



**REGULAR CITY COUNCIL MEETING
Tuesday, February 20, 2024; 6:30 P.M.
Bennettville Public Safety Complex**

Minutes

1. CALL TO ORDER Mayor Fowler
2. INVOCATION AND PLEDGE OF ALLEGIANCE Tyrone Davis
3. ROLL CALL
District 1-Wanda Weaver
District 2-Tyrone Davis
District 3- Allen Taylor
Mayor-Leith Fowler
District 4- Bill Jennings
District 5-Tyron Abraham
District 6- Gregory Scott
4. APPROVAL/CORRECTION OF MINUTES
 - A. **Regular Council Meeting; Tuesday, January 16, 2024-** Mr. Davis moved that the Regular Council Meeting for Tuesday, January 16, 2024, be approved. Mr. Taylor seconded. Motion passed unanimously.
Mayor Fowler asked, “To amend the Agenda so that Mr. Milhous can go ahead and do his presentation.” Mr. Simon stated that he could be placed as 5C, right after the Proclamation. Mr. Taylor made a motion to move Auditor’s Report (Bob Milhous) to 5C. Mr. Abraham seconded. Motion passed unanimously.
5. PUBLIC REQUESTS/ PRESENTATION OF PETITIONS
 - A. **Employees Anniversaries-** Barbara Baker, Police, 24 years; Scott Bowen, Police, 5 years; Haden Graham, Police, 2 years
Mr. Simon stated that “We do recognize that our employees are our biggest asset. So, we certainly appreciate everything that they do.”
 - B. **Issuance of Proclamation to Colonel Charles P. Dease (Retired)-** Mr. Scott stated, “ On behalf of Black History Month, the City has decided to honor Colonel Charles P. Dease (Retired). A Proclamation was read and presented to his mother,

Ms. Mary Dease in his absence. Mr. Scott read the Proclamation and ended it by saying “The City of Bennettsville, do hereby proclaim February 20, 2024, as Colonel (RET) Charles P. Dease Day. I urge all citizens to join me in honoring and recognizing Colonel (RET) Charles P. Dease for his outstanding contributions, selfless service, and unwavering commitment to our nation and community.” (Attached is a copy of the signed Proclamation.) His family was in attendance and a picture was taken with Mayor Fowler and City Council members.

- C. Auditor’s Report (Bob Milhous)- Mr. Milhous gave the Audit Report for year ended April 30, 2023. The City Administrator, Mayor and Council members all received a packet of the Audited Basic Financial Statements & Other Financial Information.

6. PUBLIC COMMENTS

Yvette Douglas- Stated “Council, District 3 have not responded to our concerns. Struck me as odd because I’ve been told I’ve been up here three times, and no one responds. They say that I would get something in the mail and so he stated he would be going up to the voter registration office to find out what’s going. So, I’m here and I would like to know what was found out because when I come and address the board, I address the board to their face. I don’t wait til someone is gone to make any disclaimers. Also, starting back on the map. I called the authorities and they told me that someone called up there and asked that District 3 being adopted into the map. One, I want to know who called, who adopted and who approved it was sent to the City Administrator? Was it sent to Council? Those are questions I have. So, I’m praying someone will get back to me on that. Another that I have is every time we are featured on Jody Barr, our chief from here has our community looking crazy and ridiculous with negativity. We are a community. The top two people is two right-hand men are being thrown under the bus to look like bumbling idiots. All because of five minutes of fame. Jody Barr doesn’t live here. He doesn’t care anything about us! When I was in school, one thing I learned was a common denominator and he is our common denominator. If we have, 13 policemen here, then were doing good. Policemen was policemen until I got grown. Years of service. If you want Jody Barr to investigate something, investigate the workman’s comp fraud that he’s going to citizens houses doing a job, fell....allegedly and fell down and suing citizens. When you take a job as a police, you assume the risk. So, if he got shot in the line of duty, he’s going to go back and sue someone? So, you want to talk like he said, himself, if you dig long enough, you’ll find something. Well, lets start digging on that, This is ridiculous! We are a laughing stock! We need to do something about this situation and I’m just waiting on a response since he was allowed a response, Mayor, when I wasn’t here. Why is it not the response now? The rules should apply to everyone. You didn’t stop him, but you stop me and so I have a problem with that.”

Wanda & Ricky Reed- Stated, “I have an issue that I would like to address. We reside in District 6 area, and it started last year with our utility bill. I talked to Mr. John and got a response back from him on yesterday, which was the 19th and in that response, I said, it’s just my husband and I and there’s no way that our light bill should be \$533 and we keep our thermostat set on the 73. However, his response was to me that, “You got to understand

that we were short staffed. You got to understand we had bad weather and during that time, he said, “You know, we’d be out in Holiday pay. So, basically, what I perceived from that, you’re telling me that the citizens are at liberty to suffer the consequences of what the lack of deceit not having individuals as far as short staff and that is just my concern and not only me, with others, over in District 6 that is concerned and I think the light bill is just ridiculous. It’s just my husband and I, we don’t have small children. He work at night. I work during the day and we keep it safe and that’s just my concern and I hope that you all take this in consideration and look out for the citizens. Thank you for your time and thank you for listening.”

Greg Williams- Stated, “This is about right and wrong, and gathering facts and information from all sides. When I sent in my retirement letter in early December of 2023 at the Bennettsville Police Department, that started a negative reaction from a few individuals at the Police Department and even a few of you (pointing out to council members). Instead of speaking directly to me, those few individuals and again, a few of you (he pointed out council members) met privately to question my decision. When all you had to do was call me. No one from the PD, nor none of you from this council, never made an attempt to make contact with me to discuss your questions or concern. You took what the individuals from the PD said at face value. Just like you were told that I was the reason that police officers were leaving and even not coming to the Police Department and a few of you ran with that. One of you went so far to even speak to a former employee to try and get that person to say something negative about me. I have receipts. From my understanding, this council will review the assessment that was done on the Police Department. I’m not sure, but I’m certain that the issue with retainment and recruitment of officers will not fall at my feet and it is up to you to make that right. The public has a right and even more, the city has an obligation to let the public know the findings in this assessment. I’m willing to take my hits. Are you? People always say that they are doing the right thing, please. Not when they try to get the court clerk to destroy legal binding documents. If you want facts, get all sides of the story. Again, I have receipts. Leadership matters. Respect for everyone matters. I am not a person who agrees to agree. That’s a yes man and that is where the problem began for me at the department. I told a former friend, that my name is all I got. I will not let anyone continue to stomp on it. This is the start of me getting my name back to where it should be. Put some respect on it! Thank you for your time.

Neal Fair- Stated, “I don’t have to say much because two people said most of it. However, for y’all to call Jody Barr to get him down here and investigate the chief. He leaves out the time he was out in the lobby, last year when that lady was up here raising sand, he put everything on the Mayor. Y’all ran with that. I would like to know how these police officers in here feel now that they know that the chief will throw them under the bus and put it in reverse and back up over them. We need to know this stuff and please, if I call the police to come to my house again, don’t come because I don’t need to be sued. Thank you.”

Kentrennia Smith- Stated, “My concern today is that we get a call saying that the City of Bennettsville was at our property on State Street.” The couple has resided there for 6-7 years. Mrs. Smith stated her husband drove eighteen wheelers. He hasn’t been parking his eighteen-wheeler on the side of the road, not blocking people’s houses, and not in the

middle of the road. However, she stated “He has been parking his truck on this lot that we just recently purchased for 6 years now, but all of sudden today, someone gets a call, call the City and complain about it.” Mrs. Smith said she “talked with a lady at the City and she explained to me that back in August, something was changed and y’all were looking at changing the rules about eighteen -wheelers. Something about the code 152.091 Parking and Storage of certain vehicles.” Mrs. Smith asked for a copy of that information and it was given to her. Next, Ms. Smith stated, “It said that a vehicle couldn’t weigh over 22 tons, which a eighteen -wheeler even with the trailer on the back, doesn’t weigh 22 tons and it’s parked in our yard. So, after I asked her about that, then she went looking through the book, and said she couldn’t find the paperwork or whatever because they was working on changing it or whatever. So then she brings me this paper right here (she has a sheet she received from Planning & Zoning) that says, “that the vehicle can’t be more than 2.5 tons. 2.5 tons, that’s only 5000 pounds. That means you can’t even park a SUV on the property because the weight is over that, but she also told me that I can find all this information online. So, I go online and this one says 22 tons and the other one says 2.5 tons.” “The last time this was changed was in 2010 and it’s still the 22 tons, So, I was a little concerned about that.” Mrs. Smith had pictures showing where they park their trucks and how far apart they are away from the road.

7. SECOND READING AND PASSAGE IN FULL OF ORDINANCES
No Business

8. FIRST READING AND ADVERTISEMENT OF ORDINANCES

A. Business License Ordinance- This ordinance is an amendment to the current business license ordinance of the City of Bennettsville updating the class schedule as required by Act 176 of 2020. This Act is City of Bennettsville Office of the City Administrator known as the South Carolina Business License “Tax Standardization Act,” that imposes additional requirements and conditions on the administration of business license taxes.

Approving Action: A motion to approve the amendment of ordinance 21-11-03 in order to comply with the requirements of the Standardization Act. Moved by Mr. Abraham. Seconded by Ms. Weaver. Motion passed unanimously.

9. PASSAGE OF RESOLUTIONS

A. SCMIRF Safety Resolution South Carolina Municipal Insurance and Risk Financing Fund (SCMIRF) Safety Resolution. As part of our property and liability insurance minimum guidelines for compliance with SCMIRF, the City Council is requested to pass a Safety Resolution each year.

Approving Action: A motion to approve the safety resolution presented by the city administrator to comply with the SCMIRF regulations. Moved by Mr. Abraham. Seconded by Mr. Davis. Motion passed unanimously.

10. GENERAL BUSINESS DISPENSED BY MOTION

A. Marlboro County School District MOU- The School District is requesting to use the community center as an evacuation center during an emergency. The logistics

of the emergency notification will be outlined to the administrator to share with all on-call emergency personnel. This agreement authorizes the city administrator to enter into the agreement with the school district.

Approving Action: A motion to approve authorizing the city administrator to enter into an agreement with Marlboro County School District regarding using the community center as an evacuation site. Moved by Mr. Davis. Seconded by Mr. Abraham. Motion passed unanimously.

B. Board Appointment to the Board of Architectural Review/Tree Committee (Elisabeth K. McNeil)

Approving Action: A motion to appoint Mrs. Elisabeth McNeil to the Board of Architectural Review/Tree Committee. Moved by Mr. Jennings. Seconded by Mr. Abraham. Motion passed unanimously.

- C. NAACP (Elections) Recommendations- The NAACP met with administration and council representatives chosen by the Mayor to hear concerns about the recent elections held. They are requesting that we enact an ordinance to allow the County to oversee elections on behalf of the City of Bennettsville. NAACP presented a number of concerns with the city past elections. Mr. Simon stated, "As you know we have our own city voting. I mean the elections commission and they outlined several concerns on the logistics of elections. I do think Ms. Weaver was in attendance and Mr. Abraham speaking more on details, but what the NAACP is recommending that two things. One, that we allow the county, and you would have to do that with ordinance and with cooperation and to ordinance from both county and city. You allow the county to take over elections on behalf of/for the city. Two, if we do decide to move forward and continue with our own commission that they get the proper training and that policies and procedures are outlined not only to them, but to citizens that we show full transparency and those are the two things that we ask of them.
No decision was made. Will discuss in Executive Session.

Mr. Simon mention to the Mayor that one thing you probably need to do is , for those three items a motion to hear those items in Executive Session by tacking on as the last part of the Agenda.

Mayor Fowler asked for a motion. Mr. Abraham made a motion to move Items C&D to the end of the Agenda along with discussion of elections. Mayor Fowler stated, " Communication between City Council and City Administrator to discuss Personnel Updates and Police Department Assessment."

Mayor Fowler stated a motion to discuss Personnel Updates, Police Department Assessment and recommendations from the NAACP in Executive Session, we are going to move that down. Moved by Mr. Abraham. Seconded by Mr. Davis. Motion passed unanimously.

11. REPORTS AND INFORMATION PRESENTATION
A. Auditor's Report (Bob Milhous)-Amended to 5C.

12. COMMUNICATION BETWEEN CITY COUNCIL AND CITY ADMINISTRATOR

- A. Electric Department Work Orders Update
B. Utility Billing Updates- Mr. Simon stated , “On a few occasions where bills would come out late and we’ll just say it was the responsibility on the city. I will say this in order to help with our process and what we’re doing is we’re changing our manual process to more of a digital process.” We would like our citizens to provide us with updated contact information. That’s something we haven’t collected in several years. An annual notice is going to come out next month. Also, you’re going to see some notes on your individual bills in the next 2 months. We’re also going to provide some information in the paper where you can either call or send an email to update your information. An updated phone, and /or email address. In cases of emergencies, we would like to be able to communicate with customers.

Mayor Fowler stated Section C-Personnel Updates, Section D- Police Department Assessment and NAACP recommendations be discussed in Executive Session.

Mr. Abraham asked, “Before we go I just want to Mayor, Council, I’m asking that for the record Item D, Police Department Assessment be made public to all our citizens.”

- C. Personnel Updates- Executive Session
D. Police Department Assessment- Executive Session
Exiting Executive Session, Mr. Abraham moved. Mr. Davis seconded. “All in favor, everybody stated “I”, Mayor Fowler stated, “I’s” have it. No action been done.” Mayor Fowler adjourn meeting. Then realized he didn’t ask for Non-Agenda Items from council. Went back into meeting.

13. NON-AGENDA ITEMS FROM COUNCIL

William Jennings, Jr.-Asked the Finance Committee, Mr. Simon and Finance Director meet for our first Budget meeting and to be on the same page for what we are looking for.
Tyron Abraham- Asked that Mrs. Miller give an update at a later time.

14. ADJOURN
Mayor Fowler

Public Comment Policy:

Citizens desiring to speak at any regular meeting must provide a written request to notify the City Clerk prior to the agenda deadline. Citizens interested in commenting at a regular meeting shall sign in to speak and limit comments to no more than 3 minutes.

Mission Statement: To utilize all available resources for the development of plans, programs, and projects to improve services to the citizens of Bennettsville and establish and maintain an active role in economic and community development.