

BARNWELL COUNTY COUNCIL
March 14, 2017 - Council Meeting Minutes

Pursuant to the Freedom of Information Act, the news media was notified & notice was posted 24 hours prior to the meeting.

Barnwell County Council met on March 14, 2017 at 6 pm. Attending were Chairman Lowell Jowers Sr., Vice Chairman Ben Kinlaw, Councilman Harold Buckmon, Councilman Jerry Creech, Councilman Don Harper, Councilman Freddie Houston Sr., Councilman David Kenner, Administrator Pickens Williams Jr., and Clerk to Council Kim Futrell. Also in attendance were Dr. Bill Molnar, Lloyd Ward, and Laura McKenzie with the People Sentinel. County Attorney JD Mosteller was unable to attend.

The meeting was called to order, the invocation given, and a quorum was declared. Councilman Houston moved to add discussion of a letter received from Bamberg County to the Government Committee portion of the agenda. Councilman Kenner seconded the motion and it passed. A motion was made to approve the minutes for the February 14th Council meeting. The motion was seconded and it passed. Chairman Jowers welcomed everyone to the meeting and asked for public comments. Mike Benjamin, Attorney Tim Moore, Steve Jowers and Mayor Lemon (representing City of Barnwell and Municipalities of Blackville and Williston) opposed the 3rd Reading of the Ordinance related to the EDC. Brett Bell, Patrick Richardson, John Boney, Cole Page and Sally Smith (with a petition of 21 names) spoke in support of the 3rd Reading of the Ordinance related to the EDC.

Updates

LSCOG – Dr. Molner reviewed the LSCOG's programs and activities for 2016.

Coroner - Lloyd Ward reviewed the annual Coroner's report and updated Council on expected FY '17-'18 budget increase requests.

Administrator's Update – Administrator Williams said he, Building and Grounds Supervisor Jesse Ortiz, and Joe Smith had met at the Detention Center to determine approximate locations of underground lines as the old Jail Building would be demolished and the lot would be graded for parking. The Fire Commission was purchasing two new tankers in their continued efforts to have ISO ratings lowered. The Transfer Station damaged by the tornado had been demolished and a replacement building was being designed.

Financial Update - Administrator Williams reviewed the Financial Report.

Committee Reports

Boards and Commissions – Councilman Houston moved to appoint Willie Walker to the Transportation Committee to serve as Chair. Councilman Kenner seconded the motion and it passed. Councilman Houston re-appointed Johnny Williams to the Building Code Appeals Board. Councilman Kenner reappointed Al Sept to the Airport Board, Ethel Washington to the Axis 1 Board, and Norma Rockwell to the Recycling Committee. Councilman Buckmon appointed Leatrice Perry-Carter to the Career Center Board for District 45.

Re-appointments to the LSCOG Board – Councilman Houston moved to re-appoint Freddie Houston, Thomas Williams, and Representative Hosey (ex-officio) to the LSCOG Board. Councilman Kenner seconded the motion and it passed.

Science Tech. & Regulatory Matters, Transportation, Safety, Economic Development, Personnel – No reports.

Government – Councilman Houston discussed a Resolution recently adopted by Bamberg County regarding the fiscal impact of Legislative Bill H.3726. He recommended Council consider adopting a similar Resolution and moved that Council authorize the Chair to send a letter to Senator Hutto, Representative Hosey and Representative Bamberg expressing Council's concern over the Bill and their intent to adopt a similar Resolution. Councilman Kenner seconded the motion and it passed.

Finance - Councilman Houston said the Finance Committee had met on March 13th at 2pm and the Committee's recommendation was for the postponement of consideration of any salary increases until the FY '17-'18 budget cycle preparation.

Judicial – Councilman Buckmon said there was a continuing need in the Judicial Department for office space and inquired about the purchase of the SCA Building.

Services – Councilman Buckmon moved to send out an RFP for privatizing the Landfill and clarified that no County employees would lose their job if it were privatized. After discussion, Councilman Buckmon withdrew his motion and asked Council members to send what they would like to see in the RFP to the County Administrator's office.

Healthcare – Councilman Creech gave an update on the expected time frame of the opening of Heritage Healthcare.

Old Business

3rd Reading of an Ordinance to Modify the Duties and Powers of the Barnwell County Economic Development Commission and to Dissolve the Barnwell County Economic Corporation – Councilman Harper moved to have a 3rd reading of an amended Ordinance to Modify the Duties of the EDC Commission. Vice Chairman Kinlaw seconded the motion. Councilman Houston said some of the figures mentioned in the public comments were misleading, that one benefit the County received through EDC rentals was the taxes collected and he moved to amend the motion to have the 3rd reading tabled so that the EDC Commission could have a chance to review the amended Ordinance. Councilman Kenner seconded the motion. Councilman Buckmon said there was a misconception that the EDC (Commission) and the EDC (Corporation) were the same thing and that over the years members of the Commission had begun serving on the Corporation Board. He said that the EDC Commission was formed in 1987 and the Corporation was formed in 1989 to handle incoming surcharges and penalties due to the downsizing of Chem Nuclear. He said the 1989 Ordinance stated the Corporation Board was to be made up solely of County Council or the Administration and that the amended Ordinance did not dissolve anything, but put it back to what was originally intended. Chairman Jowers agreed with Councilman Buckmon and said the EDC was formed in 1989 by Ordinance 1989-37 and that the amended Ordinance was not doing away with the EDC, not taking anything away, but changing it back to what it was originally intended to be. He said the attorneys had told him that Ordinance 37 had been on the records for years but that prior Councils did not enforce it. Councilman Houston asked Chairman Jowers when he had received the amended Ordinance. Chairman Jowers said there had only been one change. Councilman Houston said the previous ordinance was to do away with the EDC but that the amended ordinance was not. Chairman Jowers agreed. Councilman Houston said, because of that, if the EDC Commission had a chance to review the amended ordinance and understand it, then they might not have a conflict with it. Councilman Kenner reminded everyone that during the time of some of the losses of the EDC was during the economic downturn. That it was the EDC's job to attract businesses but that ultimately business made decisions based on the economy. He agreed with Councilman Houston regarding tabling the 3rd reading of the amended Ordinance and cautioned against harming the relationships and trust with the municipalities. A roll call vote on Councilman Houston amended motion was requested.

Chairman Jowers-No
Councilman Buckmon-No

Councilman Creech-No
Councilman Harper-No

Councilman Houston-Yes
Councilman Kenner-Yes

Councilman Kinlaw-No

The motion failed.

A roll call vote on Councilman Harper's original motion was requested. Councilman Kenner asked if the vote was on the amended Ordinance in its current arrangement. Chairman Jowers affirmed that it was.

Chairman Jowers-Yes
Councilman Buckmon-Yes

Councilman Creech-Yes
Councilman Harper-Yes

Councilman Houston-No
Councilman Kenner-No

Councilman Kinlaw-Yes

The motion passed.

2nd Reading of an Ordinance Related to Utility Lines Under County Maintained Roads. – Councilman Creech moved to approve the 2nd reading of this Ordinance. Councilman Houston seconded the motion and it passed.

New Business

Resolution to Enlarge the Allendale, Bamberg, Barnwell, and Hampton Counties Joint County Industrial Park – Councilman Creech moved to approve this Resolution. The motion was seconded and it passed.

Compact Fund Request from Economic Development Commission – Councilman Creech moved to approve the Compact Fund Request. Councilman Buckmon seconded the motion and it passed.

1st Reading of an Ordinance to Amend the Rules of Procedure, Meeting Dates – Chairman Jowers said if approved, the effective date of the Ordinance would be in September as there would be conflicts in July and August if the meetings were held on the first Tuesday of the month. It was discussed that Council had changed their meeting date from the 1st Tuesday to the 2nd Tuesday of the month to accommodate the schedule of a previous Chairman and that it also enabled the Administrator and his staff to provide complete monthly departmental reports to Council. It was also discussed that during the June Council election, the Council meeting had not been rescheduled. Chairman Jowers said it was the first reading of the Ordinance and was in name only.

Resolution Designating April as Fair Housing Month – This Resolution was approved during the Housing Committee report.

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

Executive Session - No action was taken in Executive Session.

Open Session – A motion was made and seconded that a letter be sent to Low Country Healthcare accepting reimbursement of the \$142,300 the County had previously sent Low Country Healthcare for improved medical services and releasing Low Country Healthcare from the agreement. All were in favor of the motion.

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

The meeting adjourned at 8:25 pm.

Respectfully submitted,


Kim Futrell, Clerk of Council


Charles Lowell Jowers Sr., Council Chairman

