

Minutes for the Regular Meeting on Monday, June 13, 2022, at 12:00 pm at 8305 Augusta Road Pelzer, SC 29669.

Jim Darby called the meeting to order. Jim Darby opened with prayer. John Jennings was absent.

Everyone reviewed the minutes. Sabrina Bedingfield motioned to accept the minutes. Donnie Freeman seconded it. All were in favor.

Jennifer Adams reviewed the Financial Statements. Jennifer Adams said that the money had been moved from the Southern First Account to the LGIP account as approved in the last meeting. Donnie Freeman asked about our monies in reserve accounts. Chief Sutherland said that both our Financial Advisor and Auditor recommend 15% of our current budget to be in reserves and that is about \$1,000,000.00. Chief Sutherland said that we will continue to add \$10,000.00 to our reserves every month until we reach the goal of \$1,000,000.00 and then we will reevaluate. Jimmy Brashier motioned to approve the Financial Statements. Sabrina Bedingfield seconded it. All were in favor.

Chief Sutherland started the Staff Report (see attached) by reminding everyone of the upcoming events. We will be hosting a SC Fire Academy Class June 28th - 30th. Chief Sutherland said that the fuel prices are still up and we are continuing to evaluate the situation to make sure that we are doing everything that we can to save on fuel. Chief Sutherland said that the Fire Marshal's F150 is finished at the factory, but it is waiting on a chip. We hope that it will be here sometime in July. Engineer Jeremy Lathem has been selected for the Deputy Fire Marshal position. He will work one 8-hour day per week on inspections July 1st - December 31st. That position will become a full-time day shift position in January 2023. The next reading for our millage increase will be on July 21st at the County Council meeting. They have begun moving dirt for our training facility. We had a lot of topsoil in that area due to the water flow from the storm water drainage. We had to make a \$6,500.00 change order to bring in red dirt to fix it. This made the total cost of the project \$51,150.00. We had budgeted \$50,000.00. Chief Sutherland talked to Chairman Darby and they decided to go ahead and do the work. Right now, we are waiting on it to dry out from the recent rain. We hope to start pouring concrete by the end of the week. The first set of 3 new hires all started this week. The Promotion and Awards Ceremony has been set up for September 3rd at Woodmont High School auditorium. There will be more details later. We have three years of promotions to award.

Assistant Chief Finley started his report with the May call volume. He said the calls were down to 268 for May and totaled 1,515 for the year. The bunker gear orders for 2021 and 2022 are coming in now. We are still continuing to cycle through the fleet for the annual preventative maintenance. We hope to put new Engine 80 in service soon.

Jennifer Adams said that open enrollment for all of our benefits is coming up in July. Rhonda Watson with McGriff will meet with each shift to update them on the changes.

New Business

- I. Donnie Freeman said that he asked for everyone to get a copy of our current State Statute and Commissioner's By-Laws for review. He thought it would be a good time to make sure that we have current By-Laws that fit to our Commission Board. Jim Darby verified that we use Robert's Rules of Order to conduct our meetings. Donnie Freeman said that he wanted to see if there was any way they could compensate the Commissioners. Donnie Freeman said that he took his copy of the By-Laws and reviewed them to make sure they are clear and up to date. He wants to make sure that they are clear for the Commissioners that follow them. The 1965 Statute needs to be up to date. Donnie Freeman said when this law was created the whole department was volunteer. Donnie Freeman said now the department is paid so maybe the Commissioners should be getting paid now. He said the By-Laws state that the Commissioners are over the Fire District ultimately. The Fire Chief, which is Chief Sutherland, is in charge of the day-to-day operations. Any policies that are changed need to come before the Board of Commissioners. Our community needs to know that we are now

more transparent than before. Donnie Freeman said he thought Section 302 on voting in the By-Laws could be changed, because it says the we do not allow proxy voting and the Chairman will vote to break a tie. Jim Darby explained that a proxy vote is a vote on something that there is no discussion on in the meeting, and we do not have agenda items like that. Jim Darby said we allow voting by phone, Zoom, etc. and do not need to allow proxy voting. Donnie Freeman brought up Section 311, which is the policy for the public to request to speak in the meetings. Currently it says the public must ask to be on the agenda the Friday prior to our meetings by noon. It also says that the Chairman of the Board can approve for someone to speak in the meeting if they request it. Donnie Freeman said maybe we need to change this because we are trying to be transparent and encourage the public to come to our meetings. Sabrina Bedingfield said in Section 402 it says that things can be added to the agenda, so we can add public speakers if we want to. Donnie Freeman said he thought we should remove that section. Sabrina Bedingfield said Section 402 is the preferred way for the public to be added to our agenda. If the public does not know about Section 402, there is a policy in the By-Laws that will allow the Chairman to grant the public permission to speak. Donnie Freeman asked can the Commissioners not change the By-Laws? Chief Sutherland stated the By-Laws are there to keep order in the meetings. Mike Stadler said that the By-Laws have a preferred way for speakers, but the second way allows for exceptions. Sabrina Bedingfield said that Section 404 is the same thing. Donnie Freeman said that the By-Laws also say that the Commissioners can change the By-Laws, therefore the Board can change the By-Laws to pay the Commissioners. Sabrina Bedingfield said we could not do that because the State Statute that created us specifically says the Commissioners will serve without pay and the Commission Board cannot change the law. Sabrina Bedingfield said only the State Legislature could change the State Statute. Donnie Freeman said that the By-Laws state we can make changes, so therefore we can. Jim Darby said that our Board cannot change State Statute, that must be amended by the State Legislature. Donnie Freeman clarified that we cannot get paid because of the State Statute. Jim Darby said if you look at Section 4 of State Statute Act 67 written in the State Statute of South Carolina, our Board cannot make changes to that. Donnie Freeman said he did not understand why some Commissioners from other departments are compensated if the laws say we cannot be compensated. Donnie Freeman thinks we need to go to South Carolina Representative Ashley Trantham to see if we can change our State Statute. Jim Darby reminded everyone that all of the previous Commissioners have served without pay. He also said that there are State Statute and County Resolutions that created other departments and we do not know how or if they are being compensated. Donnie Freeman said that he understood now and that was what he wanted to do was understand. Jim Darby said that the Board would have to vote to approach Ashley Trantham. Donnie Freeman said that he thought we needed to wait for John Jennings to be present to vote because he is interested in this. Donnie Freeman said that he thinks we need to review the By-Laws more often. Donnie Freeman thinks we need to table this item. Jim Darby said if the Board voted to move forward, it would be January 2024 before it would be in our budget because the Legislature is out of session. John Jennings came in late to the meeting. Donnie Freeman updated him on the discussion that the Board had about compensating the Commissioners. Donnie Freeman motioned to approach South Carolina Representative Ashley Trantham about changing the State Statute to allow the Commissioners to be compensated. John Jennings seconded it. John Jennings said it does not cost us anything to talk to her. This is the only way to find out if we can be compensated. Sabrina Bedingfield said that our State Statute says that we cannot be compensated. John Jennings said that he knows for a fact that this law has changed because Piedmont Fire Department Commissioners get paid. John Jennings said that we need to get educated on what our options can be. Jim Darby said that we did find out about the Commissioners being allowed on the insurances. The only option available is to meet individually with the representative from Colonial Insurance to see what is available. John Jennings said that he is fine not being able to get the insurances. He has plenty of insurances. John Jennings said that it will not hurt to meet with Ashley Trantham to see what our options are. Jim Darby asked what if we need an attorney to write a new Statute for us. John Jennings said then maybe we could get a pro bono lawyer to help us. Jim Darby called for the motion on the table to be clarified. Donnie

Freeman motioned to approach Ashley Trantham, our South Carolina Representative about the possibility of our Commissioners receiving compensation and the legalities involved in the process. John Jennings seconded the motion. John Jennings, Donnie Freeman and Sabrina Bedingfield motioned in favor. Jimmy Brashier was opposed. John Jennings asked Jimmy Brashier why he was voting no because they were only voting to gather information about the possibilities of compensation. Jimmy Brashier said that he took this position without compensation and that it really did not matter how he voted because it had already passed. John Jennings asked Jim Darby to call the vote again. Jim Darby called the vote again and all were in favor. Jim Darby said he would talk to Ashley Trantham to see when she can meet with the Board. He will ask her to make sure that she has paperwork to back up the information she has. We normally do not have a meeting in July. Jim Darby asked if we need to have one. Chief Sutherland said that he has nothing new that he knows of that will have to be in a meeting in July. John Jennings said that we should have our regularly scheduled meeting which is on July 11th. Jimmy Brashier motioned to adjourn. John Jennings seconded it. All were in favor.

Minutes recorded by: Jennifer Adams
Jennifer Adams, Administrative Specialist