

BARNWELL COUNTY COUNCIL
January 10, 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 January 10, 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., County Attorney JD Mosteller and Clerk to Council Kim Futrell. Also in attendance were Clerk of Court Rhonda McElveen and Laura McKenzie with the People Sentinel.

The meeting was called to order, the invocation given, and a quorum was declared. Councilman Creech and Councilman Houston took oaths of office. Motions were made to approve the agenda and the December 13th Council meeting minutes. The motions were seconded and they passed. Chairman Jowers welcomed everyone to the meeting and asked for public comments. Mayor Ed Lemon said that he and other Municipalities were opposed to the proposed ordinance which would make the EDC Commission an advisory board only and would dissolve the EDC Corporation without a vote of the Commission or the Corporation. The Municipalities were contacting the Attorney General for his opinion but believed the ordinance violated the negotiated intent of the existing agreement between the Municipalities and the County, violated the terms of the existing ordinances and would severely impact intergovernmental relations. Attorney Tim Moore said adoption of the ordinance would present substantial legal questions and noted that the County had already spent thousands of dollars on lawsuits.

Updates

Clerk of Court

Rhonda McElveen distributed a report to Council and gave an update on the sessions of Court.

Administrator's Update

Administrator Williams said Cedar Run Road was beginning to develop potholes and would need to be patched soon. Council discussed the need to set aside funding for the maintenance of County owned paved roads.

Committee Reports

Boards and Commissions

Councilman Houston (Dist 1) appointed Ginger Massey (resides in Dist 4) to Animal Shelter	Term Exp. 2019
Councilman Houston (Dist 1) appointed Jenalee Muse to Museum Board	Term Exp. 2018
Councilman Kenner (Dist 2) appointed Paige Port (resides in Dist 4) to Animal Shelter	Term Exp. 2019
Councilman Kenner (Dist 2) reappointment Bridget Brown to Planning Commission	Term Exp. 2020
Councilman Kenner (Dist 2) reappointed Gwendolyn Littlejohn to Generations Unlimited	Term Exp. 2020
Councilman Kenner (Dist 2) reappointed Kathy Orr to Museum Board	Term Exp. 2020
Councilman Kenner (At Large 2) nominated E. Mitchell Leby to Museum Board	
Councilman Harper (Dist 3) nominated Robbie Gardner to Airport Commission	
Councilman Harper (Dist 3) reappointed Greg Hannah to Fire Commission	Term Exp. 2018
Councilman Harper (Dist 3) appointed Mike Burke to Transportation Committee	Term Exp. 2018
Councilman Creech (Dist 7) appointed Melissa Bonnette (resides in Dist 4) to Animal Shelter	Term Exp. 2018
Councilman Creech (Dist 7) reappointed Dianne Weeks to Generations Unlimited	Term Exp. 2020
Councilman Creech (Dist 7) reappointed Jimmy Baxley to Planning Commission	Term Exp. 2020

Councilman Houston moved to appoint Mary Brown for the "Community" appointment on the LSCOG Board. Councilman Kenner seconded the motion and it passed. This appointment was later nullified as the only vacancy on the Board was an "Elected Official" appointment.

Council would review the 2017 / 2018 Standing Committee appointments at the January 13th Special Called Council meeting and Retreat.

Government, Science Tech. & Regulatory Matters, SCRDA, Finance, Housing, Safety, HealthCare, EDC, Personnel

There were no reports for the above Committees.

Judicial

Councilman Buckmon said the payroll policy needed to be adjusted as Detention Center employees were being required to wait until the next pay period to receive their overtime.

Services

Councilman Buckmon said the Landfill was looking for a replacement truck, containers were needed for the recycling program and when daylight savings time ended, the convenience sites' operation hours would return to 7 am – 7 pm.

Transportation

Councilman Creech said there were possible safety issues with Public Works employees scraping roads with buried service lines but no markers in place. Markers had either been knocked down or were not wanted by property owners. Council discussed whether the County had a policy requiring markers for roads with buried service lines and asked Attorney Mosteller to follow up with Councilman Creech.

New Business

Recommendation Concerning Funeral Leave

Coming as a recommendation of the Personnel Committee, Councilman Creech moved to add sons and daughters in-laws to the Funeral Leave Policy's definition of "immediate family". Councilman Buckmon seconded the motion and it passed.

1st Reading of Ordinances to Amend the FILOT Agreements for Barnwell Solar, Blackville Solar I, Blackville Solar II, Richardson Solar, Elko Solar, and Edison Solar

These Ordinances were collectively read in name only.

Approval of Signatories

Councilman Kenner moved to have the names of Keith Sloan and Joe Smith replaced with Don Harper and Ben Kinlaw on the approved list of signatories on the checking account. Councilman Houston seconded the motion and it passed.

1st 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 Houston asked Chairman Jowers for the names of the Council members who had sponsored the proposed Ordinance. Chairman Jowers said he, Councilman Creech, Vice Chairman Kinlaw, Councilman Harper and Councilman Buckmon were the sponsors. Councilman Kenner said as evidenced in the support of the Municipalities which aided in the passing of the Capital Project SalesTax, intergovernmental relations had improved and he believed Council needed to reconsider adoption of the proposed Ordinance.

Councilman Buckmon said the intent of the proposed Ordinance was good, but that it could be modified and asked Attorney Mosteller if he had only drafted the Ordinance at the sponsor(s) request or if he had also considered the legalities. Attorney Mosteller confirmed he had also considered the legalities in his drafting of it. Councilman Creech said the Judge presiding over the EDC suit said the current structure of the EDC Board as well as other Boards and Commissions, did not have sufficient controls or monitoring by Council in place to prevent the same thing from happening again. Councilman Creech said changing the EDC Board to advisory only could prevent the same thing from happening again and that Council would likely heed the Advisory Board's advice. Councilman Houston said the Judge's statement which Councilman Creech had referred to was during the same time that the Monetary Ordinance was being considered yet Councilman Creech had been opposed to the Airports' turning control of its funds over to the Treasurer. He said if the principle of greater controls was going to be applied, it needed to be for all agencies and boards, not just the EDC. Being the 1st reading, this Ordinance was read in name only.

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

The meeting adjourned at 6:52 pm.

Respectfully submitted,



Kim Futrell, Clerk of Council





Lowell Jowers Sr., Council Chairman