

**BARNWELL COUNTY COUNCIL**  
**November 8, 2011**  
**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 November 8, 2011 at 6 pm in Council Chambers. In attendance were Chairman Travis Black, Vice Chairman Freddie Houston, Councilman Harold Buckmon, 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 Kim Futrell. Clerk of Court Rhonda McElveen, Sheriff Ed Carroll, Marty Martin with the Economic Development Commission, Will Johnson with Haynesworth, Sinkler and Boyd and Jonathan Vickery with the People Sentinel were also in attendance.

**Public Hearing to Receive Comments on Re-districting Needed for Council Seats as a Result of the 2010 Census**

There were no public comments.

**Public Hearing to Receive Comments on the Proposed Issuance of Economic Development Bonds to South Georgia Tissue, LLC**

There were no public comments.

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

The meeting was called to order, the invocation was given and a quorum was declared.

**Approval of Agenda and Minutes**

Councilman Jowers moved to amend the Agenda by adding an Executive Session to discuss pre-contractual matters after New Business. The motion was seconded and it passed.

Councilman Jowers moved to approve the minutes of the October 6<sup>th</sup>, October 11<sup>th</sup>, and November 1<sup>st</sup> Council meetings. Councilman Buckmon seconded the motion and it passed.

**Welcome**

Chairman Black welcomed everyone to the meeting.

**Public Comments**

Harriett Collins asked Council to consider placing a women's mental health facility in Barnwell County.

**Special Presentation**

Councilman Kenner presented a Resolution of Appreciation In Memory of Richard L. Huggins to the late Mrs. Huggins and expressed his appreciation to Mrs. Huggins for her husband's service to Barnwell County.

**Updates**

Sheriff Ed Carroll distributed a written report and requested that a Judicial Committee meeting be scheduled. Sheriff Carroll said that synthetic marijuana was no longer for sale in Barnwell County stores.

Clerk of Court Rhonda McElveen distributed a written report, gave an update of the Court's roster for the month and said that additional debt set off notices had been mailed.

Administrator Williams referred to his written update and clarified that a crawler, not a backhoe, had been sold from the landfill. The crawler, which would have cost \$10,000 to repair was sold for \$6,000. The dump truck, which was not operational, was sold for scrap metal. The City of Barnwell parking lot, with the exception of signage, was complete. The layout of the Blackville parking lot was being reviewed for proper drainage. The firetruck for the Long Branch Fire Department was ordered. Solid Waste Manager, Billy McAlister, met with the principal at the Blackville High School concerning an enhanced recycling program being promoted by DHEC and Clemson University. Council

asked Administrator Williams to check into selling scrap metal at the Landfill on a more frequent basis due to its increase in value and to deter its being stolen.

### **Committee Reports**

#### Boards and Commissions

Councilman Jowers moved to appoint Karen Turner to the Axis 1 Board, District 45, seat 3. Councilman Sloan seconded the motion and it passed.

Councilman Kenner appointed Norma Rockwell to serve on the Recycling Committee for District 2 and nominated Mara McCubbin, residing in District 5, to serve on the Animal Shelter Board for District 2.

Council Buckmon made the following re-appointments for District 6; Vorise Peebles to serve on the Generations Unlimited Board and Mary Griner to serve on the Museum Board.

Chairman Black notified Council that Evelyn Gardner had resigned from her position on the Animal Shelter Board for District 7.

#### Finance Committee

Councilman Sloan said that the Finance Committee had reviewed the 1<sup>st</sup> quarter's financial statements at the October 26<sup>th</sup> meeting and that the expenses/revenues appeared to be tracking well. The Committee had briefly discussed the FY '09-'10 audit but had not seen the final version and the Committee's recommendation was for Council to accept the FY '09-'10 audit as information only. The Committee had also reviewed the Blackville CDC's request for \$30,000 for project funding and that there was concern that some of the projects would be primarily beneficial to private property owners. Councilman Sloan said that the Committee's recommendation was for Council to consider the approval of up to \$10,000 for specific grants requiring a match for projects approved by Council. Councilman Sloan made this recommendation in the form of a motion and the motion was seconded. Councilman Kenner confirmed with a representative of the Blackville CDC who was present at the Council meeting, that projects on private residential homes were done by the Blackville CDC. Discussion was held by Council clarifying that the \$10,000 did not need to be used on one project but could be used on several projects totaling \$10,000, that the projects would need to be brought before Council individually for approval, that the projects were not limited to Blackville but could be anywhere in Barnwell County and that \$10,000 was already set aside in the budget for grant match projects. The motion passed.

#### Financial Update

Administrator Williams said that the amount under Fund 420, Merchant Exempt County Revenue, reflected two of the four yearly payments. He clarified that the breakdown on Fund 450, Court Fines, was an approximation of the total of the \$500,000 budgeted. He said that all the line items, with the exception of Fringe, was on budget at approximately 25 percent. He clarified that Fringe was showing at 37 percent due to Health/Life Insurance having to be paid a month in advance.

#### Government, Housing, and Safety Committees

There were no reports for the above committees.

#### HealthCare Committee

Councilman Jowers said that the bankruptcy proceeding with the Hospital was underway. He said the company providing the MRI equipment had removed the \$10,000 up front fee, making the cost for the MRI equipment \$10,000 per month. A new surgeon would begin performing surgeries in November.

#### Judicial Committee

Councilman Houston asked Sheriff Carroll to give details concerning the Resolution for Mutual Aid Agreement, which was to be voted on later in the meeting. Sheriff Carroll said that Mutual Aid Agreements had been used for many years in SC but that recently the Supreme Court had recommended that someone in the governing body of the County sign the Mutual Aid Agreements also. He said that the Counties he had contacted had their Administrator sign the agreement and would then notify their Council. Attorney Mosteller clarified that Administrator Williams would only be signing a ratification of those agreements which were already on file. Discussion was held by Council concerning the drafting of a resolution to allow the Administrator to sign future Mutual Aid Agreements as they are

received. Councilman Houston moved to approve the Resolution of Mutual aid with the City of Aiken. Councilman Kenner seconded the motion and it passed.

#### Personnel Committee

Councilman Kenner made a motion to approve the changes to the Personnel Manual. Councilman Buckmon seconded the motion. Council discussed the proposed change to the Grievance Committee section. The change would have the immediate effect in that it would dissolve the present Grievance Committee, as appointed by Council, and would be replaced with a randomly chosen employee volunteer pool. The Chair would remain on the Committee for one year for consistency. Councilman Houston moved to approve the changes to the Personnel Manual with the exception of the Grievance Committee changes. The policy on the Grievance Committee would be further discussed by the Personnel Committee and brought before Council at a later date. This motion was seconded by Councilman Buckmon and it passed.

#### Services Committee

Councilman Smith said he had contacted the Recycling Committee members to schedule a meeting and had received no response. He said there was an Airport meeting on November 17<sup>th</sup> with the FAA and Council needed to designate someone to attend the meeting. Councilman Sloan moved to designate Councilman Smith and Administrator Williams to attend the meeting. Councilman Buckmon seconded the motion and it passed. Councilman Smith asked for guidelines as to what Council would deem as acceptable allowances in the meeting negotiations. Councilman Sloan said that the transfer of some land previously released in error by the FAA to the Airport would be an acceptable negotiation but stressed that the payment of any money by the County to the Airport would be unacceptable.

#### Transportation Committee

Councilman Houston said he had received an estimate on the C-Fund Sign Reflectivity Project. Administrator Williams said some of the Federal guidelines had been relaxed and because of that he felt it could be completed by the Barnwell County Public Works Department. Councilman Houston added that the deadline date had been extended.

#### **Old Business**

##### 2nd Reading of an Ordinance to Transfer Land to the EDC

Councilman Smith moved to approve the 2nd Reading of an Ordinance to Transfer Land to the EDC. Councilman Buckmon seconded the motion and it passed. Councilman Houston noted for clarification that timber was not included with the property transfer.

##### 2nd Reading of a Fee-in-Lieu of Tax Agreement for Project Hurricane

Councilman Smith moved to approve the 2<sup>nd</sup> Reading of a Fee-in-lieu of Tax Agreement for Project Hurricane. Councilman Kenner seconded the motion and it passed. Councilman Sloan clarified that Council had previously read the entire ordinance but was reading it in name only at the Council meeting for the sake of brevity.

##### 2nd Reading of a Fee-in-Lieu of Tax Agreement for Climax Global Energy, Inc.

Councilman Smith moved to approve the 2nd Reading of a Fee-in-Lieu of Tax Agreement for Climax Global Energy, Inc. Councilman Sloan seconded the motion. The motion passed.

##### 3rd Reading of an Ordinance Related to Redistricting Needed as a Result of the 2010 US Census

Councilman Houston moved to approve the 3rd Reading of an Ordinance Related to Redistricting Needed as a Result of the 2010 US Census. Councilman Sloan seconded the motion and it passed.

##### Request from the Blackville CDC

This matter was voted on and approved during the Finance Committee portion of the Council Meeting.

#### **New Business**

##### Resolution Related to Risk Management

Councilman Houston moved to approve the Resolution related to Risk Management. Councilman Smith seconded the motion and it passed. Councilman Sloan asked that the Personnel Committee, in conjunction with Administrator

Williams, consider instituting a program of safety awards for employees to promote safety awareness and to bring a recommendation to Council in December or January.

Resolution of Support for the Issuance of Economic Development Revenue Bonds to South Georgia Tissue, LLC

Councilman Smith moved to approve the Resolution of Support for the Issuance of Economic Development Revenue Bonds to South Georgia Tissue, LLC. Councilman Houston seconded the motion and it passed. Prior to the vote, Attorney Johnson clarified that the County would not be responsible for repayment of the bonds and that they would not count against the County's debt ceiling.

Acceptance of '09-'10 County Audit

The '09-'10 County Audit was accepted as information only during the Finance Committee Report portion of the meeting.

Consideration of Economic Development Fund Application for Project Tissue

Councilman Smith moved to approve the Economic Development Fund Application for Project Tissue. Councilman Sloan seconded the motion and it passed.

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

This was Ordinance was read in name only.

Ratification of RIF Grant Agreements

Councilman Smith clarified that the RIF Grant Agreements were for Project Tissue, Project Hurricane, and Project Safety. Marty Martin said that these were ratifications of an action already taken during a Finance Committee meeting due to a submission deadline. Councilman Smith moved to approve the Ratification of RIF Grant Agreements. Councilman Sloan seconded the motion and it passed.

Resolution to Amend the Personnel Manual

The Resolution to Amend the Personnel Manual was handled during the Personnel Committee portion of the meeting.

Resolution Concerning SCAC's Support of Civil Action Filed by Greenville, Spartanburg, Beaufort and Chester Counties

Councilman Houston moved to approve the Resolution Concerning SCAC's Support of Civil Action Filed by Greenville, Spartanburg, Beaufort and Chester Counties. Councilman Kenner seconded the motion. Council discussed the pros and cons of the primary being held in the County. A roll call vote was requested.

Chairman Black-Yes  
Councilman Buckmon-Yes  
Councilman Houston-Yes

Councilman Jowers-Yes  
Councilman Kenner-Yes

Councilman Sloan-No  
Councilman Smith-Yes

The motion passed.

Resolution Related to Law Enforcement Mutual Aid Agreements

The Resolution Related to Law Enforcement Mutual Aid Agreements was handled during the Judicial Committee portion of the meeting.

A motion was made to enter into Executive Session to discuss a pre-contractual matter. The motion was seconded and it passed.

Executive Session

There was no action taken in Executive Session.

A motion was made to enter into Open Session. The motion was seconded and it passed.

Councilman Jowers requested that Chairman Black prepare a response to the EDC Chairman Pete Grady's letter. Councilman Jowers said he would like to make a monthly report to the SCA if the EDC Director, Marty Martin was not

able to make the report. Councilman Sloan suggested that Mr. Martin prepare a generic report for the SCA on a quarterly basis. Councilman Smith said he would ensure a quarterly report was given to the SCA.

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

The meeting adjourned at 8:30 pm.

Respectfully submitted,



Kim A. Futrell  
Clerk to Council/Admin. Asst.



Travis Black  
Council Chairman