

**DECEMBER 29, 2016**

A special called meeting was held at 9:00 AM at the M.S. Municipal Center with Mayor Bob McLean presiding with Councilmembers Byrd, Cook, Jenkins, Kuykendall, Scarborough, and Young. The City Manager and the City Attorney were also present. Local news present was Larry Franklin from the Clinton Chronicle and Judith Brown from GoClinton.com. Notice was mailed and emailed to all local news media on December 22, 2016.

**INVOCATION**                    The invocation was given by Councilmember Scarborough.

**PLEDGE ALLEGIANCE**        Mayor McLean asked Council and the audience to stand and recite the Pledge of Allegiance.

**CITY MANAGER'S REPORT**                    Mayor McLean recognized Mr. Stovall, City Manager. Mr. Stovall stated that the purpose behind this project is to develop a pad for retail development at the West Corporate Center Drive which was approved by Council in November. Mr. Stovall stated that the approved construction bid was \$419,000 with an additional \$20,000 for tree clearing. Mr. Stovall stated that Council authorized the City Manager to approve change orders up to \$51,000. Mr. Stovall stated that the City has encountered some snags in the construction cost and he is before Council to request the change order limit be increased to \$210,000. Mr. Stovall stated that the City funded the retail development project with a grant from Santee Cooper. Mr. Stovall stated that while grading the land the construction company encountered large rocks near the retention pond. Mr. Stovall stated that the contract did include a rock surcharge so that if a significant amount of rocks were found then a \$35 per cubic yard would be charged. Mr. Stovall stated that the \$35 surcharge is to remove the rocks and dispose of the rocks offsite. Mr. Stovall stated that the City found an onsite disposal area for the rocks which would reduce the rock surcharge to \$30. Mr. Stovall stated that the construction company thinks the worst case scenario would be to remove 7000 cubic yard of rocks which would bring the cost to \$210,000. Mr. Stovall stated that the I-26 Commerce Pad was completed on time and under budget by \$30,000 and the West Corporate Center Drive came under bid by \$102,000. Mr. Stovall stated that these funds could be allocated to the new change order which would leave a balance of \$77,000. Mr. Stovall stated that the City would like to use \$38,385.42 from the Economic Development Fund which is used for Community Economic Development projects and the also use \$38,385.42 of the \$100,000 funds that the Clinton-Newberry Gas Authority would be allocating to the City next year. Mr. Stovall stated that all of these funds either come from the Santee Cooper Grant or funds from the Clinton-Newberry Gas Authority. Mr. Stovall stated that the City is not asking to spend any City tax dollars or funds from utility

payments. Councilmember Young asked if the rock formation was coming from the creek bed on the property and Mr. Stovall stated yes.

Councilmember Young asked if the engineering firm did not take the retention pond into consideration when the testing was done. Mr. Stovall stated that the soil depth test was done to fifty feet and the test did reveal some light rock formation near the pond. Mr. Stovall stated that the contract would have covered the light rock removal but the construction company encountered larger rock formations. Mayor McLean stated that the person who did the testing did not detect the rocks. Mayor McLean asked if there is any liability on their part. Councilmember Young stated that in future projects the probes should be where the grade is going to be for the retention pond or pad. Councilmember Young stated that change orders is where companies make their money back.

Mr. Moss, Economic Development Director, stated that the engineering company laid out a master plan of where the bores would be on the property. Mr. Moss stated that the company did about twenty bores but they are just ten inches in diameter. Mr. Moss stated that the bores did hit some rock near the retention pond. Mayor McLean asked if there is any liability on the information they gave us. Mr. Moss stated that is like trying to find a needle in a haystack. Mr. Moss stated that the company does a ten inch bore on a five acre site. Mr. Moss stated that the engineering company would not be liable for their information. Councilmember Young stated that this is a \$210,000 golden needle. Mr. Stovall stated that the City is asking for funds for the worst case scenario and the company may not have to move 7000 cubic yards of rocks. Councilmember Young stated that is how the grading company would make up their challenges and the cost of moving the rocks will be close to the \$210,000. Mayor McLean stated that the City is between a rock and a hard place because the City is already obligated \$500,000 to this project. Mr. Stovall stated that the City has not obligated any City tax dollars or City utility dollars. Mayor McLean stated that the funds are still public dollars. Mr. Stovall stated that \$130,000 of the \$210,000 new change order is the Santee Cooper Grant. Mr. Stovall stated that this surplus would have been given back to Santee Cooper if the City did not use the funds. Councilmember Scarborough stated that the project would enable a business or hotel to locate on the property and generate tax dollars for Clinton. Motion was made by Councilmember Scarborough to extend the change order limit to \$210,000 and seconded by Councilmember Cook. The vote was unanimous.

**COUNCILMEMBER  
REPORT**

Councilmember Scarborough thanked everyone for their prayers during the loss of his mother.

Councilmember Jenkins stated that she hope everyone had a wonderful Christmas and she looks forward to working with everyone in the upcoming new year.

**ADJOURN**

With there being no further business before Council motion was made by Councilmember Byrd to adjourn and seconded by Councilmember Jenkins. The vote was unanimous.

---

CITY CLERK

---

**MAYOR**