

**BARNWELL COUNTY COUNCIL**  
February 9, 2021  
Regular County Council Minutes

Pursuant to the Freedom of Information Act, the news media were notified & notice was posted 24 hours prior to the meeting.
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Barnwell County Council met for a regularly scheduled council meeting on February 9, 2021, at 6 p.m. In attendance were Chairman Harold Buckmon, Vice Chairman Jerry Creech, Councilman Freddie Houston, Councilman David Kenner, Councilman Don Harper, Councilman Daniel Alexander, Councilman Ben Kinlaw, Administrator Tim Bennett, Clerk to Council Elaine Ferguson, and County Attorney J.D. Mosteller (by teleconference).

The following were also in attendance: Dr. William Molnar, Executive Director, Lower Savannah Council of Governments; Debbie Fickling, Barnwell County Business Manager; Rhonda McElveen, Barnwell County Clerk of Court; Dolton Williams, Project Manager, Southern Carolina Alliance; Sandy Cochran, Barnwell County Treasurer; Steve Griffith, Barnwell County Sheriff; and Jonathan Vickery with the Barnwell People Sentinel.

The regular meeting was called to order by Chairman Buckmon. Councilman Kenner gave the invocation and led the Pledge of Allegiance. A quorum was declared. Councilman Kinlaw made a motion to Amend the Agenda to add Sheriff Steve Griffith who is here to discuss litter, seconded by Councilman Harper. Motion carried. Councilman Houston made a motion to approve the Amended Agenda, seconded by Councilman Kinlaw. Motion carried.

Vice Chairman Creech made a Motion to approve the Minutes of the meetings held on December 8, 2020, December 14, 2020, January 12, 2021, and January 25, 2021, seconded by Councilman Houston. Motion carried.

Chairman Buckmon welcomed everyone to the second meeting of 2021, and told everyone that their attendance was appreciated.

#### **PUBLIC COMMENTS**

Clerk to Council Elaine Ferguson told Chairman Buckmon she had received a Public Comments form from Dolton Williams, but had no comments emailed to her.

Dolton Williams passed out a 2020 Annual Report to the council, administrator and clerk to council, and while doing so said that 2020 had been a trying year, but a lot of good things had happened in 2020. He said 2021 is SCA's 25<sup>th</sup> anniversary, and they expected good things this year.

Sheriff Griffith appeared before council to give an update on the litter problems that exist throughout Barnwell County, and give a proposal that may help. He said they had a couple of people that were currently working off community service with Deputy Darlene Sanders. He said the Sheriff's Office applied for around \$10,000 in grant funds from Palmetto Pride and were awarded approximately \$3,000 for a laptop, trail cameras, signs and receptacles. He said they have four cameras now, two that need some repair. He said all of the magistrates in the county and one in Aiken County have agreed that if they have a case that they can give community service, they will do so, and they will tell the person they have to do the community service in the litter program. He said the Probation and Juvenile Officers are currently not allowing community service due to COVID.

Sheriff Griffith said Community Relations First Sargent Kirkland is in the process of meeting with the Neighborhood Watch Groups and is trying to get them to get into the Adopt-a-Highway Program or do a pick-up in their neighborhood on a Saturday with law enforcement presence. He said some community colleges send over kids to help Officer Sanders, but they have not had any recently. He said if the bag of trash has a water bill in it, the Solicitor's Office said it may be probable cause but it is not prosecutable. He said the person would have to confess for it to be prosecutable.

Sheriff Griffith said the Detention Center has ten new employees that are going through classes, and they should start Friday, but it still leaves them with four slots to fill. He said the pickings are slim, but they thought about filling one of the slots for litter for minimum wage and pay them out of one of the jailer slots, which would help Officer Sanders tremendously. He said when the Detention Center was able to fill the slot, the county would have to lay that person off, but this would be his proposal. Councilman Alexander recommended this proposal go through the Personnel Committee.

Councilman Kinlaw said the county needed a litter plan. He said Sheriff Griffith talked about enforcement, but there is also prevention and education. He said he thought the main question Vice Chairman Creech wanted to ask was how the Sheriff goes about prosecuting litter cases and how the cases can be proven.

Vice Chairman Creech mentioned the Recycling Committee, and Councilman Kinlaw said it would come up under the Services Committee, and he thought litter needed to be discussed when they get to committee reports.

## **BOARDS AND COMMISSIONS**

### **Appointments and Nominations**

Councilman Kinlaw nominated Jack Hubbard to represent District # 5 on the CTC Committee; however Mr. Hubbard resides in District # 4, so he would be voted on at the March meeting.

Vice Chairman Creech said he nominated Tanya Croft last month for the Animal Shelter Board, and a vote was required tonight since she resides in District # 4. Motion was made by Vice Chairman Creech to appoint Tanya Croft to the Animal Shelter Board, seconded by Councilman Houston. Motion carried.

Councilman Kinlaw said Guy Suter was deceased and should be deleted from the Equalization and Board of Appeals.

Vice Chairman Creech said he was hoping the Recreation Board would get filled tonight, but it did not appear so.

## **COMMITTEE REPORTS**

There were no reports from the Government, Science, Technology and Regulatory Matters, or Housing Committees.

### **Finance Committee**

Councilman Houston deferred to Administrator Bennett who said that the county is at 58% of the fiscal year and expenditures are at 58%. Councilman Alexander said also under Finance, the county did receive the 4<sup>th</sup> quarter CPST numbers, and he thought the check came in last week as well.

## **Personnel Committee**

Councilman Alexander reported that the Personnel Committee met on Wednesday, February 3, 2021, and their main topic was the Corona Virus, but there was nothing major to report out of that meeting.

## **Transportation Committee**

Vice Chairman Creech said they were still working on White Oak and Sanders Lane, and Old Jack Road in Hilda had been approved to begin construction.

## **Health Care**

Vice Chairman Creech said there was a joint meeting of the Health Care and Safety Committees today, and they had some discussion between the Fire Departments, Medshore and the Committee members. He said the Fire Department had some complaints, but it all boils down to the fact that Barnwell County does not have the money to do what the Fire Departments want it to do.

Councilman Kinlaw said it seemed there was a problem today with the COVID vaccine, and he said if you go on the DHEC site and click on Barnwell County, there was only 2 counties out 46 that had available vaccines. He said he called and could not get an answer at the DHEC county office. Administrator Bennett said he found out about 2 p.m. today, but Chairman Buckmon cut him off and said he would like to stick to the agenda. Councilman Kinlaw said this topic did come under Health Care, but Chairman Buckmon said it would be discussed next month.

## **Safety**

Councilman Harper said he was with Vice Chairman Creech in the Health Care and Safety Meeting today, but he did not have much else to report on that.

## **Economic Development Corporation**

Councilman Harper said that they are having the pad (where the medical helicopters land) at the Airport ground up starting next month. He said he will get with Timbo Williams, and they will find another place where they can land. He said he just wanted everyone to be aware of this.

## **Judicial**

Councilman Kinlaw said the Sheriff's presentation came under the Judicial Committee, and he would like to segue to litter. He said the county needs a litter plan and asked if there was any plan for litter that council knows about. He said Administrator Bennett set up a meeting last year with Palmetto Pride and Councilman Kinlaw, Administrator Bennett and Councilman Harper attended. He said the only thing that came out of the meeting was that it was expensive to join. He asked council how many were volunteering to pick up litter, to which several responded they did. Councilman Kinlaw said the Monday before the council meeting was Make a Difference Monday, and he always tries to participate. He said the council needs a plan for litter including recycling. Chairman Buckmon asked which committee litter came under, and Councilman Houston said it was the Services Committee. Chairman Buckmon told Councilman Kinlaw to make a litter plan.

Councilman Houston asked if Deputy Sanders has a set route where she works each week. Councilman Kinlaw said that with the Federal Inmate Program, this had pretty much been eliminated. He said the Make a Difference Monday program is through the Town of Barnwell through Administrator McEwen. He said Monday was in his district, and they picked up in front of Sara Lee and Walmart.

Vice Chairman Creech said there was a man in his district that is disabled and is still out picking up litter one or two days a month, and if he can pick up litter, anyone can.

## **Recreation**

Chairman Buckmon asked if Recreation came under Services and Councilman Kinlaw said it did. Vice Chairman Creech said he wanted the council to give him two more appointees for the Recreation Committee. Councilman Alexander asked Administrator Bennett if he had heard anything from the Towns as to their appointees. Administrator Bennett said he had spoken with Administrator McEwen, who had asked about some details on the vision which he gave to her, and he believes she is moving forward with the City of Barnwell. He said he had spoken with Kenny Cook who said he would have it on the March agenda in Williston.

Vice Chairman Creech asked if council would give him something in March so he could get started in April. He said he had his gas tank full if council would give him someone to ride.

## **OLD BUSINESS**

### **Issues, Goals and Strategies**

Administrator Bennett said that the report on the Issues, Goals and Strategies for 2020 and 2021 was in the Council Packets. He said this report is from the workshop held in December and is for council's review and approval. Councilman Jerry Creech made a motion to approve, seconded by Councilman Kenner. Motion carried.

### **Third and Final Reading of an Ordinance to Modify and Amend the Barnwell County Recreation Commission, Ordinances # 2002-169 & 2018-6**

Vice Chairman Creech made a motion to approve the Ordinance, seconded by Councilman Houston who asked if the Ordinance stated each of the three towns appointed one each and the county council appointed four. Councilman Alexander said council would appoint one from each school district and one at-large. Vice Chairman Creech said he had nominated two members, and he wanted council to pick the other two. Councilman Houston said he and Councilman Harper had one that Councilman Harper was working on. The Clerk to Council asked who would appoint the at-large member to which Councilman Houston responded council would have to come up with one. Motion carried.

### **An Emergency Ordinance and Resolution to Declare a Local State of Emergency in Barnwell County Thereby Continuing the Activation of the Barnwell County Emergency Operations Plans and Procedures, Continuing the Provisions for Holding of Electronic Public Meetings, and Requiring County Employees and Members of the Public to Wear Face Coverings in Barnwell County Facilities and Other Matters Related Thereto**

Administrator Bennett said this Ordinance and Resolution is extending the Emergency Declaration another 61 days, and this also includes a requirement for county employees and the public to wear face masks in county buildings. He said this puts it in writing for council to approve tonight. Councilman Houston made a motion to pass the Ordinance and Resolution, seconded by Vice Chairman Creech. Motion carried.

## **NEW BUSINESS**

### **Resolution of Appreciation to Ben Kinlaw and Resolution of Appreciation to Sheriff Ed Carroll**

Administration Bennett said that both of the Resolutions listed above needed to be retroactively approved as of the January 12, 2021, meeting date. Councilman Houston made the motion to approve both Resolutions retroactively, seconded by Councilman Kenner. Motion carried.

### **\$600 Million Plutonium Settlement/Department of Energy**

Councilman Houston said to his knowledge council had not sat down and talked about what it would like to see the funds out of this settlement be used for Barnwell County. He said they had heard some things as to what the SCA would do to represent the county in the region, but what would Barnwell County like to use the funds for, such as paying off some debts or do some things here for the County of Barnwell. He said he was asked by Representative Hosey, and he could not tell him anything. He said the county has its jail that needs to be paid off, the landfill that needs to be expanded, and the Richardson Building that needs work done. He said there is a lot that the county can use the funds for, and council needs to get a handle on what it owes. He said he wanted the county to come up with something in writing that could be given to Senator Hutto, Representative Hosey and Representative Bamberg.

Councilman Kinlaw said that on August 31, 2020, he was in Columbia, and he heard Attorney General Alan Wilson say that the state had \$600 million out of which \$75 million would go to the lawyer leaving \$525 million. Councilman Kinlaw said at the county's August meeting, council had a presentation by SCA and council agreed to go with the lawsuit. He said in that meeting, council said that Councilman Kinlaw would be the one that worked with SCA, and they would need someone from Allendale County as well. He said he could not talk specifics without going into Executive Session, but the general overview is the money would go to education, schools, workforce development, bond indebtedness and the Career Center. He said those are items that will pass in Columbia. He said the bond indebtedness for Barnwell County is \$22 million, which is approximately \$16 million for the county and approximately \$5 million for the schools.

Councilman Houston said this information was through SCA, but council has not been told the bond indebtedness amount. He said the money could go to Edgefield County or Charleston County, and Barnwell County could be sitting here with nothing because SCA is not Barnwell County. He said this council supported the lawsuit but needs to determine how much of the settlement Barnwell County needs to help in covering the bond indebtedness for the jail, the landfill, etc. He said council needs to be mindful that the education system does not mean it will come to Barnwell County. If there is a regional school system, then council needs to look at Blackville School and Barnwell School and how it will come together to be one complete package, but as far as the Career Center, he is not so sure everyone agrees that they even want that in Barnwell County. He said council should determine what Representative Hosey, Representative Bamberg and Senator Hutto need to know.

Councilman Kinlaw said there is a plan being put together to represent those issues. Councilman Kenner said he would like to recommend that council have a special called meeting on this in conjunction with what council had from its strategic planning workshop that was just mentioned.

Chairman Buckmon said he would like to designate Councilman Houston and Councilman Alexander to form an investigative effort along with Administrator Bennett to find out definitely what is coming to the county so the council can come up with suggestions on how the council would like to spend the money and not have someone dictate as to how the money is spent.

Vice Chairman Creech said this was Barnwell County's land and if Barnwell County does not get something for this county, he is not voting for it.

Councilman Houston said we need to invite some of the SCA members to the meeting so they can share with the committee what they have in there and then the council can say what else is needed by Barnwell County. Chairman Buckmon asked that each council member be informed as to the status of that investigative effort.

**Partial Payment in Lieu of Taxes**

Administrator Bennett said that in the Council's packet was a Resolution and Agreement with the Department of Energy, which council would need to pass retroactively, because there was a deadline that had to be met and Chairman Buckmon had to sign the Resolution and Agreement in order for Barnwell County to receive a Partial Payment in Lieu of Taxes of \$1,000,000 out of about \$4,000,000 coming to Barnwell County. He said Treasurer Cochran is on the lookout for this payment. Councilman Houston made a motion to accept the Resolution retroactively, seconded by Councilman Kenner. Motion carried.

**Rural Infrastructure Grant**

Administrator Bennett said that in the Council's packet was a Grant for its approval. He said it is \$150,000 grant for which the county is a pass-thru mechanism for Pine View Buildings, the new industry in Blackville. He said the grant is in support of their operations. Councilman Houston made a motion that this be accepted, seconded by Councilman Alexander. Councilman Houston said that in all grants, there is stipulation requiring a percentage of that grant be spent on different makeup of the county, whether it be on minorities or different organizations in the community, and he said the county needed to make sure it starts applying that equitably to those folks that are eligible in trying to seek those folks rather than just going and picking out somebody because they are the most qualified, and yet it did not meet the requirement of the grant. He said in this case, the county is not the borrowers but it is responsible should those folks not follow that grant. He said he just wanted to make sure the county is looking into that. Motion carried.

Meeting adjourned by Chairman Buckmon at 6:40 p.m.

BARNWELL COUNTY COUNCIL

*Harold Buckmon*  
By: Harold Buckmon, Chairman



ATTEST:

*Elaine S. Ferguson*  
Elaine S. Ferguson, Clerk to Council

*Approved - March 9, 2021*