

BARNWELL COUNTY COUNCIL
February 12, 2013
Council Meeting
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 February 12th at 6 pm in Council Chambers. In attendance were Chairman Freddie Houston, Councilman Harold Buckmon, Councilman Jerry Creech, Councilman Lowell Jowers, Councilman David Kenner, Councilman Keith Sloan, Councilman Joe Smith, Administrator Pickens Williams Jr., County Attorney J.D. Mosteller and Clerk to Council Kim Futrell. Also in attendance were John Henderson with the SC Association of Counties, Clerk of Court Rhonda McElveen and Susan Delk with the People Sentinel.

Public Hearing

A Public Hearing was held to receive comments prior to the 3rd Reading of an Ordinance Related to Amending the Hospital Pension Plan and to Ratify the Sale of the Hospital. There were no public comments.

Call to Order / Invocation / Declaration of a Quorum

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

Approval of Agenda / Approval of Minutes

Councilman Sloan moved to approve the agenda. Councilman Jowers seconded the motion and it passed. Councilman Jowers moved to approve the minutes of the January 8th Council meeting, the January 31st Special Called Council meeting and the January 31st Council Retreat. Councilman Sloan seconded the motion and it passed.

Special Presentation

Councilman Sloan presented a Resolution of Appreciation in Memory of John Calvin Melvin to the late Mr. Melvin's son, Charles Melton.

Welcome / Public Comments

Chairman Houston welcomed everyone to the meeting and asked if there were any public comments. Rodney Croft addressed Council with his concerns over the qualification requirements of the Public Works Director position's qualification requirements, scheduled work hours and the County's hiring procedures.

Updates

Clerk of Court

Rhonda McElveen distributed a detail report of the filings in the Clerk of Court's Office for January 2013. She said that \$3,000 had been collected from the debt set off program.

Sheriff

A written report was distributed for Sheriff Carroll who was unable to attend.

County Administrator

John Henderson, Director of Risk Management with SC Association of Counties, congratulated Barnwell County for being the 2012 recipient of the Risk Management Program's highest award: "Most Improved County" and commended Debra Fickling, Timbo Williams and Roger Riley for their involvement. He thanked Administrator Williams for his hard work on the Insurance Trust Board and the County for its support of the Risk Management Program, its membership in the SC Counties Worker's Compensation Trust and the Association of Counties.

In his update, Administrator Williams said that Fire Coordinator Timbo Williams was continuing to negotiate for a 2 acre piece of land on Highway 300 and had also reached an agreement for a sub-station on Patterson Mill Road which would help with insurance costs in the area. The Fire Coordinator and a Deputy State Fire Marshal had completed the fire inspections on all of the schools in Barnwell. In the Public Works Department, high winds and rain continued to keep the Department busy. The catch basin on Joey Zorn Blvd. was requiring clearing every month or two because of beavers. Work continued on the Phyllis Street Project and the Williston Road Project. In Voter Registration, one informational photo ID seminar had been held and one was scheduled. The Election Commission would be storing the voting machines in the Council Chambers March 14th – April 8th and April 11th – 12th for the upcoming election.

Committee Reports

Boards and Commissions

Councilman Creech appointed himself to the Hospital Board, Doug Hogarth to the Housing Committee and re-appointed Jeff Sandifer to the Economic Development Commission. Councilman Kenner appointed Devora Kaiser to the Animal Shelter Board. Upon the recommendation of Mary Ann Keisler, Director of Tourism at the LSCOG, Councilman Kenner moved to re-appoint Vivian Alston to the Country Thoroughbred Advisory Board. Councilman Sloan seconded the motion and it passed. Taking action on a nomination made at the January 8th Council meeting, Councilman Smith moved to appoint Ada Chapel to the Axis I Board for District 45, Seat 1. Councilman Sloan seconded the motion and it passed.

Economic Development

The Ordinances for the 1st Reading of a Fee-in-Lieu of Tax Agreement for Project Belt and the 1st of a Fee-in-Lieu of Tax Agreement for Project Panel were read in name only.

Finance, Government, Housing, Judicial, Science/Technology/Regulatory Matters, SCRDA and Services Committees

There were no reports for the above Committees.

Financial Update

Administrator Williams reviewed the financial statement for December 2012 giving clarification on revenue items 00400 and 00470-00760. There was discussion concerning the possibility of offering a percentage reduction in property taxes as an incentive for citizens to pay taxes early. The purpose would be to help prevent the need for the future Bond Anticipation Notes. It was determined that legally, the County could not give a discount on early payment of taxes.

HealthCare Committee

Councilman Jowers said that he and Chairman Houston had attended the Hospital Bankruptcy Hearing in Columbia on January 9th.

Personnel Committee

Councilman Kenner said a Personnel meeting was scheduled for March 7th at 4 pm.

Safety Committee

Councilman Creech said there would be an Emergency Management practice drill on May 20th at the Airport and encouraged everyone to attend. He said that an air conditioner had been donated to the Friendship Fire Department. The Fire Commission meeting in February would be held at the Blackville Fire Department.

Transportation Committee

Councilman Creech said that he and Administrator Williams attended the January 14th Transportation Advisory Committee meeting in Barnwell and that the redesigning of Highways 64/224, 300/278 and 78/39 was discussed. The Transportation Committee had met on January 22nd and that the Williston Road Project and Curtis Drive were 75 % complete, the Phyllis Street Project was 25 % complete and bids were in process for the Blackville Parking Lot and the surveying of Rainbow Drive. The Mayor of Hilda had asked for improvements for the Town of Hilda.

Old Business**3rd Reading of an Ordinance to Execute and Deliver a Master Park Agreement for the New Quad-County Industrial Park**

Councilman Jowers moved to approve the 3rd Reading of an Ordinance to Execute and Deliver a Master Park Agreement for the New Quad-County Industrial Park. Councilman Kenner seconded the motion. Councilman Sloan expressed concern over the wording on the Master Agreement's review process wherein any proposed change in the amount paid to the SCA would require a unanimous consent of all Counties. He also expressed the need for clarification in the wording of the Master Agreement as to which agreement (I, II, or III) would govern the Barnwell Nuclear Fuels Plant. County Attorney, J.D. Mosteller, said that the exclusion or inclusion of the Town of Snelling's 448 acres in the property description of the Master Agreement, was dependent upon the Town of Snelling's decision on whether to be included in the Agreement or not. He advised that their decision needed to be known prior to the signing of the Master Agreement to avoid the Agreement being void based on an inaccurate legal description. Chairman Houston said that there was going to be another meeting between the four Counties and suggested the 3rd Reading be tabled so that clarification could be gained.

2nd Reading of an Ordinance to Amend Ordinance 1982-14 (Transfer of Jail Responsibilities to the Sheriff)

Councilman Sloan moved to approve the 2nd Reading of an Ordinance to Amend Ordinance 1982-14 (Transfer of Jail Responsibilities to the Sheriff). Councilman Jowers seconded the motion and it passed.

2nd Reading of an Ord. to Amend the Hospital Pension Plan Ord. and to Ratify the Sale of the Hospital

Councilman Jowers move to approve the 2nd Reading of an Ordinance to Amend the Hospital Pension Plan Ordinance and to Ratify the Sale of the Hospital. Councilman Sloan seconded the motion. Councilman Sloan noted that this Ordinance demonstrated Council's intent for retirees to retain their rights in the pension plan. A roll call vote was requested.

Chairman Houston-Yes

Councilman Kenner-Yes

Councilman Buckmon-Yes

Councilman Sloan-Yes

Councilman Creech-Yes

Councilman Smith-Yes

Councilman Jowers-Yes

The motion passed.

New Business**Resolution Concerning Solid Waste Flow Control**

Councilman Sloan said that the issue with the H. 3290 legislation on flow control was that it would restrict counties from being able to mandate where the waste in their county could go which would result in a loss of revenue and would circumvent contractual agreements and ordinances already in existence between Three Rivers and those counties. Councilman Smith moved to approve the Resolution Concerning Solid Waste Flow Control (Opposing H. 3290). Councilman Sloan seconded the motion and it passed.

Resolution Approving Financing Terms for the Purchase of a Vehicle by the Coroner's Office

Councilman Sloan moved to approve the Resolution Approving Financing Terms for the Purchase of a Vehicle by the Coroner's Office. Councilman Buckmon seconded the motion and it passed.

1st Reading of a Fee-in-Lieu of Tax Agreement for Project Belt

Action was taken on this agenda item during the Economic Development Committee Report.

1st Reading of a Fee-in-Lieu of Tax Agreement for Project Panel

Action was taken on this agenda item during the Economic Development Committee Report.

1st Reading of an Ordinance Related to Excessive Noise

This Ordinance was read in name only. County Attorney, JD Mosteller, confirmed that the Sheriff's Office possessed the decibel meter capability to enforce this Ordinance and indicated that Council could

impose civil and criminal penalties. Councilman Creech confirmed that Sheriff Carroll had contacted the City of Barnwell and would be contacting the other municipalities to confirm their support.

Executive Session

There was no action taken in Executive Session.

Open SessionConsideration of Litigation Matter Related to the Hospital Sale

Councilman Jowers said that the County was still in the negotiation stage with Hospital and Dobbs in terms of mediation and that nothing had been settled. Chairman Houston expressed his appreciation to Councilman Jowers and Councilman Sloan for their dedication and hard work regarding the Hospital.

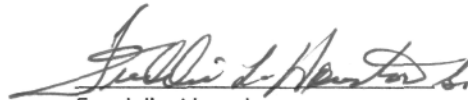
Councilman Sloan moved to adjourn. The motion was seconded and it passed.

The meeting adjourned at 7:50 pm.

Respectfully submitted,



Kim A. Futrell
Clerk to Council



Freddie Houston
Council Chairman