

**CITY OF BARNWELL, SOUTH CAROLINA**

**MINUTES of the SPECIAL CALLED MEETING of BARNWELL CITY COUNCIL  
October 25, 2021 – 5:00 pm**

MEETING LOCATION:  
130 Main Street, Barnwell, SC 29812

Barnwell City Council met in a Special Called Meeting with Mayor Pro Tem Dozier and Mayor Rivera presiding.

Council Members Present: Mayor Marcus Rivera, Mayor Pro Tem William Dozier, Councilmembers Alicia Davis, Peggy Kinlaw, and James Moody

Council Members Absent: None

Others Present: City Administrator Lynn McEwen, Clerk & Treasurer Kim Vargo, and City Attorney Thomas Boulware

Mr. Jonathan Vickery of the People Sentinel was also present.

**CALL TO ORDER**

Mayor Pro Tem Dozier called the meeting to order and led in prayer. He stated that the Mayor has recused himself from this part of the meeting, so he was sitting in for him.

**DISCUSSION AND DECISION TO APPEAL TO THE CIRCUIT COURT OF APPEALS FROM THE  
ZONING BOARD OF APPEALS DECISION, 10/18/21**

Councilmember Davis made a motion to appeal to the Circuit Court of Appeals the Zoning Board of Appeals' decision dated October 18, 2021. Mayor Pro Tem Dozier asked for a second and there was not one, so the motion failed. Councilmember Kinlaw made a motion not to appeal the Zoning Board's decision dated October 18, 2021. The motion was seconded by Councilmember Moody. Mayor Pro Tem Dozier asked if there was any discussion. Mayor Pro Tem Dozier said he had a statement that the Mayor wanted him to read. The statement said: Mayor Pro Tem Dozier and Barnwell City Council please let the records show that I Mayor Rivera am recusing myself from the Zoning Appeals Decision at 1072 Meadow Lane, Barnwell, SC, and will have no influence on the matter at hand. Also let the record show that the reason for this meeting today was not an ask of mine, but an option that our Zoning Administrator provided to City Council. Mayor Pro Tem Dozier then asked for any further discussion. Councilmember Davis asked City Administrator McEwen if she felt the business license issued to the Riveras was issued properly. Administrator McEwen stated yes according to our zoning. Councilmember Davis asked Administrator McEwen why she felt we should not appeal if the business license was given to them, and they were actually compliant. Administrator McEwen said she was incorrect in

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the state statute on the covenant and so the Zoning Board of Appeals said that we were to keep up with the zoning and the covenant, so I believe that they are correct in the law. Councilmember Davis then asked Mayor Pro Tem Dozier how long he lived in the Meadowbrook community and based on his experience and knowledge has he ever seen the covenant enforced. Mayor Pro Tem Dozier said he lived there for over 40 years, and he wasn't even aware there was one originally and he never saw the covenant being enforced. Upon vote the motion not to appeal passed 3 to 1 with Mayor Pro Tem Dozier, and Councilmembers Moody and Kinlaw voting for the motion and Councilmember Davis voting against the motion.

### EXECUTIVE SESSION

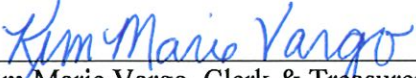
Councilmember Davis made a motion to go into executive session for personnel-discussion of City Administrator and contractual-discussion of City Attorney. The motion was seconded by Mayor Pro Tem Dozier and unanimously approved. Council went into executive session.

Council returned to regular session with Mayor Rivera presiding.

### ADJOURN

There was no further business, and the meeting was adjourned.

Submitted by:

  
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Kim Marie Vargo, Clerk & Treasurer

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