

**BARNWELL COUNTY COUNCIL**  
**APRIL 5, 2011**  
**MINUTES**

Pursuant to the Freedom of Information Act, the news media was notified and notice was posted 24 hours prior to the meeting.

Barnwell County Council met on April 5, 2011 in Council Chambers at 6:00 pm. In attendance were Chairman Travis Black, Vice Chairman Freddie Houston, Councilman Harold Buckmon, Councilman Lowell Jowers, Councilman David Kenner, Councilman Keith Sloan, Councilman Joe Smith, County Administrator Pickens Williams Jr., County Attorney J.D. Mosteller, and Clerk to Council Kim Futrell. Also in attendance were Coroner Lloyd Ward, Sheriff Ed Carroll, and Clerk of Court Rhonda McElveen.

**Public Hearing**

A Public Hearing was held to receive comments concerning the 3<sup>rd</sup> Reading of an Ordinance Related to Curfews for ABC Licensed Businesses. Representatives from the Cotton Club stated that they had security on the premises and believed crime would increase if a curfew were in place. Sheriff Carroll said the curfew was for all ABC licensed businesses and was not being directed at the Cotton Club specifically. He added that to his knowledge, the State law already had a 2 am curfew in effect for Saturdays.

**Call to Order, Invocation, and Quorum**

Chairman Black called the meeting to order. The invocation was given and a quorum was declared.

**Approval of Agenda**

Councilman Sloan made a motion to amend the agenda by moving the 2<sup>nd</sup> Reading of an Ordinance Related to a FILT Agreement for Project Tissue and the Service Agreement with Southern Carolina Alliance to after the Executive Session. Councilman Smith seconded the motion. A roll call vote was requested.

Chairman Black-Yes  
Councilman Buckmon-No  
Councilman Houston-Yes

Councilman Jowers-No  
Councilman Kenner-Yes

Councilman Sloan-Yes  
Councilman Smith-Yes

The motion passed.

**Approval of Minutes**

Councilman Sloan made a motion to approve the minutes of the February 18<sup>th</sup> Special Called Council Meeting and the March 1<sup>st</sup> Council Meeting. Councilman Houston seconded the motion and it passed.

**Welcome**

Chairman Black welcomed everyone to the meeting.

**Public Comment**

Chairman Black asked if there were any public comments. There were none.

**Updates**

Coroner

Lloyd Ward gave the following update:

- In 2010 there were 112 cases which were largely due to natural causes. The remaining were:
  - 4 traffic fatalities / 5 suicides / 2 homicides / 1 unclaimed body
  - 21 cremation permits were issued; 13 autopsies were performed.
- Space is an issue due to 18 years of records being stored and recent legislation requiring coroners to maintain evidence for the lifetime of the defendant. He asked that the following be considered;
  - Having a student digitize old records and storing them in an off-site area.
  - Asking for the Coroners' input on a morgue should the Regional Hospital be formed.

Sheriff

Sheriff Carroll said the crime rate and calls for domestic issues had increased. Councilman Houston asked if the call volume at the Sheriff's Office had increased due to the recent legislation requiring the assignment of ID numbers for the sale of scrap metal. Sheriff Carroll said that the call volume had increased significantly and that the Dispatch Office was receiving the calls, recording the information and assigning the ID numbers.

Clerk of Court

Rhonda McElveen said that she had spent two days in March in Bamberg disposing of Barnwell County cases. Family Court would be the week of April 10<sup>th</sup> and later in the month. The cases would include: 150 child support, 34 private, 21 DSS, 10 DJJ. General Sessions would be held the 1<sup>st</sup> week of May. To date, \$6,500 in debt set off has been collected.

Administrator

Administrator Williams gave the following update:

- Energy efficient lighting was installed in the Council Chambers and in the Bailer Building through use of the Energy Grant.
- Under Solid Waste, the County has contracted with a company through State contract to remove electronic equipment. The total revenue on recyclables to date is \$80,000.

**Committee Reports**Boards and Commissions

Councilman Smith re-appointed Kelly Shealy to the Animal Shelter Board. He appointed Thomas Byrne to the Generations Unlimited Board and Bonnie Simmons to the Recycling Committee.

Councilman Jowers made a motion that the Nursing Home Advisory Board be dissolved. Councilman Buckmon seconded the motion. The motion passed. Council requested that letters be sent to Board members and Administrator Nancy Porter advising of Councils' decision and thanking the Board members for their service.

Housing and Services Committees

There were no reports for these Committees.

Finance Committee

Councilman Sloan said that the Finance Committee had met on the 17<sup>th</sup> and 25<sup>th</sup> of March to give Council members an opportunity to meet prior to the budget process to share ideas and goals. Hearings are anticipated to begin mid-April.

Financial Update

Administrator Williams said that a representative from CSI would be in April 7<sup>th</sup> to transfer payroll information. The start of the program is anticipated in July.

- Account 40 - approximately 40% of the revenue is in.
- Account 460 - total of the fees is 58%.
- Account 915 - this is an insurance premium reimbursement. The nursing home premiums, which are no longer paid or reimbursed would be \$240,000 of the \$360,000 budgeted.
- Account 4023 - is building insurance. \$24,500 is listed as budgeted and \$43,000 as spent. This is due to the County paying the insurance for the hospital, which would be reimbursed to the County.

Councilman Kenner asked about account 7092. Administrator Williams said that he believed that some of the expenditures charged to 7092 should have been charged to 7091 as it shows nothing having been spent.

Government Committee

Chairman Black said that the Government Committee had met with the Town of Snelling in March to give an update on the status of Project Tissue.

Health Care Committee

Councilman Jowers said the Health Care Committee had met in March. He said that \$600,000 was presently owed to Medicaid.

Housing Committee

Councilman Kenner said that the Housing Committee did not meet but that the Councils' Packet included a Resolution to adopt April as Fair Housing Month. Councilman Kenner made a motion to approve the Resolution. Councilman Sloan seconded the motion. The motion passed.

Judicial Committee

Councilman Kenner said that the Judicial Committee did not meet. He stated that during the tour of the Law Enforcement Center he had spoken with Sheriff Carroll and Ed Golden concerning the issue of lack of storage. The issue was being handled and existing space would be better utilized.

Personnel Committee

Councilman Kenner said that the Personnel Committee had met in March to continue the review and revision of the Personnel Manual. He said a few items needed to be added. The Committee would meet in April and planned to have the Manual ready for presentation in May.

Safety Committee

Councilman Jowers said that the Fire Commission met and voted against acceptance of the Automatic Mutual Aid Agreement requested by Allendale County. The Standard Agreement, currently in effect, would continue to be honored. Councilman Houston made a motion to support the recommendation of the Fire Commission. Councilman Buckmon seconded the motion. The motion passed.

Transportation Committee

Councilman Houston said that the Transportation Committee meeting in March was well attended. Several people from the State were also in attendance to help newly appointed members understand their new duties and responsibilities. A workshop was held and good information was received from Laurens County on the criteria they use in the ranking of their roads. Councilman Buckmon said he had given Council a letter concerning Black River Road and wanted to make it in the form of a motion. Councilman Houston said that it had not been included in the Agenda and recommended that the request be sent to the Transportation Committee for their recommendation. Councilman Sloan made a motion that Councilman Buckmon's letter be sent to the Transportation Committee for their review and recommendation. Councilman Houston seconded the motion. The motion passed.

**Old Business**3rd Reading of an Ordinance Related to Curfews for ABC Licensed Businesses

Councilman Sloan made a motion to approve the Ordinance Related to Curfews for ABC Licensed Businesses. Councilman Jowers seconded the motion. A roll call voted was requested.

Chairman Black-Yes  
Councilman Buckmon-Yes  
Councilman Houston-Yes

Councilman Jowers-Yes  
Councilman Kenner-Yes

Councilman Sloan-Yes  
Councilman Smith-Yes

The motion passed unanimously.

**New Business**2nd Reading of an Ordinance to Amend the Rules of Procedure

Councilman Sloan made a motion to approve the 2<sup>nd</sup> reading of an Ordinance to Amend the Rules of Procedure. Councilman Houston seconded the motion. The motion passed.

Use of Contractors Without Workers' Compensation Insurance

Administrator Williams said that he recommended the County continue with its current policy but begin having contractors sign the Statement of Independent Contractor Form (waiver). This would prevent the County from having to pay workers compensation premiums on contractors not required by law to carry it. Councilman Houston made a motion to accept Administrator William's recommendation. Councilman Sloan seconded the motion. Councilman Sloan asked County Attorney JD Mosteller if the waiver would prevent the County from being liable if a contractor were injured. Attorney Mosteller said that if a contractor were working on County property there was a strong likelihood that the waiver would not be binding. Discussion was held concerning the cost of paying Workers Compensation Insurance versus the cost of a lawsuit should a contractor bring suit against the County. Council asked Attorney Mosteller if a contractor signed the waiver, was injured and brought suit against the County, if Workers Compensation would cover the claim. Attorney Mosteller said he would need to research the matter. Council recommended that the Statement of Independent Contractor Form be approved with the understanding that Attorney JD Mosteller would research the matter. The motion passed.

Purchase of 911 Dispatch System

Councilman Sloan said there was a letter in Councils' packet concerning the purchase of a new 911 Dispatch System. Due to the necessary move of the Dispatch Center and the equipment being outdated, the Finance Committees' recommendation was to move forward with the purchase of a new system. Councilman Sloan made a motion to approve the Purchase of a new 911 Dispatch System under the terms in the letter included in the Council Packet. Councilman Houston seconded the motion. The motion passed.

Request for Construction of Ballfield

Councilman Houston said the Town of Williston had requested the County clear an area in Williston for a ballfield. Williston would lease the property, perform all maintenance, and pay the insurance. Councilman Houston made a motion that Council approve this request. Councilman Sloan seconded the motion. Discussion was held by Council clarifying that because the field would be used for smaller children, it would not need to be the size of a regular field making the cost to the County minimal. The motion passed.

**Executive Session**

A motion was made to enter into Executive Session. The motion was seconded and it passed. There was no action taken in Executive Session.

**Open Session**

Councilman Houston made a motion to re-appoint Councilman Jowers as a representative from Barnwell County to the Southern Carolina Alliance. The motion was seconded and it passed.

2nd Reading of an Ordinance Related to a FILT Agreement for Project Tissue

Councilman Smith made a motion to approve the 2<sup>nd</sup> Reading of an Ordinance Related to a FILT for Project Tissue. The motion was seconded. A roll call vote was requested.

Chairman Black-Yes  
Councilman Buckmon-Yes  
Councilman Houston-Yes

Councilman Jowers-Yes  
Councilman Kenner-Yes

Councilman Sloan-Yes  
Councilman Smith-Yes

The motion passed unanimously.

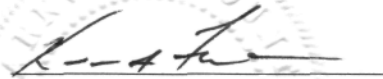
Service Agreement with Southern Care Alliance

A motion was made to table the review of the Service Agreement with Southern Care Alliance until after a workshop could be scheduled. The motion was seconded and it passed.

Councilman Sloan made a motion to approve a modification to the County Attorney's contract. The motion was seconded and it passed.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,



Kim A. Futrell  
Clerk to Council/Admin. Asst.



Travis Black  
Council Chairman