

**BARNWELL COUNTY COUNCIL
REGULAR MEETING
MINUTES
April 6, 2010**

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 in a regular meeting on Tuesday April 6, 2010 at 6:00 PM in the Williston Town Hall. Those in attendance were Chairman Thomas L. Williams, Vice Chairman Travis Black, Councilman Freddie Houston, 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 LaToya Shuler.

Call to Order, Invocation, and Quorum

The meeting was called to order by Chairman Williams, the invocation was given by Councilman Kenner, and a quorum was declared.

Approval of Minutes (March 2, 2010, March 19, 2010, March 26, 2010)

Councilman Black stated that March 2, 2010 minutes should be corrected as follows: Jeff Sandifer replaced William Sandifer as the District 7 appointee on the EDC Board; Jerry Creech will serve as the District 7 appointee on the Transportation Committee. Councilman Sloan made a motion to approve the minutes of the March 2, 2010, March 19, 2010 and March 26, 2010 meetings as corrected. Councilman Smith seconded the motion and the motion passed unanimously.

Welcome

Chairman Williams welcomed everyone to the meeting.

Special Recognition

Chairman Williams recognized Robert O "Bobby" Morris for his service to the Barnwell County Sheriff's Office. Mr. Morris retired on April 1, 2010. A copy of the resolution of appreciation is attached.

Public Comment

Jim Latham with Energy Solutions, stated that Chem-Nuclear has applied for its license renewal. They are also seeking approval from DHEC to build a new facility that would process mixed waste.

Tommy Still, of the Long Branch community, read a prepared statement concerning the Long Branch Fire Department. Mr. Still stated that the trucks that the fire department is using are not adequate. Mr. Still stated that the equipment was in disrepair and needs to be replaced.

Chairman Williams requested a copy of the letter and thanked Mr. Still for his comments and stated the County will respond.

Updates

SCRDA Danny Black informed the Council that the SCRDA will be moving into their new building in the next two weeks. The building is located on Jackson Street.

Clerk of Court McElveen updated Council on court activities and upcoming CMS training. Clerk McElveen stated that the Clerk of Court's Office was trying to collect some of the \$27,000,000 in unpaid fines and fees that are owed to her office from several years back. Councilman Sloan advised Clerk McElveen to check with the South Carolina Department of Revenue on the time limits for recoupment of funds.

Chairman Williams asked the Clerk of Court if there was a way that the County could handle child support clients differently. Chairman Williams would like to set up a committee to determine if the County could create jobs for child support violators with their salaries being used to pay their child support debts. Councilman Houston stated that he would like to be on the committee. Chairman Williams said that he would like for Clerk of Court McElveen, Sheriff Carroll and Administrator Williams to be on the committee also.

Sheriff Carroll presented a packet to Council and reported that Mr. Eddie Hair wanted to invite the Council to attend a Bronze Star presentation that would be held 10:30 a.m. on April 10, 2010 at the Veteran's Park.

Administrator Williams stated that the well has been installed at the Animal Shelter. This will save the County from paying a city water bill for water that is used to wash out kennels.

The County Engineer's office will be replacing road signs in the County due to a Federal mandate requiring completion by January 2012. There will be some outsourcing for shop operations for other departments as the Engineering employees prepare to build the road bases for Road Project 2010.

Administrator Williams asked Fire Coordinator Timbo Williams to brief Council on the notification received recently from the ISO. The County has received an ISO reclassification rating of 7 for the rural areas effective July 1, 2010. The estimated annual insurance premium reduction is \$2,000,000 due to the lower rating. There are two areas in the County that are still rated as 10. They are located on Highway 300 and Highway 278. A continuing effort will be made to get those areas covered by a fire department and have their rates lowered. Chairman Williams thanked everyone who has worked on getting the ISO ratings down.

The County will be replacing the fire truck in Long Branch. Fire Coordinator Williams will pick up a truck on Thursday April 8, 2010.

The Solid Waste department has brought in \$108,529.25 in revenue for recyclables sold this fiscal year.

Budget and Control Board employees Sid Miller and Alan-Jon Zupan presented their finding of a Geodetic Survey done to determine the boundaries of Aiken, Barnwell and Orangeburg Counties.

There were minor differences in the boundaries currently being used in their findings. Their recommendation is to use the current boundaries.

Councilman Sloan made a motion for Administrator Williams to meet with the Aiken County and Orangeburg County Administrators to come to an agreement on the boundaries. Administrator Williams is to report back to the Government Committee. Councilman Houston seconded the motion and it was passed unanimously.

Committee Reports

Boards and Commissions

Chairman Williams had nominated Dwayne Eubanks, a resident of District 5, to serve on the EDC Board as the District 6 appointee at the March Council meeting. Councilman Jowers made a motion to accept the nomination, Councilman Black seconded the motion and the motion passed unanimously.

The following committee resignations were reported: Sammie Holmes of District 1 (Transportation), Marie Davis of District 1 (Animal Shelter) and Barbara Kearse of District 6 (Transportation).

Councilman Houston made a motion to reappoint Chairman Williams to the SCRDA Board. The motion was seconded by Councilman Sloan and was passed unanimously.

Economic Development Board

No Report

Finance

No Report

Financial Update

Administrator Williams reviewed the revenue and expense reports that were Council's packet for FY'09-'10. He received most budgets requests for FY'10-'11. He has not spoken with the Department Heads on their budget requests; however he will be doing this soon.

460 (625&626) Land fill fees and Recycling

Tonnage has been down due to the economic slowdown. The budgeted revenue from recycling was \$75,000. Through March we have received about \$108,000.

706 Museum

The appropriation for the Museum shows \$0.00, however, the County budgeted \$2,500.

Next week, the Finance Department and Treasurer's Office will be meeting with a company to look at new Finance software. One of the findings of our audit was that the County needs to update its software. Hopefully this can be worked into the budget.

Government Committee

Councilman Sloan made a motion that Electrical and HVAC jobs costing more than \$200.00 for labor and materials will need a County permit. Home owners who elect to do their own work must fill out a waiver. If the structure is intended for sale or rent within two years, a licensed contractor must perform the work.

1. A permit must be obtained for installing a new HVAC unit or replacing an existing unit.
2. A permit must be obtained to do electrical work, including hook up for mobile homes.
3. A valid license/specialty registration will be required before any permit will be issued.

The motion was seconded by Councilman Smith and passed unanimously.

Health Care Committee

No report

Housing Committee

Councilman Kenner introduced a Resolution proclaiming April as "Fair Housing" month. The resolution passed unanimously.

Judicial Committee

Councilman Sloan made a motion to ratify the purchase of one Sheriff's vehicle to be paid for using Department of Social Services funds. Councilman Kenner seconded the motion and the motion passed unanimously. The purchase had been approved at the March 2nd meeting subject to review by the Judicial Committee.

Councilman Sloan made a motion to approve up to \$33,000.00 for the storm water drainage survey and for preliminary design of a building to replace the old jail building. The motion was seconded by Councilman Kenner and passed unanimously.

Personnel Committee

To be discussed in Executive Session

Services Committee

No report.

Safety Committee

Councilman Jowers made a motion that the County contract with the Williston Rescue Squad for rescue services in the County. The contract will be at the same level of service as the expiring contract for a three year period. The first year's contract amount will not be increased, but subsequent years will increase by 2% per year. An annual extension provision after the initial three year contract term and by agreement of both parties will be included in the contract. The motion was seconded by Councilman Sloan and the motion was passed unanimously.

Councilman Sloan noted that the contract with the Williston Rescue Squad is lower than the second lowest bid that we received three years ago. He also stated that the Safety Committee and the Rescue Squad staff should be commended for looking out for the people of Barnwell County.

Chairman Williams also noted that he had a couple of items that he wanted to ensure were in the contract, and by the approval of the contract it does not mean that those items cannot be addressed in the contract.

Transportation Committee

No report.

Old Business

County Attorney J.D. Mosteller made a recommendation that the County enter into a consulting agreement with UHS-Pruitt Corporation based on what was discussed in the previous Council meeting.

Vice-Chairman Black made a motion to allow the Chairman to negotiate with UHS-Pruitt Corporation in regards to selling the Barnwell County Nursing Home. The motion was seconded by Councilman Houston and was passed unanimously.

Councilman Jowers made a motion to approve the second reading of the Ordinance to Transfer the Barnwell County Nursing Home to UHS-Pruitt Corporation and to change the wording in the ordinance from "Transfer" to "Sell". The motion was seconded by Vice-Chairman Black and was passed unanimously.

New Business

Resolution Concerning National County Government Month

Administrator Williams stated that the National Association of Counties has asked that we proclaim April as National County Government month.

Councilman Jowers made a motion to declare April 2010 National County Government Month. The motion was seconded by Councilman Sloan and was passed unanimously.

Regional Tourism Marketing Effort

Administrator Williams stated that Anne Rice, Director of the USC Salk Leadership Institute has requested that the County commit to providing \$500 that would be used as a cash match for a Regional Tourism Marketing effort for FY '10-'11. For the last several years, our budgets have included a small amount of "Grant Match Funds" under the "Contingency" section of our budgeted expenses.

Councilman Houston made a motion to provide the USC Salk Leadership Institute with the requested \$500. The motion was seconded by Councilman Sloan and was passed unanimously.

Proposed Legislation Related to Chem-Nuclear Trust Funds

Councilman Sloan stated that a bill has been introduced by Representative Hosey to have some of the interest from the Chem-Nuclear Trust Fund set aside for the EDC.

Chairman Williams and Councilman Houston both had concerns with the money going only to the EDC, since the Council has no control over that agency. Councilman Sloan stated that when

the bill was created, it was thought that by naming the EDC as the recipients of the money the bill would have a better chance of passing.

Councilman Sloan made a motion for the Chairman to send a letter to Senator Hutto and Representative Hosey to amend the Bill by stating “the funds will be sent to Barnwell County and Barnwell County Economic Development Commission to be used for economic development purposes.” The motion was seconded by Councilman Houston and the motion passed unanimously.

De-Obligation of USDA-Rural Development Funds

Vice-Chairman Black stated that Jesse Risher, Area Director for the USDA-Rural Development, attended the March 19th Council Retreat and asked that the County agree to de-obligate the \$1,837,500 that was previously committed for an Assisted Living Facility. He made a motion to approve the de-obligation of the funds. The motion was seconded by Councilman Jowers and passed unanimously.

1st Reading of Ordinance to Amend the Rules of Procedure

The 1st Reading was held in name only.

Executive Session

Councilman Sloan made a motion to enter into Executive Session for Personnel Matters and Contractual Matters. The motion was seconded by Chairman Williams and passed unanimously.

No action was taken in Executive Session.

Open Session

Councilman Black made a motion to sign a definitive agreement with UHS Pruitt regarding the sale of the Barnwell County Nursing Home. Councilman Houston seconded the motion and the motion passed unanimously.

Councilman Sloan made a motion to instruct the Chairman to send a letter to the County Administrator, Grievance Committee Chairperson and Ms. Beverly Washington upholding the Administrator’s decision to terminate Ms. Washington. Councilman Jowers seconded the motion. A roll call vote was taken.

District 1 – Councilman Houston	No
District 2 – Councilman Kenner	No
District 3 – Councilman Sloan	Yes
District 4 – Councilman Jowers	Yes
District 5 – Councilman Smith	Yes
District 6 – Chairman Williams	No
District 7 – Councilman Black	Yes

The motion passed.

Location of County Council Meetings

Vice-Chairman Black made a motion that the remaining County Council meetings for 2010 that were scheduled to be held in Williston and Blackville be held in Barnwell. Councilman Jowers seconded the motion. A roll call vote was taken.

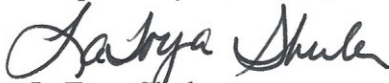
District 1 – Councilman Houston	No
District 2 – Councilman Kenner	No
District 3 – Councilman Sloan	No
District 4 – Councilman Jowers	Yes
District 5 – Councilman Smith	Yes
District 6 – Chairman Williams	Yes
District 7 – Councilman Black	Yes

The motion passed.

There being no further business to discuss, Councilman Sloan made a motion to adjourn. Councilman Kenner seconded the motion and the motion passed unanimously.

The meeting adjourned at 9:52 pm.

Respectfully submitted,



LaToya Shuler
Clerk to Council

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