT RESOLUTION:

Chairman Parker stated that it has been over a decade since Jasper County has been trying to get this port. She stated that Jasper County has a plan. They have hired several consultants. They have a company that will finance and design the port, SSA Marine, which is one of the largest developers and operators. She stated that the port will bring 450 direct jobs and 90,000 jobs indirectly. Chairman Parker stated that Jasper County will probably have to go to court to take land that Georgia is using now. Council Member Bowers stated that all Hampton County can do is to support Jasper County's efforts. **Moved** by Council Member Bowers, seconded by Council Member Wilson, to adopt the resolution supporting Jasper County's Port. Motion carried unanimously.

FAIR HOUSING RESOLUTION:

Moved by Council Member Ball, seconded by Council Member Wilson, to adopt the Fair Housing Resolution. Motion carried.

JAIL RESOLUTION:

Council Member Johnson stated that he and Council Member Bowers were on the Jail and Law Enforcement Committee. He stated that he and Council Member Bowers had a difference of opinion regarding the request from the Sheriff to have the jail come back under the Sheriff. Council Member Johnson stated that they have not met with the Sheriff. Chairman Parker asked if they had heard from the Sheriff. Administrator Posey stated that the Sheriff said that he was not coming and that he was not sending a representative. Chairman Parker stated that she wanted to make a motion that the jail stay under the Administrator. Chairman Parker stated that she asked that ten (10) counties be contacted to see what is done in other Counties. She stated that six are run by the County and 3 are run by the Sheriff. Council Member Wilson asked what counties were contacted. Chairman Parker stated that Allendale, Bamberg, Barnwell, Calhoun, Edgefield, Fairfield, Jasper, Lee, McCormick and Saluda were the counties surveyed. Council Member Wilson stated that the Chairman could not make a motion. He stated that the Chairman presides over the meeting and should be impartial. Chairman Parker asked Attorney Solomons if the Chairman could make a motion. Attorney Solomons asked how it was listed on the agenda. He stated that if no one made a motion then the issue would die for lack of a motion. Chairman Parker stated that she would rescind her motion.

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

Moved by Council Member Wilson, seconded by Council Member Johnson, to adopt the resolution turning the jail back to the Sheriff. Council Members Johnson and Wilson voted "Yea" and Council Members Ball, Bowers and Parker voted "Nay". The motion did not carry.

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

Chairman Parker stated that this matter was deferred.

FISCAL YEAR 2004-2005 AMENDED BUDGET:

Moved by Council Member Bowers, seconded by Council Member Wilson, to give third (3rd) and final reading to the fiscal year 2004-2005 amended budget. Motion carried.

FISCAL YEAR 2005-2006 BUDGET:

Moved by Council Member Bowers, seconded by Council Member Wilson, to give first (1st) reading to the Fiscal Year 2005-2006 Budget in name only. Motion carried.

BIDS

There were no bids scheduled.

COUNCIL'S BRIEFING

Chairman Parker reminded Council about the Municipal Meeting on Monday, April 25, 2005, 7:00 p. m., Fennell Elementary School, Yemassee, South Carolina.

REPORTS TO COUNCIL

MR. MIKE MEYER, HAMPTON COUNTY'S FINANCE DIRECTOR, REGARDING THE QUARTERLY REPORT:

Mr. Meyer came before council and presented the quarterly report. He stated that the revenues and expenditure should be 75% complete. He stated that departments were allowed a 5% tolerance. If the departments were a little over but within the 5% range, then they did not worry too much about it. (See attached quarterly report). Mr. Meyer answered questions from Council. Council thanked Mr. Meyer for his report.

ADMINISTRATOR'S REPORT:

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

Out of State Travel

Administrator Posey stated that the Sheriff was requesting approval for out-of-state travel to attend the National Sheriffs' Association 65th Annual Conference and Exhibition in Louisville, Kentucky. She stated the sheriff had requested out of state travel for a trip that was approved, but he did not attend that conference but would like to attend this conference instead. Administrator Posey stated that the dates for the National Sheriffs' Association Conference are June 24 - June 29, 2005. She stated that the cost is approximately \$1,610 and the monies are in the sheriff's budget. **Moved** by Council Member Wilson, seconded by Council Member Johnson, to approve the Sheriff's request to attend the National Sheriffs' Association 65th Annual Conference and Exhibition in Louisville, Kentucky at the cost of \$1,610 which is in the Sheriff's budget. Motion carried.

Request for Council to Appoint a Request for Proposal (RFP) Review Committee

Administrator Posey stated that bids have been solicited for Auditing Services. She stated that per the procurement policy, Council must receive and publically open the bids or designate someone. She stated that she would like Council to designate the Administrator and the Finance Director as the RFP Review Committee for the Professional Auditing services. **Moved** by Council Member Bowers, seconded by Council Ball, to appoint the Administrator and the Finance Director to open bids and to bring the recommendations back to Council. Motion carried.

Update

Administrator Posey stated that she just wanted to let Council know that the Department of Social Services Parking lot is scheduled for paving tomorrow. She stated that the cost that the County was anticipating will not occur. Council thanked Administrator Posey for the update.

EXECUTIVE SESSION

EXECUTIVE SESSION REGARDING A CONTRACTUAL MATTER (ECONOMIC DEVELOPMENT AND PROSPECTS):

Moved by Council Member Wilson seconded by Council Member Bowers, to go into executive session. Motion carried. Session began 7:30 p. m. and ended 8:05 p. m. **Moved** by Council Member Johnson, seconded by Council Member Ball, to come out of executive session. Motion carried. **After coming out of Executive Session**, Chairman Parker stated that Council discussed:

- A contractual Matter (Economic Development) - Council heard a report regarding Economic Development.
- A contractual Matter (Library) - The Administrator gave an update, and Council gave directions.
- A contractual matter (McSweeney Building) - Council was given an update, and Council gave directions.
- A legal matter (County Attorney) - Council received information.

APPROVAL OF A RESOLUTION REGARDING ECONOMIC DEVELOPMENT:

Moved by Council Member Johnson, seconded by Council Member Wilson, to adopt a resolution

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

regarding the Bio-Diesel Project. Motion carried.

ADJOURNMENT

Moved by Council Member Johnson, seconded by Council Member Wilson to adjourn. Motion carried. Chairman Parker adjourned the meeting at 8:07 p. m.