

STATE OF SOUTH CAROLINA)
COUNTY OF BARNWELL)

FILED FOR RECORD
2013 MAR 20 PM 4:33
Ordinance No. 2013-3-291
RHONDA D. McELVEEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

ORDINANCE TO MODIFY AND AMEND ORDINANCE NO. 1982-14

WHEREAS, the Barnwell County Sheriff turned control of the Barnwell County Detention Center to the County Council pursuant to a transfer agreement and Ordinance No. 1982-14; and

WHEREAS, the current Sheriff desires to resume authority over the Barnwell County Detention Center, and

WHEREAS, THE Barnwell County Council has agreed to return custody and control of the Detention Center to the current Barnwell County Sheriff, and it appears that Ordinance No. 1982-14 which devolved control of the jail from the Sheriff to the Council needs to be modified or amended,

IT IS HEREBY ORDAINED that,

1. The Sheriff of Barnwell County shall have custody and control of the county jail, and that Barnwell County shall have no further administrative duties or responsibilities relating to the Jail.
2. In the event that the Sheriff determines that it is in the best interest of justice that Barnwell County Council should resume control and custody of the Barnwell County Detention Center, such transfer of control may be effected by a resolution and intergovernmental agreement only, and further ordinance is not required.

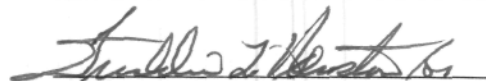
This Ordinance may be amended by Resolution and shall take effect after approval at its third reading.

FIRST READING: 1/8/13
SECOND READING 2/12/13
PUBLIC HEARING NA
THIRD READING 3/12/13

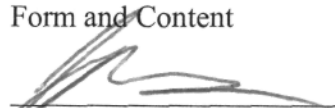
Attest:


Clerk To Council

BARNWELL COUNTY COUNCIL


Freddie Houston, Chairman

Approved As To
Form and Content


James D. Mosteller
County Attorney

**INTERGOVERNMENTAL AGREEMENT
FOR
TRANSFER OF DETENTION CENTER RESPONSIBILITIES**

WHEREAS, the Barnwell County Sheriff turned control of the Barnwell County Detention Center to the County Council pursuant to a transfer agreement and Ordinance No. 1982-14; and

WHEREAS, the current Sheriff desires to resume authority over the Barnwell County Detention Center, and

WHEREAS, Barnwell County Council has taken a vote on the issue and agreed to return authority over the Detention Center to the Sheriff:

The parties hereby agree that the Sheriff shall immediately resume all of the powers and duties relating to the custody of the Barnwell County Detention Center and appointment of the jailor.

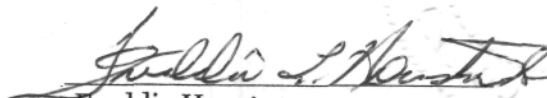
This Agreement is made with the Barnwell County Sheriff pursuant to S. C. Code § 24-5-12 (1976, as amended).

IN WITNESS WHEREOF, the parties set their hand on this the 8th day of January, 2013.



Ed Carroll
Barnwell County Sheriff


Witness



Freddie Houston
Chairman, Barnwell County Council


Witness