

BARNWELL COUNTY COUNCIL

October 5, 2010

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 October 5, 2010 in Council Chambers in the Agricultural Building at 6:00PM. 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. and County Attorney J.D. Mosteller.

Public Hearing

Chairman Williams announced that a public hearing is being held to receive comments prior to the 3rd reading of the following ordinances:

- To Issue and Sell Tax Anticipation Notes not Exceeding \$2,500,000.
- To Require Performance Bonds for Demolition of Certain Properties in Barnwell County.
- To Amend the FY '10-'11 Budget Ordinance.

No comments were received.

Call to Order, Invocation, and Quorum

The meeting was called to order by Chairman Williams and an invocation was given by Councilman Jowers. A quorum was declared.

Approval of Agenda

A motion was made by Councilman Sloan to add "Pre-Contractual Matters" in Executive Session. The motion was seconded by Councilman Smith and the agenda was approved as amended.

Approval of Minutes

The minutes of the September 7, 2010 meeting were approved.

Welcome

Chairman Williams welcomed everyone to the meeting and encouraged the public's attendance at Council Meetings.

Special Presentations

Councilman Kenner presented Mrs. Jackie Holman with a Resolution of Appreciation in memory of Mayor Jackie T. Holman. Mrs. Holman expressed appreciation for the support her family has received from the community and asked for continued prayer.

Councilman Black presented a Resolution of Recognition to Chris Tompkins upon her retirement from the Barnwell County Nursing Home after over 31 years of service.

Public Comment

Pete Grady, Chairman of the Economic Development Commission, expressed his concern with comments that were made at Council's September 30, 2010 Workshop claiming that, without Southern Carolina Regional Development Alliance, there would be no economic development in Barnwell County.

Chad Perry, a member of the School District 45 Board of Trustees, expressed his concern with the proposed Quad County Park Agreement sending a large portion of fee in lieu of tax revenue outside of the County.

Tim Moore also expressed his disagreement with the proposed revenue split provided for in the Quad Park Agreement.

Updates

SCRDA

Danny Black presented the following information:

They are working with two separate organizations ("Locate South Carolina" and "Heavy Manufacturing") to create lead generations.

An industrial park was approved in Hampton County and will be receiving certification soon.

Industry Appreciation Day will be held on October 21, 2010.

SCRDA continues to work with the SRS task force for future missions and continues to work with the Regional Workforce Enhancement to provide technical training for future SRS employees.

Sheriff

Sheriff Carroll expressed his concern with the significant number of hours his deputies have had to spend at the hospital with involuntary commitments. He has begun using an outside company that charges \$12.00 an hour for this security need.

Clerk of Court

Clerk of Court McElveen stated that General Sessions Court is being held the week of October 4th. She also has begun receiving money as a result of letters that were sent to those owing past due fines and fees.

Administrator

Administrator Williams updated Council on Road Project 2010. Rookery Road is scheduled to be paved soon. Work is being done on Londe Lane, Poinsettia and Marble Lane. Art has met with Carlton Wall at the Hospital to discuss scheduling for sealing and patching the parking lot.

The concrete crushing project should begin in November. This has been delayed due to the company having a demolition job in Augusta.

Committee Reports

Boards and Commissions

Stephanie Eubanks was approved to represent District 45-Seat 2 on the Axis 1 Board.

Chairman Williams stated that Ben Carr has resigned his position on the Hospital Board. He appointed James Wallace to fill that position. Councilman Houston stated that Keith Frazier has resigned his position on the Transportation Committee.

EDC Committee

There was no report given.

Finance Committee

Councilman Houston asked Administrator Williams if budget breakdowns for FY '10-'11 have been provided by all elected officials. Administrator Williams stated that he has not received breakdowns from the County Auditor, the Probate Judge, nor the Treasurer.

Financial Update

Administrator Williams reviewed the miscellaneous revenue item in the financial update that was included in the packet. He stated that most expense items were in line and the Quarterly Appropriation checks to outside agencies were sent in September.

Government Committee

There was no report given.

Health Care Committee

There was no report given.

Housing Committee

There was no report given.

Judicial Committee

Councilman Sloan stated that the Committee met on September 9th to review preliminary plans for a replacement jail building. He also stated that Sheriff Carroll and Clerk of Court McElveen will be needing additional evidence storage areas due to new State requirements related to the retention of evidence.

Personnel Committee

Councilman Kenner stated that the Committee is reviewing the Personnel Manual and will make recommended changes to Council soon. The next meeting is scheduled for October 8, 2010.

Services Committee

There was no report given.

Safety Committee

The issue of diverting ambulances from a previous call was discussed by Council and Sheriff Carroll. Councilman Sloan made a motion that a letter be sent from Chairman Williams to give dispatchers the authority to re-route a rescue squad vehicle as appropriate. Councilman Smith seconded the motion and the motion passed.

Transportation Committee

Councilman Houston stated that he will ask the Transportation Committee to consider paving the road to Shrub Branch Church. However, it may be difficult to acquire right of way for this project.

Old Business

3rd Reading of an Ordinance Related to the Quad County Park

Attorney Michael Kozlarek answered questions regarding the Quad County Park Ordinance. He stated that the agreement does not prohibit a county from placing an industry in a multi-county park with another county. Also, if the industry is in the jurisdiction of a municipality, the municipality must give its consent of the agreement. Councilman Houston made a motion that the third reading be approved with a letter being sent to the other counties stating the division of revenues will need to be revisited. Councilman Kenner seconded that motion. Councilman Sloan offered an amended motion to approve the third reading contingent upon all partner counties commencing negotiations prior to December 1, 2010. Councilman Smith seconded the amended motion. A roll call vote was requested on the amended motion:

Councilman Black-No.
Councilman Houston-No.
Councilman Jowers-No.
Councilman Kenner-No.

Councilman Sloan-Yes.
Councilman Smith-Yes.
Chairman Williams-No.

The amended motion failed.

A roll call vote was requested for Councilman Houston's original motion:

Councilman Black-Yes.
Councilman Houston-Yes.
Councilman Jowers-Yes.
Councilman Kenner-Yes.

Councilman Sloan-No.
Councilman Smith-No.
Chairman Williams-Yes.

The original motion passed.

3rd Reading of an Ordinance Related to the Issuance of a Tax Anticipation Note

A motion was made and seconded to approve the ordinance. The motion passed.

3rd Reading of an Ordinance to Require Performance Bonding for Certain Demolition Projects

A motion was made and seconded to approve the ordinance. The motion passed.

2nd Reading of an Ordinance to Amend the FY '10-'11 Budget

A motion was made and seconded to approve the 2nd reading of the ordinance. The motion passed.

2nd Reading of an Ordinance Approving the Financing of Facilities for Three Rivers Solid Waste Authority

A motion was made and seconded to approve the second reading of the ordinance. The motion passed.

Personnel Committee Recommendation

Councilman Kenner moved for approval of a recommendation from the Personnel Committee that would provide for the county paying a minimum of 4 hours straight time pay (unless overtime applies) when a non-exempt employee is called in after his/her normal working hours. The motion was seconded and passed.

New Business

Resolution of Support for American Legion Building

Councilman Houston made a motion to approve the Resolution. Councilman Sloan seconded the motion. A roll call vote resulted in the following:

Councilman Black-Yes.
Councilman Houston-Yes.
Councilman Jowers-Yes.
Councilman Kenner-Yes.

Councilman Sloan-Yes.
Councilman Smith-Yes.
Chairman Williams-Yes.

The motion passed.

Executive Session

A motion was made and passed that Council enter into Executive Session to discuss a pre-contractual matter.

There was no action taken in Executive Session.

Open Session

Councilman Jowers made a motion to give Attorney Mosteller the authority to negotiate a settlement agreement with Agape. The settlement amount should be approximately \$98,000. Councilman Sloan seconded the motion. A roll call vote resulted in the following:

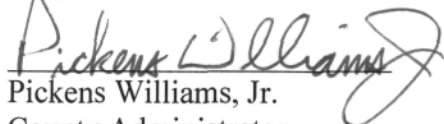
Councilman Black-Yes.
Councilman Houston-Yes.
Councilman Jowers-Yes.
Councilman Kenner-Yes.

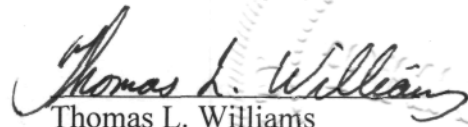
Councilman Sloan-Yes.
Councilman Smith-Yes.
Chairman Williams-Yes.

The motion passed.

The meeting adjourned at 9:20 PM.

Respectfully submitted,


Pickens Williams, Jr.
County Administrator


Thomas L. Williams
Council Chairman

