

MINUTES

A Special Called Meeting of Walterboro City Council was held at City Hall on Monday, September 14, 2015 at 12:00 Noon, with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Jimmy Syfrett, Tom Lohr, James Broderick and Judy Bridge. City Manager Jeff Molinari, City Clerk Betty Hudson and City Attorney George Cone were also present. Council Members Paul Siegel and Bobby Bonds were absent. There were approximately 5 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order. Council Member Syfrett gave the invocation and Council Member Broderick led the pledge of allegiance to our flag.

The Mayor welcomed everyone to the meeting and announced that this special meeting was called to address a grant application for the airport, which had to be done in a timely manner, and required action by Council. So, this will be a very brief meeting, but we will address that.

NEW BUSINESS:

1. Approval of Federal Aviation Administration (FAA) Federal Grant Agreement, Number 3-45-0057-014-2015, Subject to the Terms and Conditions Outlined Therein, for a Maximum Obligation Grant Award of Federal Funds in the Amount \$323,927 for a Project at or Associated with the Lowcountry Regional Airport and Authorizing the Mayor and City Attorney to Execute Grant Documents.

The Mayor then called on the City Manager to brief Council on this agenda item.

City Manager Molinari then addressed Council. He stated that the Lowcountry Regional Airport is the recipient of a \$323,927 grant from the FAA. The City was just notified of this late last week and the grant application was sent out with the City of Walterboro being the primary applicant. As such, we need to authorize the Mayor's signature on this document. Mr. Molinari announced that Mr. Bert Duffie was present. He is the attorney for the Lowcountry Regional Airport. He then asked Mr. Duffie to say a few words. He said, the grant is for \$157,473 for airport development and \$166,454 for planning. Mr. Molinari stated that there is a 10% matching requirement for the grant, and it is my understanding that the 10% match will come from the Airport Commission. The City will not be expending any dollars on this project, but we have to get this signed off by September 15, because this has to get in before the end of the federal fiscal year, which ends on September 30th.

Attorney Duffie then thanked the Mayor and Council for agreeing to meet on such short notice. He stated, certainly, we don't like to do business normally this way. This is a grant that our new engineer firm was working on back from July. They put the sponsor on the grant application as the Airport, and when the grant agreement came, it was sent to Becky Hill, who is the Chairperson of the Airport Commission for signature, and then forwarded to me. Upon reading it, Becky and I realized that the Airport Commission was nowhere on the grant agreement, it was actually the City of Walterboro listed as the sponsor. He explained that we met with the engineer Thursday at the Airport Commission. At the meeting, we discussed the matter and determined there was no way I could sign it, nor could Becky, because it was pretty explicit that it had to be the City of Walterboro. We were able to get everybody we needed to get this meeting together.

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There are a couple of things to mention. Regarding the 10% match, it is my understanding that it's 5% for the Airport Commission and 5% state. Therefore, the Airport Commission took action on Thursday indicating that whatever the match is, they will be responsible for the match. In other words, the City nor the County would be responsible for the match. So, there is no monetary responsibility on the City nor the County related to the grant. The City is simply a sponsor on the grant, because you are one of the fee simple owners of the property. That's why the FAA does that. I contacted Rusty Nealis on Thursday afternoon. He is our FAA person for this area and I asked him, if we could get a little extra time. He advised me of actually what Jeff has told us that it is the end of their fiscal year and that's what driving the quickness of it. I said we had an issue because of the City being listed and not the Airport Commission. He looked at it and said, was it just the City and I said yes. He said, well let me get back to you. Well, I got an e-mail back from him on Friday morning and he said those documents are incorrect - it should be the City and the County. Luckily, I got in touch with Kevin Griffin and discussed with him the County end of it, and they are prepared to do their signature lines today as well. Rusty Nealis with the FAA advised me that on Friday morning, he FEDEXED the new documents to the airport. Tommy Rowe waited at the airport all day Saturday, because he thought the packet was coming in based on what we were told. We found out that they did not check the Saturday delivery box. So, Tommy was up there all day Saturday for no reason. We are tracking FEDEX at my office right now and it is headed to the airport. Tommy is there. As soon as we get it, I will get all the signatures we are going to need.

Again, sorry for the last minute notice on this, but it is a pretty sizable grant. It gives financial responsibility to the Airport Commission. We would appreciate if you would take action and authorize the Mayor and the City Attorney to sign.

Attorney Cone then recommended that Council approve the grant application in a substantially similar form as the one presented to Council. The only change should be the addition of Colleton County as a member. That's why I said substantially. He then asked if the Mayor would be here the rest of today and tomorrow. The Mayor answered that he would not be here tomorrow. Attorney Cone then also recommended that the City Council authorize the Mayor or the City Manager to sign it, or you can select another City Council Member, so that we have a backup plan. I have reviewed it, and the actual grant agreement seems fine and I am willing to sign it. Bert has emailed me this morning, the grant application, which I haven't seen yet. If there is any problem, I will alert everybody. Becky Hill has signed it, but I haven't seen it yet. The Mayor then said, I will probably be in town until 10:00 or 10:30 in the morning.

Mr. Duffie said he will not be waiting until tomorrow. I will have it all done today, and I will e-mail it back this evening or this afternoon and we are going to FEDEX it today. Mr. Duffie agreed to call the Mayor today when he receives the documents.

The Mayor then made a motion that City Council approve the Federal Aviation Administration grant as presented with the addition of Colleton County as to the recipient of the grant and that if the Mayor is unable to sign it, that the City Manager be allowed to sign this in the Mayor's absence, if the Mayor is unable. If the Mayor is available, the Mayor would be allowed to sign it. Council Member Broderick seconded the motion.

The motion passed with a vote of 5/0 with Mayor Young, Council Members Syfrett, Lohr, Broderick and Bridge voting in favor. Council Members Siegel and Bonds were absent and did not vote.

The Mayor then stated that Bert was telling me that in the future we are going to be able to impress on the FAA the need to get these drawn up the right way to start

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with. If they are going to come to us in the name of the City and the County, then they need to come that way. It would have simplified matters, but this is not a big deal.

Mr. Duffie then said, one of the things that we can do is get the engineer when he is doing to application to have that placed on your agenda on the front end, then once you approve that, then every signature line going forward will be okay. Because these things come on a tight frame on the back end obviously.

The City Attorney Cone then asked Mr. Duffie if he foresees any problem that the application might differ from the award agreement? Mr. Duffie then asked, do you mean as far as names? Mr. Duffie then said, no, the FAA is aware. That's the conversation I had with Rusty Nealis on Thursday. They are aware that's it for the airport. He says the Airport Commission basically requires the sponsors to be the fee simple holders, which is the County and the City. He is aware that everything belongs to the Airport Commission. This isn't the first grant - we get grants for t-hangers and for all kind of maintenance and repair work from the FAA to the airport. I think normally they come in the name of both. Rusty told me that was his office's mistake, not putting both entities on it. Attorney Cone then asked, so there is nothing further that Council needs to do to authorize somebody to sign a revised application? Mr. Duffie said, this has not come to his attention. I mean you can authorize it if he says something about it, but he has indicated to me definitely that's not an issue.

The Mayor then made a motion that should the grant application require a signature of City and County elected officials, that the Mayor be allowed to sign the grant application. Council Member Lohr seconded the motion that passed with all members present voting in favor. Council Member Bonds and Siegel were absent and did not vote.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Lohr, seconded by Council Member Syfrett and passed unanimously. The meeting adjourned at 12:16 P.M. Notice of this meeting was distributed to all local media and posted on the City's website and the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson
City Clerk

APPROVED: October 13, 2015