

**BARNWELL COUNTY COUNCIL**  
**August 10, 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 August 10, 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., County Attorney J.D. Mosteller, and Clerk to Council LaToya Shuler.

**Public Hearing**

To Receive Comments Prior to the 3<sup>rd</sup> Reading of an Ordinance to Establish Animal Control  
A question was raised by Sheriff Carroll concerning the “surrender fees for multiple litters of animals.

There were no other public comments.

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

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

**Approval of Agenda**

A motion was made and passed that the following items be added to and changed on the agenda:

- Special presentation by Councilman Smith from Denmark Technical College
- The briefing by Mike Kozlarek regarding the Quad County Park Amendment be moved up on the agenda.
- Move “Recommendation Concerning Work To Be Done On Administration Building” to Executive Session.

The agenda was approved with amendments.

**Approval of Minutes**

The minutes of the June 25, 2010 and July 6, 2010 meetings were approved.

**Welcome.**

Chairman Williams welcomed everyone to the meeting and encouraged the public’s attendance at Council meetings.

**Public Comment**

There were no public comments.

**Special Presentation**

A Certificate of Appreciation was presented to Barnwell County Council from Denmark Technical College. The certificate was read by Councilman Smith.

### **Updates**

#### Quad County Park

Mike Kozlarek discussed a proposed amendment to the Quad County Park Agreement that was raised at the July 6<sup>th</sup> Council meeting. The amendment would state that each project's investment amount should be reviewed at the end of the investing period to determine which park the project should be located in. Protection of school taxes was also discussed.

Council asked Mr. Kozlarek to draft an agreement that would protect the fee amounts received by each school district and to include language that would provide for an inflation factor that would be applied to the investment amount.

#### Economic Development Commission

Marty Martin of the Economic Development Commission informed Council a six month extension on the Elkay Grant.

The EDC owns eight properties, of the eight 4 are leased and 4 are under consideration. He stated that there are prospects looking at several sites.

#### Hospital

Mary Valliant, with Barnwell County Hospital, provided an informational package to Council along with CFO Starsky Bomer. Ms. Valliant is aggressively searching for a surgeon and cardiologist for the hospital.

#### Clerk of Court

Clerk of Court McElveen provided an update on activity in her office for June 2010. There were three sessions of court in July. Family court will be held on August 23, 2010.

#### Sheriff

Sheriff Carroll presented a packet of information to update Council on activities of the Sheriff's office. He briefed Council on the Crime Stopper Program. The goal of the program is to try and get the community's help in reducing the rising gang activity.

#### Administrator

Pickens stated that the Assessor's office worked with qPublic to set up a web site for the Assessor's office. This company will place our GIS and other information on our website and should be operational by September 1st. The company will charge a fee for access to most of the information. Emergency Management worked on a Hazard Mitigation Plan with Lower Savannah Council of Governments. The Transfer Station Operator and Baler Operator working hours are 6:00 AM – 2:30 PM due the high heat temperatures. 24 tons of Mixed Paper and 45 tons of OCC were sent out for the month of July. Estimated revenue for these loads is \$7,560.00. The Long Branch community will receive a tanker to be located in their fire station when all repairs are completed on the tanker. Five classes in the areas of Haz-Mat Operations, Confined Space Entry/Rescue will be held in Barnwell County this year. The classes will be funded through the Local Emergency Planning Committee grant.

**Committee Reports**

Boards and Commissions

Councilman Smith moved for approval of the previous nominations of Vince Pagett to the AXIS I Board for District 45, Seat 1 and Retha Corley to the AXIS I Board for District 19, Seat 12. Councilman Kenner seconded the motion and the motion passed unanimously.

Chairman Williams stated that Annette Burnette resigned from her seat on the AXIS I Board for District 45, Seat 3.

Councilman Sloan reappointed the following individuals: Pete Grady (Economic Development Commission) CB Lenard (Grievance Committee) and Michael Nix (Recreation).

Councilman Smith reappointed Pamela Cuny (Building Naming and Land Use) and nominated Thomas O. Sanders (Transportation Committee) replacing DK Cone who has resigned.

Councilman Houston made a motion to approve the nominations. Councilman Smith seconded the motion and the motion passed unanimously.

Councilman Kenner nominated Charles Epps to the Fire Commission. Council will vote on his nomination at the September 7, 2010 meeting.

A motion was made to use the current Nursing Home Board as the Nursing Home Advisory Board members. Councilman Smith seconded the motion and the motion passed unanimously.

Jerry Beck, with the LSCOG Workforce Development program, briefly reviewed the role of the board and its members and presented the nomination of Ms. Torienia Tucker to the Board. Councilman Houston made a motion to appoint Ms. Tucker to the Workforce Development Board. Councilman Sloan seconded the motion and the roll call vote resulted in a unanimous vote to approve the motion.

EDC Committee

No report.

Finance Committee

Councilman Houston recommended the following:

- \$150,000 from the sale of the Nursing Home be set aside. \$1500 is to be used for additional funding to Denmark Tech, \$500 is to be used for additional funding to USC-Salk, \$10,000 is to be used for the Region II Heritage Corridor (if Aiken, Bamberg and Orangeburg counties also provide \$10,000 each). Postage for the Clerk of Court to mail notices to those owing past due fines/fees and additional audit fees will also be paid from this set aside amount.
- \$100,000 from the sale of the Nursing Home be set aside for repairs to and painting of the Courthouse and Annex Bldg.
- The balance of the funds from the sale of the Nursing Home be set aside for costs of the suit related to the Administration Building and repairs to the building.

Councilman Sloan stated that the FY '10 – '11 budget will need to be amended and a maintenance reserve fund would need to be implemented.

Councilman Jowers made a motion to accept the committee's recommendations. Councilman Smith seconded the motion and the roll call vote resulted in a unanimous vote to approve the motion. The FY'10 – '11 Budget will be amended by three readings of an ordinance at future meetings.

Financial Update

Pickens reviewed the June 2010 Revenue and Expenditure report. The Finance department, Human Resources, and Treasurer's office will be purchasing new software for our payroll and bookkeeping functions. The 2009 audit should be completed in the next two weeks.

Government Committee

The committee recommended approving a waiting period for building permit applications that normally should not exceed 48 hours (2 business days). Administrator Williams stated that notices will be placed in the newspaper and the Assessor's office. A motion was made to accept the committee's recommendation. Councilman Kenner seconded the motion and the roll call vote resulted in a unanimous vote to approve the motion.

Health Care Committee

No report.

Housing Committee

No report.

Judicial Committee

No report.

Personnel Committee

The committee made the following recommendations

- Approval of the amended job description for the Payroll Clerk position.
- Provide \$3,000 per year to the current Chief Magistrate only due to limited funding.

Councilman Kenner made a motion to accept the committee recommendations. Councilman Sloan seconded the motion and the roll call vote resulted in a unanimous vote to approve the motion.

Councilman Houston stated that the County needs to consider a policy for compensating employees that are called in after normal work hours. This matter will be review in the next Personnel Committee meeting.

Services Committee

No report.

Safety Committee

No report.

Transportation Committee

Road Projects 2010 is on schedule.

**Old Business**

3<sup>rd</sup> Reading of an Ordinance to Adopt an Animal Control Ordinance

Councilman Smith moved that the 3<sup>rd</sup> reading of an Ordinance to Adopt an Animal Control Ordinance be approved. Councilman Kenner seconded the motion and the motion passed unanimously.

Revision of the Animal Shelter Policies and Procedures

Councilman Sloan, Kenner and Houston have concerns with the proposal that the Animal Shelter charge the citizens of Williston and Blackville fees for animal taken to the shelter by Animal Control Officers. A motion was made to amend the draft revision of the procedures by stating that “no fees will be charged”.

A roll call vote was taken.

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

The motion passed.

A motion was made to accept the revision of the Animal Shelter Policies and Procedures with the amendment of not charging fees to Williston and Blackville. Councilman Sloan seconded the motion and the motion passed unanimously.

3<sup>rd</sup> Reading of Quad County Park Ordinance

The 3<sup>rd</sup> reading of the Quad County Park Ordinance was tabled. See Updates section.

Recommendation Concerning Work to be Done on Administration Building

Discussed in Executive Session.

**New Business**

1<sup>st</sup> Reading of an Ordinance to Authorize the Issuance and Sale of a Tax Anticipation Note Not Exceeding \$2,500,000.

This reading was held in name only.

1<sup>st</sup> Reading of an Ordinance to Require Performance Bonding for Certain Demolition Projects

This reading was held in name only.

Personnel Committee Recommendations

See the committee report.

Resolution to Reimburse the County for Project-Related Costs

Michael Kozlarek brief the Council on a resolution declaring the County’s intent to reimburse itself for certain expenditures made prior to the County’s consummation of a federally tax exempt financing. Councilman Sloan made a motion to approve the resolution. Councilman Kenner seconded the motion and it passed unanimously.

**Executive Session**

**Open Session**

**\*Partial tape malfunction**

A motion to allow Administrator Williams to sign contracts related to the Administration Building was made and passed.

A motion to uphold the Grievance Committee findings was made and passed.

A motion to hire a consultant to review Nursing Home cost reports was made and passed.

A motion was made to send a letter from the Council Chairman to all employees about the importance of complying with OSHA regulations.

The meeting adjourned at 10:45 PM.

Respectfully submitted,

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LaToya Shuler  
Clerk to Council

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Thomas L. Williams  
Council Chairman