

BARNWELL COUNTY COUNCIL
January 8, 2019
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 for its regularly scheduled Council meeting on January 8, 2019 at 6 pm. Attending were Chairman Ben Kinlaw, Vice Chairman Harold Buckmon, Councilman Daniel Alexander, Councilman Jerry Creech, Councilman Don Harper, Councilman Freddie Houston Sr., Councilman David Kenner, Administrator Tim Bennett, County Attorney JD Mosteller, and Clerk to Council Kim Futrell.

Also in attendance were Representative Lonnie Hosey, YMCA District Vice President Matt Mullen, and Logan Anderson with the People Sentinel.

The meeting was called to order, the invocation and the pledge of allegiance were given and a quorum was declared. Councilman Kenner moved to amend the agenda by adding "Resolution Exhibit D". Vice Chairman Buckmon moved to amend the agenda by adding "Consideration for the Condemnation of Brunson Lane". The motions were seconded and they passed.

Representative Lonnie Hosey led Councilman Kenner, Vice Chairman Buckmon, and Councilman Alexander in taking the oaths of office.

Councilman Houston moved to approve the December 11, 2018 Council meeting minutes. Councilman Kenner seconded the motion and it passed. Councilman Houston moved to approve the December 20, 2018 Council meeting minutes. Councilman Harper seconded the motion and it passed.

Chairman Kinlaw welcomed everyone to the meeting and asked for public comments. Julie Dempsey, the new Promise Zone Coordinator, introduced herself to Council.

UPDATES

YMCA

YMCA District Vice President Matt Mullen reviewed ongoing programs being offered at the Barnwell YMCA and the scholarships that had been awarded in 2018.

Administrator's Report

Administrator Bennett said the County had not yet received the \$1.4 million DOE partial PILT. Once the PILT was received, Treasurer Croft would split the funds between the County and the School Districts as required and distribute them. Administrator Bennett said Business Manager Fickling would be advertising in South Carolina Business Opportunities, the Aiken Standard, the People Sentinel and the State paper to receive bids from qualified firms to conduct a feasibility study for the proposed multipurpose arena.

Financial Report

Administrator Bennett said he was continuing to monitor each of the departments' budgets and that there had been both anticipated and unanticipated overages which he would continue to review. Councilman Creech asked when the County would begin receiving solar farm revenues and Attorney Mosteller said the bill would be generated later in 2019, with the payment being due in January of 2020. Attorney Mosteller said the County would need to be in contact with the SC Department of Revenue once the bill was generated.

COMMITTEE REPORTS

Boards and Commissions

Chairman Kinlaw called for the nomination of Councilman Creech to fill the seat on the SCA Board left vacant by outgoing Chairman Jowers. Vice Chairman Buckmon moved to appoint Councilman Creech. Councilman Harper seconded the motion, and Chairman Kinlaw called for a vote. Councilman Kenner asked if prior to the vote, he could nominate a different Councilmember. Chairman Kinlaw said Councilman Kenner could make a different nomination, but that he wanted Councilman Creech to be appointed to the vacant seat. Councilman Kenner moved to appoint Councilman Houston and Councilman Houston seconded the motion. Chairman Kinlaw called for a vote on Vice Chairman Buckmon's motion to appoint Councilman Creech and the motion passed. Chairman Kinlaw said he had revised the Standing Committees by moving Councilman Kenner to the Services Committee, Councilman Harper to the Healthcare Committee, and had made Councilman Harper the Chair of the EDC Committee.

As Chair of the Services Committee, Vice Chairman Buckmon said he wanted Councilman Creech to serve as the liaison for the Recreation Committee.

Councilman Houston said Jason Stapleton was listed on the Standing Committee handout to serve on the LSCOG Board for 2019. Councilman Houston said the LSCOG Board was a third party Board and recommendations for appointment required Council's approval. After confirming with Chairman Kinlaw that Mr. Stapleton would be serving on the Board as a citizen, Councilman Houston moved for Council's approval of recommending the appointment of Jason Stapleton to serve on the LSCOG Board. Councilman Kenner seconded the motion and it passed.

Councilman Harper re-appointed Greg Hanna to the Fire Commission, Libby Still to the Museum Board, and William Birt to the Transportation Committee.

Government, Science/Tech. & Regulatory Matters, Safety, Finance, Housing, Judicial, Services, EDC Personnel – No Reports.

Transportation

Administrator Bennett said the Exhibit D Resolution was an agreement to lease a wheel loader for the Public Works Department with the majority of the payments being made using CTC funds. Business Manager Fickling reviewed the total costs to lease the wheel loader, the warranty, and costs that could be recouped through the SCDOT when the wheel loader was used for C Fund road projects. Business Manager Fickling said the wheel loader could also be used by the Solid Waste Department, when necessary. Councilman Kenner moved to approve this Resolution. Councilman Houston seconded the motion and it passed.

Healthcare

Councilman Creech said during the joint Healthcare and Safety Committee meeting in December, it was determined that more public input was needed to seek solutions on improving EMS response times and he moved that a subcommittee be formed under the Healthcare Committee. The subcommittee members would be Josh Shore and Phil Clarke with Med Shore, Chief Dicks with the Barnwell Fire Department, Chief Widener with the Williston Fire Department, Chief Haskins with the Blackville Fire Department, E911 Director Beverly Martin and Penny Langford representing the medical field. Councilman Houston said it would be more appropriate for the Safety Committee to have such a subcommittee, as the subcommittee's purpose would be to improve EMS response time. As Chair of the Safety Committee, Councilman Harper said the Healthcare and Safety Committees had been meeting jointly because safety and healthcare went hand in hand, but that he understood Councilman Houston's point regarding it being under the Safety Committee. Councilman Harper seconded the motion to form a subcommittee and the motion passed.

NEW BUSINESS

1st Reading of an Ordinance to Amend the Barnwell County Zoning Ordinance, Substituting the Barnwell County Council for the Zoning Board of Appeals

This ordinance was read in name only.

Resolution to Enforce Pending Zoning Ordinance Amendment

Attorney Mosteller explained that pursuant to the Pending Ordinance Doctrine, if Council approved this Resolution, the amendment to the Barnwell County Zoning Ordinance would go into effect and any appeals filed prior to the 3rd reading and approval of the Ordinance would be considered by the Barnwell County Council. Administrator Bennett said there was one appeal pending. Councilman Houston said that Council's consideration of appeals could create a conflict of interest putting Council members in a bias position. Council discussed that members could recuse themselves if there were a conflict of interest. Councilman Creech moved to approve this Resolution. Councilman Harper seconded the motion and it passed, with Councilman Houston and Councilman Kenner dissenting.

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

EXECUTIVE SESSION

Discussion Related to Personnel Matters / Receipt of Legal Advice Where Legal Advice Relates to Matters Covered by Attorney-Client Privilege / Pre-Contractual Issues Regarding Emergency Medical Services / Pre-Contractual Issues Regarding Courthouse Renovation

No action was taken in Executive Session.

Vice Chairman Buckmon moved to have Attorney Mosteller begin the condemnation process for Brunson Lane. Council discussed whether the required threshold of property ownership had been met and at what stage the County Transportation Committee (CTC) was at in their consideration of paving the road. Council concurred that the decision to pave and/or to begin the process to condemn roads, was at the discretion of the CTC. Council agreed to relay to the CTC, its support for the condemnation of Brunson Lane and Council's intention to adopt a Resolution of support at its February Council meeting.

Councilman Houston moved for approval for Chairman Kinlaw to sign the contract so that the Courthouse repairs could begin. Vice Chairman Buckmon seconded the motion and it passed.

There was discussion regarding the contract for the purchase of the SCA Building and it was determined that Attorney Mosteller would be reviewing the contract and the matter would be brought before Council at its February meeting.

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

The meeting adjourned at 8:23 pm.



Kim A. Futrell, Clerk to Council



Ben Kinlaw, Council Chairman