

BARNWELL COUNTY COUNCIL
December 10, 2013
Council Meeting Minutes

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

Barnwell County Council met on December 10, 2013 at 6 pm in Council Chambers. In attendance were Chairman Freddie Houston, Vice-Chairman David Kenner, Councilman Harold Buckmon, Councilman Jerry Creech, Councilman Lowell Jowers, Councilman Keith Sloan, Councilman Joe Smith, Administrator Pickens Williams Jr. and Clerk to Council Kim Futrell. Also in attendance were Sheriff Carroll and David Purtell with the People Sentinel. County Attorney JD Mosteller was unable to attend.

Public Hearing To Receive Comments Prior to the 3rd Reading of the Flood Prevention Ordinance.
There were no comments.

Call to Order / Invocation / Declaration of a Quorum

Chairman Houston called the meeting to order, Councilman Jowers gave the invocation and a quorum was declared.

Approval of Agenda / Approval of Minutes

Councilman Jowers moved to approve the agenda. Councilman Buckmon seconded the motion. Councilman Sloan said that the Ordinance related to the realignment of the EDC was not in the packet for Council's review and that it would be against the rules of procedure and would be out of order to proceed with the 1st reading. Chairman Houston responded that the matter would be addressed later in the meeting. Chairman Houston called for a vote on the motion to approve the agenda. The motion passed. Councilman Sloan moved to approve the November 12th Council minutes. Councilman Buckmon seconded the motion and it passed.

Welcome / Public Comments

Chairman Houston welcomed everyone. There were no public comments. Administrator Williams distributed a report provided by Kay Maxwell from the SCA. Chairman Houston presented Administrator Williams with a plaque in appreciation and recognition of his work in preparing for the bond rating by Standard & Poors rating agency which resulted in an A+ rating. Chairman Houston and Councilman Sloan commended Administrator Williams adding that the excellent bond rating was a result of Administrator William's hard work and leadership over the years. Administrator Williams said that he had received a call from Attorney Kozlerek and Brent Robertson prior to the Council meeting and that the interest rate was going to be 4.27 percent, making the yearly payment \$671,000 instead of \$800,000 and the total interest 6.04 million instead of 9 million.

Updates

Sheriff

Sheriff Carroll distributed a report to Council and said a program was being started at the Detention Center in which a parent could request their child be taken on a tour of the jail. Inmates would not be allowed to talk to the child. The requests would be handled on a case by case basis and there was no set age limit.

County Administrator

Administrator Williams said there were fewer inmate trustees and it was causing an increased work load on the custodians in the Building and Grounds Department. The Business Office received a reimbursement check of approximately \$24,000 from the premiums paid for workers compensation after the audited payroll amount was compared to the projected. The Fire Coordinator was waiting for paperwork from the owners of the land on Patterson Mill Road for substation construction to begin. The Public Works Department was short staffed due to an employee being on medical leave. In Voter Registration, the motherboards were being replaced on the voting machines. Chairman Houston asked about the concrete at Milliken and Administrator Williams said some we were able to get was being stockpiled at Public Works.

Committee Reports

Boards and Commissions

Chairman Houston asked that a letter of appreciation for service be sent to Jason Stapleton who had resigned from his appointment on the Economic Development Commission. Councilman Kenner moved to appoint Sandra Wizorek to the Animal Shelter Board. The motion was seconded and it passed.

Economic Development

Addressing the media, Chairman Houston explained the circumstances regarding two recent meetings, one with the SCA and one with the EDC in which the media was not notified. He apologized and said that there was no intent to bypass notifying the media and explained that prior to each meeting he was unaware there would be a quorum of Council present. In the meeting with Danny Black, just one Council member had notified him of his intent to attend and in the meeting with the EDC, he thought that only he and Marty Martin would be meeting. Chairman Houston said the meetings were to discuss possible directions for Barnwell County to proceed regarding economic development. Chairman Houston said the different Counties in the past had not had good working relationships and that he believed if Barnwell County was going to go prosper it needed to concentrate more on regional development. He did not understand paying the salaries for both the EDC and the SCA which both focused on economic development. Councilman Sloan said he attended the meeting at the EDC at the request of Pete Grady, who was his appointee to the Economic Development Commission. Regarding the functions of the EDC and the SCA, Councilman Sloan said he believed that the SCA with funding from the Federal Facilities Redevelopment Act and the Community Reuse Community Organization had done a good job in its representation of the region. The Economic Development Commission began in the late 1980's and was funded with an initial \$10,000,000 in money from Chem Nuclear operations which was designated for infrastructure and economic development in Barnwell County only. Since that time, the salaries for employees of the EDC have been paid from leases, rents, and interest earnings and had not been supplemented by Barnwell County. Councilman Sloan reviewed the amount of jobs and investments brought in by the both the EDC and the SCA and said that Barnwell County benefitted by having both the EDC, which concentrates strictly on the interests of Barnwell County alone, and the SCA, which is dedicated to growth in the region and can do things the EDC is not able to do. Councilman Sloan said there had been friction between the SCA and the EDC but cited examples in which the two organizations had worked together. Councilman Smith said that he had attended the meetings and it was his impression from the meetings that the EDC would be completely dismantled. Councilman Smith said Hampton County had their own EDC which worked closely with the Department of Commerce and that in Colleton County, Mr. Horton was their Economic Developer. Councilman Smith said there are a number of buildings that belonged to EDC and the County that are rented and leased and the County was getting income for the EDC from those leases. If the County dismantled the EDC which managed those buildings, it would have to hire someone to manage the buildings and maintain contact with the people in those buildings, which would result in maintenance fees and a salary. Councilman Smith said he would like to see a proposal before anything was acted on. Councilman Buckmon said he was under the impression that any changes would be administrative only and that no one was to lose their jobs. Councilman Kenner said he did not see an issue with proceeding with the 1st reading as it was in name only and that Council had 1st readings in previous Council meetings without having seen the ordinance. Councilman Kenner said both entities had done a good job and he believed the people that had been doing the core work would continue to do so. Councilman Jowers said that the proposed changes would be realignment and that no one would lose their jobs. Councilman Creech said he had talked to Ed West and in order for the EDC to continue operating the County would have to increase 1 mill in taxes or the EDC would need to combine with the SCA. He commended Sonja Hiers and Marty Martin for their work and said if they were incorporated into the SCA he believed it would be beneficial. Chairman Houston said the proposed change was for realignment only and that there had been no intention of doing away with any positions. He suggested that SCA send a proposal as to what the realignment would involve. Councilman Kenner moved that County Council contact the SCA to put together a plan as to how the realignment would look and to submit it for Council's review. Councilman Buckmon seconded the motion. Councilman Sloan moved to amend the motion that the Government Committee, on behalf of Council, meet with all parties to develop a proposal or specifications to request a proposal from SCA to provide Economic Management Services to Barnwell County. Councilman Creech seconded the motion. A roll call vote was requested.

Chairman Houston-Yes
Councilman Buckmon-Yes
Councilman Creech-Yes

Councilman Jowers-Yes
Councilman Kenner-Yes
Councilman Sloan-Yes

Councilman Smith-Yes

The amended motion passed.

Financial Update

Administrator Williams reviewed October's financial report giving clarification on the percentages of revenues and expenditures. At Councilman Sloan's request, Administrator Williams gave clarification on accounts 00740 and 00906. Chairman Houston said that there was information in the Council packets regarding information and pricing of various tablets and said that he believed if the County purchased tablets for Council to use at the Council meetings it would save the County money in terms of paper and ink. He suggested the Finance could look into it to determine pricing and proceed with it at the next Board meeting. Administrator Williams said the Clerk to Council had put a lot of work in talking with others and researching the tables adding that there were good proposals in the Council's packets.

Government Committee

Chairman Houston said there was no report for the Government Committee other than what had already been discussed during the Economic Development report. Councilman Sloan moved to authorize the Chair of the Government Committee to send the intergovernmental agreement for the Drug and Gang Task Force to the Towns for their review. Councilman Jowers seconded the motion and it passed.

Healthcare, Housing, Judicial, Personnel, Safety, Science/Tech./Reg. Matters, Services, and Transportation Committees
There were no reports for the above Committees.

SCRDA

Councilman Jowers said that a report from the Southern Carolina Alliance had been distributed to Council at the start of the Council meeting. Chairman Houston encouraged Council to contact the SCA if there were any questions.

Old Business3rd Reading of Flood Damage Prevention Ordinance

Councilman Jowers moved to table the 3rd reading of this Ordinance. The motion was seconded. Councilman Sloan asked Administrator Williams if there was any downside of tabling the 3rd reading. Administrator Williams said that the deadline to pass the Ordinance had been extended and that the County was already past the deadline. If the Ordinance was not passed, at least six residents living in the rural areas would be unable to purchase federally backed flood insurance. Councilman Sloan asked if there was any way to know how the flood maps would be changed and if the Ordinance was passed, how many residents would be affected. Administrator Williams said at this point there was no way to know definitively as there was no information as to how much of Barnwell County was included in the Watershed Study. Councilman Kenner asked if the mortgages of the six residents would be affected if the mortgages were federally backed. Administrator Williams confirmed that the mortgages would be affected if federally backed or if there were clauses in the mortgages and that the six residents would be unable to keep federally backed flood insurance. Chairman Houston called for a vote and the motion to table the 3rd reading of this Ordinance passed.

2nd Reading of an Ordinance to Amend the FY '13-'14 Budget Ordinance

Councilman Sloan reviewed adjustments which were attached to the Ordinance to Amend the FY '13-'14 Budget Ordinance and moved to approve the 2nd reading of this Ordinance. Councilman Buckmon seconded the motion. A roll call vote was requested.

Chairman Houston-Yes
Councilman Buckmon-Yes
Councilman Creech-Yes

Councilman Jowers-Yes
Councilman Kenner-Yes
Councilman Sloan-Yes

Councilman Smith-Yes

The motion passed.

Appointments to Hospital Board

Councilman Jowers moved to appoint Bob Hundley for District 45, Councilman Sloan moved to appoint Alan Mulligan for District 29, and Councilman Kenner moved to appoint Loraine Patrick for District 19. Councilman Sloan moved to approve these appointments. Councilman Smith seconded the motion. A roll call vote was requested.

Chairman Houston-Yes
Councilman Buckmon-Yes
Councilman Creech-Yes

Councilman Jowers-Yes
Councilman Kenner-Yes
Councilman Sloan-Yes

Councilman Smith-Yes

The motion passed.

New Business1st Reading of an Ordinance related to realignment of the Economic Development Commission

The 1st reading of this Ordinance was tabled.

Consideration of Letter to SC Dept. of Commerce

Councilman Jowers moved to approve that Chairman Houston send the letter included in the Council's packet to the SC Department of Commerce. Councilman Kenner seconded the motion. Councilman Sloan offered an amendment that the letter drafted by the SCA which was in the Council's packet be replaced with an alternative letter which he drafted and sent to Council via email the week prior to the Council meeting. Some of the Council members said they had not received the email and had not seen the letter. Councilman Jowers said he received the email but saw no notable difference between the two letters. Chairman Houston called for a vote on the original motion. Councilman Sloan said Council needed to act on his amended motion. Chairman Houston said that all of Council had not had a chance to review the

alternate letter and could not vote on something they had not seen. Councilman Sloan confirmed with Council that they had received the letter drafted by the SCA which was in the packet.

Chairman Houston-Yes
Councilman Buckmon-Yes
Councilman Creech-Yes

Councilman Jowers-Yes
Councilman Kenner-Yes
Councilman Sloan-No

Councilman Smith-Yes

The motion passed.

Survey of Property on Charles Street

Administrator William said the records indicated the property had been deeded to the Barnwell district in 1850 and that a survey to determine boundary lines needed to be done. Councilman Jowers moved to approve the survey of property on Charles Street. Councilman Sloan seconded the motion and it passed.

Request from Hospital Board Member

Councilman Jowers said that Richard Myers, former Hospital Board member, said the County should have paid him \$50 per Hospital Board meeting and was requesting \$600. Chairman Houston said that it was a Hospital Board matter and that Mr. Myers should request payment from the Hospital. Councilman Jowers suggested Mr. Myers be referred to Attorney Stan McGuffin to file a bankruptcy claim. Councilman Sloan said he believed it was a hospital bill which should go to the trustees and added that if the County began paying hospital bills it would set a precedent. Councilman Sloan moved that Mr. Myers be referred to the bankruptcy trustees. Councilman Jowers seconded the motion. Further discussion was held concerning a precedent being set if the County began paying the Hospital's bills.

Councilman Creech invited everyone to a meeting on January 9th at 6pm at the Gail Reyes Center regarding recreation and having a YMCA located in Barnwell County.

Councilman Jowers moved to enter into Executive Session. Councilman Sloan seconded the motion. The motion passed.

Executive Session

There was no action taken in Executive Session.

Open Session

Councilman Sloan said Administrator Williams had worked extra hours and had done an excellent job in preparing for the bond rating. As a token of Council's appreciation and in recognition for Administrator's Williams hard work, Councilman Sloan moved that Administrator Williams be given a bonus of \$500. Councilman Jowers seconded the motion and it passed. Councilman Sloan asked that Administrator Williams provide the Council Chairman with the names of those that also extended themselves in helping the Administrator to prepare for the bond rating. Councilman Creech asked that everyone attend the meeting on January 9th regarding recreation. Councilman Sloan moved that Council accept the proposed settlement made by the attorneys in regard to Hospital litigation. Councilman Buckmon seconded the motion. A roll call vote was requested.

Chairman Houston-Yes
Councilman Buckmon-Yes
Councilman Creech-Yes

Councilman Jowers-Yes
Councilman Kenner-Yes
Councilman Sloan-Yes

Councilman Smith-Yes

The motion passed.

Councilman Sloan said the issue of the SCA and the EDC had been divisive since the beginning of the Tri-County Alliance. He asked that as Council moved forward in making decisions regarding the possible realignment of the EDC that each council member eliminate the personalities and do what was in the best interest of Barnwell County.

A motion was made to adjourn. The motion was seconded and it passed.

The meeting adjourned at 8:05 pm.

Respectfully submitted,


Kim A. Futrell
Clerk to Council


Freddie Houston
Council Chairman