

**BARNWELL COUNTY COUNCIL**  
**June 8, 2021**  
**County Council Meeting Minutes**

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

Barnwell County Council met for a regularly scheduled meeting on June 8, 2021. In attendance were Chairman Harold Buckmon, 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. Vice-Chairman Jerry Creech and Councilman Freddie Houston were not present.

Also in attendance were Debbie Fickling, Barnwell County Business Manager, Rhonda McElveen, Barnwell County Clerk of Court, Sandy Cochran, Barnwell County Treasurer, Curtis Hogg, Barnwell County Public Works Director, and Jonathan Vickery, Editor of The People Sentinel.

Chairman Buckmon called the meeting to order and gave the invocation. He led the Pledge of Allegiance and declared a quorum was present.

Councilman Alexander made a motion to approve the agenda, seconded by Councilman Harper. Motion carried.

Councilman Kenner made a motion to approve the minutes of the special council meeting on May 11, 2021, minutes of the regular council meeting on May 11, 2021 and minutes of the special council meeting on May 25, 2021. The motion was seconded by Councilman Alexander. Motion carried.

Chairman Buckmon welcomed everyone to the meeting and said council was pleased to have everyone attend.

**PUBLIC COMMENTS**

Rodney Croft, whose address is 1197 Jackson Street in Barnwell and who lives in District 6, said that on May 18, 2021, he sent a FOIA request to the administrator for C-Fund information. He said on May 27 he had received a response from the administrator that the cost for the information requested would be approximately \$57, and on June 2, 2021, he asked the administrator to proceed and asked for a cost breakdown. He said if the administrator had enough information to know what the charge would be, then he must have all the information and said he was wondering what was the delay in getting the information to him.

Mr. Croft had complaints about the road work on Sanders Lane and Oak Lane, and he also read an email he said he had received from one of the residents in this area about White Oak Lane. He read from the email which said that the appearance of the road was not professional, the pavement was not level, and the road was holding water. Mr. Croft said he had posted about 20 pictures of the work on his Facebook page. He said he had talked with Mr. Hogg who said that the asphalt alone for White Oak and Sanders Lane was around \$125,000. He said the county got \$585,000 to do that project, and the county

did all of the work except for the paving. He said as a citizen, he wanted to see how the remaining \$460,000 was spent. He said it might be legit but from what he had seen out there today, the roads looked bad, the ditches would not drain, and they are full of water. He asked that council go out to the roads and look around, and he asked that he receive the public information he had requested.

Chairman Buckmon said he would direct the Administrator to provide this information to Mr. Croft as soon as possible. Administrator Bennett said the county is in compliance with FOIA, and the information is sitting on his desk to send to Mr. Croft.

Elizabeth Ringus, whose address is 192 Dairy Lane of Barnwell, said she wanted to speak about the topic under New Business (c) the Approval of Concept for Coordinating Barnwell County's Participation in the South Carolina Heritage Corridor. Ms. Ringus said she is the owner of the Little Red Barn, a historic building that was also on the Heritage Corridor. She said she would like for the council to know that they are hearing from an appointed Barnwell County representative of the Region 3, South Carolina Heritage Corridor Committee. She said she was appointed by the council back then, and she asked when the council got to that topic that she be allowed to give the council her input.

Sandy Steele, the Director of Operations with Southern Carolina Alliance, introduced the newest member of the Project Management team, Garrett Dragano. She said he would be serving Barnwell, Allendale and Bamberg Counties and working with the Barnwell County Council as well as the EDC.

Garrett Dragano said he previously worked for Congressman Wilson and covered the Barnwell area. He said he had met several of the council members before, and expressed his appreciation to the council for allowing him to speak. He said he was excited to be working with Barnwell County as well as Allendale and Bamberg counties to help grow the economy. He said if there was anything he could do for council, he was only a phone call away.

Toni Hutchins, who lives at 137 Huttington Drive in Barnwell, and is an Animal Shelter Board member, said she was before council to let them be aware that several months back, she started a subcommittee for a new animal shelter. She said the current animal shelter is in great disrepair. She said animals come there to be safe, and unfortunately lately they have not been able to keep them safe. She said there was an incident with some puppies this past weekend, and right before Memorial Day, she had watched a kitten die of heat exhaustion and dehydration, so that entire litter did not get to go to rescue. She said there had been a lot of patchwork, due to no fault of the employees, but the building is what the building is, and they can only weld so many things, then things become unfixable. She said they had the county and the community's support as they try to garner funds and grants to move forward and hopefully get a new shelter to keep the animals safe.

## **FINANCE REPORT**

Administrator Bennett referred council to his staff memo and the Revenue and Expenditure Report that was sent in their packets for the County Council meeting of June 8, 2021. His staff memo reads as follows:

Below is the Finance Report for the County Council meeting on June 8, 2021.

- a. The Revenues and Expenditures Report is attached. The revenues are subject to fluctuation. The expenditures are through the end of May. The county is at 92 percent (11 months) into FY 20-21. Expenditures, according to the above-mentioned report, are at 91 percent.
- b. Finance Director Maria Williams is beginning to focus on preparing for the FY 20-21 Financial Statement (audit). That process begins in earnest in July once she receives all the months' bank reconciliations. Currently unavailable to her are bank reconciliations dating back to March. The latest one available is February's. We risk delay in preparing the annual Financial Statement.
- c. In looking toward improving tracking of expenditures in FY 21-22, the following is underway:
  - (1) The Treasurer's Office and the Finance Office are transitioning toward their General Ledgers mirroring one another. In other words, the accounts will be numbered the same. The team to implement this transition is Treasurer Sandra Cochran, Finance Director Maria Williams, Accounts Payable's Melanie Kimmerlin, Payroll's Linda Cook, and accountant Neal Crider of McGregor & Company.
  - (2) We are implementing a more structured purchase-requisition program.
    - A. Department heads will be required to submit Purchase Requisitions to the Finance Office. Exceptions will be emergencies and designated Open Accounts, for example, at hardware stores for minor purchase.
    - B. Finance Office reviews the purchase requisitions. Any requisition more than \$250 will be reviewed by the county administrator. Requisitions that put the line item over budget will need county administrator approval.
    - C. Reports will be generated for the county Finance Committee that show if/when purchases result in departments exceeding their budgets.
    - D. Concurrently, we will create a dashboard to track finance information, and hopefully this would include data provided by the Treasurer's Office that previously had been included on what was known as the "grid sheet."
    - E. The intended result of all the above is a more comprehensive picture of county finances.

Administrator Bennett also said he wanted to thank Councilman Kinlaw and that through his initiative the staff is doing this and also thank him for today pointing out that we can do a better job of documenting utility costs at the Museum. He said the more eyes that are on the finances, the better.

Councilman Kinlaw said that the percentages Administrator Bennett gave were 92% revenues and 91% expenditures. He said department 119, which is Non-Departmental, is included in this total which is skewing the numbers, so we are not as good as we think we are. Councilman Kinlaw said the Administrator said we are at 91% with one month left in the fiscal year, and it is worse than that so as we begin to talk about this, additionally, we will try to understand that.

## **BOARDS AND COMMISSIONS**

### **Appointments and Nominations**

Councilman Kinlaw nominated Cullen Bolen for the Housing Committee and said he lives in District 6 so council will need to vote on this at the next meeting. He said Mr. Bolen had just opened a business here in town. He reappointed Bonnie Simmons for the Recycling Board, and said he had nominated Chief

Harrell at the May meeting and made a motion to approve his nomination to the Equalization Board, seconded by Councilman Kenner. Motion carried.

### **Committee Reports**

No report was given for Government, Science, Technology and Regulatory Matters, Personnel or EDC. There was also no report on Transportation, Health Care or Recreation due to Vice-Chairman Creech's absence.

### **Housing Committee**

Councilman Kenner thanked Councilman Kinlaw for the appointment to the Housing Board and said otherwise there was no report.

### **Finance Committee**

Councilman Alexander gave this report in the absence of Councilman Houston and said council has the Second Reading of the FY 21-22 budget later on the agenda. He said the Finance Committee has been meeting regularly and has a few more sessions scheduled between now and the end of June. He said hopefully there would be a council budget workshop as well so council can hammer out a few additional details coming out of the second reading.

### **Safety Committee**

Councilman Harper said council received a report during Executive Session concerning EMS.

### **Judicial Committee**

Councilman Kinlaw said the Judicial Committee met last week to discuss the holding cells and the elevator, but obviously the county does not have the financing and will have to look at these going forward.

### **Services Committee**

Councilman Kinlaw said there was an animal shelter meeting, and the committee recognizes the challenges that it faces. He said they would be looking at the data to see where the animals are coming from, and he will be putting together a presentation so the committee can go around and present it to the cities. He said if the cities are going to use these services, they should help support the services. He said he also wanted to look at the contract between the county and the city as it relates to the animal shelter. He said he understood there had been some review and based on what the committee heard on Thursday evening, he went out to the animal shelter on Friday. He said the sewage was backing up, and he made some calls so that by the end of the business day, it was working. He said they went back Monday, and he wanted to thank the city for addressing that Monday.

Councilman Kenner asked Councilman Kinlaw if there was anything that council needed to do with the changes with the landfill scale house. Councilman Kinlaw said that Administrator Bennett had made a suggestion that the county move the scale house project. Administrator Bennett said the landfill scale house was on the Capital Project Sales Tax list as number five, and he was suggesting that they flip number five with number four which is the water and sewer infrastructure. He said if they could put that at number four, the county is looking toward including this project with some grant work and some

other revenue sources. He said they would change the location of the scale house to a more efficient location at the entrance to the landfill. He said this would be brought to council at a later date.

Administrator Bennett said there was one other topic under the Services Committee which is the Intelligent Life Cycle Solutions. He said the committee is requesting that they put the Agreement with Intelligent Life Cycle Solutions in writing. He said Intelligent Life Cycle Solutions processes e-waste, television sets, computer monitors, etc., and he said he has a draft of the agreement and it will be presented to council after running it by the county attorney to make sure the county is including everything they need to include.

Administrator Bennett said that Frank Williams, the Solid Waste Director, has identified a payment issue involving Intelligent Life Cycle Solutions. He said he would like an administrative nod from council to move forward to square that payment away. He said it would result in them forgiving a portion of an overall payment that the county owes them. He said the county would net paying them about \$7,000 of what the county owes them over the past two to three years, based upon a hand-shake agreement that was perhaps not followed through.

Councilman Kinlaw said Chairman Buckmon had referenced that Three Rivers was going up in their fees, and asked if he knew how much the increase would be. Chairman Buckmon said it would be an increase of \$1 per ton. Councilman Kinlaw said he thought the county's tonnage was 14,000 so that would be \$14,000.

## **OLD BUSINESS**

### **Second Reading of the FY 21/22 Budget Ordinance**

Councilman Alexander said after the first reading at May's council meeting, the Finance Committee reviewed the budget, and also council had a budget workshop. He said there are still a few lingering issues out there so the Finance Committee would like to have another workshop sometime between now and June 30<sup>th</sup>. He said the third reading would be the last week in June. Councilman Alexander made a motion that council approve the second reading of the FY 21/22 Budget Ordinance. Councilman Kenner seconded the motion. Motion carried. Councilman Kinlaw abstained from voting on the motion.

### **Third and Final Reading of an Ordinance to Repeal and Replace Previous Rules of Procedure Ordinance**

Clerk to Council Ferguson said there was only one change made since the second reading which was to add the words "Twelfth Edition" in paragraph 5.13 at the suggestion of the County Attorney. Councilman Kenner made a motion to approve the Third and Final Reading of the Ordinance to Repeal and Replace Previous Rules of Procedure Ordinance, seconded by Councilman Alexander. Motion carried.

### **Main Street Ownership**

County Attorney Mosteller said it is pretty clear that the County owns that portion on Main Street from a hand-written Deed from the 1800's, and there does not appear to be any Deeds out from the county. He said this is the portion of Main Street that runs in front of Mr. Harvey's office and the old bank building that is now the City Hall and the monument area. He said he has approved a letter to go out, but he did not know if he had signed it, and he would check on this and make sure it gets out.

### **Actuarial Valuation Contract**

Administrator Bennett said council had a workshop and a Finance Committee meeting as well on the Actuarial Valuation, and he is asking council to approve a contract with McGriff, who is the actuary for BB&T, which administers the Hospital Pension Plan for the county. He said the county has not conducted an actuarial valuation of the Hospital Pension Plan in a decade. He said there are several liabilities regarding this and his intent in asking council to approve the contract tonight is for a lengthy period of an effort to get the county back where it needs to be on the Actuarial Valuation of the Pension Trust. He said the bottom line is the county does not know exactly what to pay the pensioners, and it does not know if it is in compliance with the IRS. He said the county has several things that need to be addressed, and this is an expensive proposition. He said if the county is going to get where it needs to be, it needs this contract with McGriff.

Administrator Bennett said that under number three of the staff memo in the council packet, the annual cost of an actuarial valuation is between \$22,000 and \$24,000. He said when the actuary calculates the pension for each pending retiree, it will cost \$430 flat charge for each, and then there are hourly rates involved in other non-standard calculations. He said those would all be annual costs. He said the standard set up costs can be anywhere from \$26,000 and \$34,000 as the county gets itself correct. He said additionally, there could be \$70,000 or higher for data mining and operational remediation. He said this is big money for the county, and in addition to this, the county needs an ERISA attorney to walk it through the legal mine fields with the IRS. He said Parker Poe, the county's Bond attorney, who serves the county in other facets as well, has an ERISA attorney on staff.

Administrator Bennett said he is asking council to authorize Chairman Buckmon to sign this contract so it can move forward as quick as possible on this. Councilman Alexander said it is important for the county to take care of the former hospital employees and their pension, and it is important to have accurate information to be able to do so, and he made a Motion that council approve and authorize the administrator to move forward with the Actuarial Valuation Contract. The motion was seconded by Councilman Harper. Motion carried.

### **NEW BUSINESS**

#### **EMS Services/Award of Contract**

Councilman Harper said that since there were two councilmen out tonight, he asked that it be tabled until next month.

#### **Resolution Establishing and Agreeing to Participate in the Lower Savannah Regional HOME Consortium**

Administrator Bennett said this is a Lower Savannah Council of Government effort regarding affordable housing and creating what has already been in place, a consortium of counties to promote affordable housing in Barnwell County and adjoining counties. He said he was asking for council's approval of the Resolution tonight. Councilman Kenner made a motion to approve the Resolution, seconded by Councilman Kinlaw. Motion carried.

### **Approval of Concept for Coordinating Barnwell County's Participation in the South Carolina Heritage Corridor**

Councilman Alexander said this comes from the Recreation Commission. He said the Director for the South Carolina Heritage Corridor came a few weeks ago and presented a concept to produce an outdoor recreation plan for the county. He said there would be no cost to the county. He said he thought Councilman Harper, Councilman Creech and Administrator Bennett were there as well as the Recreation Commission member. He said the Recreation Commission members are excited to participate in this, and it will allow the county to build the outdoor recreation vision without a lot of leg work from the county staff. He said with that being said, he made a Motion that council approve the Concept for the Recreational Commission to move forward with participation in this project, seconded by Councilman Harper. Motion carried.

### **Lower Savannah Workforce Development Area Consortium Agreement and Memorandum of Understanding/Infrastructure Funding Agreement**

Administrator Bennett said this is Lower Savannah Council of Government's initiative, and this is an ongoing set of documents. He said the Consortium Agreement is a document that reaffirms the county's commitment to workforce development as a member of the local workforce consortium. He said this document is renewed every four years and the second part of this is a Memorandum of Understanding and an Infrastructure Funding Agreement that covers the South Carolina's Works Center activities for the Lower Savannah Region. He said this document is renewed annually. Councilman Kenner made a motion to authorize the Chairman to execute these document on the council's behalf, seconded by Councilman Alexander. Motion carried.

### **Inducement Resolution Providing for Negotiation of a Fee in Lieu of Tax Agreement Between Barnwell County and Project Echo**

Administrator Bennett said there is proprietary information that is confidential at this time so the project is having to be referred to as Project Echo, but this particular Resolution for Project Echo launches the negotiations with this industry or manufacturing facility to begin discussing FILOTs (Fees in Lieu of Taxes), and also SSRCS (Special Source Revenue Credits), and by passing this Resolution tonight, council will get this underway to making this happen. He said he wanted to thank Southern Carolina Alliance's Sandy Steele who was just here earlier, and also Parker Poe's Ray Jones, for getting this underway. He said the other two items that conclude the agenda tonight are the First Readings by Title Only and are parts two and three of this situation the county is dealing with. Motion made by Councilman Alexander and seconded by Councilman Kenner to approve the Resolution. Councilman Alexander said that at the appropriate time, he would just like to make sure council is informed of everything before we get too far down the path of negotiations. He said he did not want the county to run into issues like they have had in the past.

Administrator Bennett said he would be asking that the Chairman allow an Executive Session in July at 5:30 p.m. to bring the appropriate personnel in to brief this. Chairman Buckmon said he did not want this to interfere with the regular meeting. Chairman Buckmon said a Resolution does not have any legal binding but the council usually abides by it. Motion carried.

Councilman Kenner made a motion to adjourn, seconded by Councilman Alexander. Motion carried. Meeting adjourned at 6:45 p.m.

**BARNWELL COUNTY COUNCIL**

*Harold Buckmon*

By: Harold Buckmon, Chairman

**ATTEST:**

*Elaine S. Ferguson*

Elaine S. Ferguson, Clerk to Council

Approved: *7/13/21*

