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# City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

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Walterboro, South Carolina 29488-0008

**Walterboro City Council  
Regular Meeting  
January 14, 2014  
City Hall  
6:15 P.M.**

## **A G E N D A**

**I. Call to Order:**

1. Invocation.
2. Pledge of Allegiance.

**II. Public Input on Agenda Items:**

**III. Public Hearing:**

1. Proposed USDA Rural Development Project - Financing for Police Band Radios.

**IV. Presentation:**

1. 2012-2013 Comprehensive Annual Financial Report - Baird & Company, CPAs, LLC. - Mr. Rep E. Whiddon.

**V. Approval of Minutes:**

1. Minutes of the October 22, 2013 Regular Meeting (Minutes attached).
2. Minutes of the November 6, 2013 Special Called Meeting (Minutes attached).
3. Minutes of the November 26, 2013 Regular Meeting (Minutes attached).
4. Minutes of the December 10, 2013 Regular Meeting (Minutes attached).
5. Minutes of the December 16, 2013 Special Called Meeting (Minutes attached).
6. Minutes of the December 23, 2013 Special Called Meeting (Minutes attached).
7. Minutes of the January 7, 2014 Special Called Meeting (Minutes attached).

**VI. Old Business:**

**VII. New Business:**

1. **Resolution # 2014-R-01**, Approving the Financing Terms for Police Band Radios (Resolution attached).

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City Council Meeting  
Agenda  
January 14, 2014

2. Consideration of Bids Received for One (1) Police Interceptor SUV and Two (2) Interceptor Sedans for Public Safety Department (Memorandum attached).
3. Consideration of Intergovernmental Agreement Regarding Mutual Aid for Fire Protection Between Colleton County, Colleton County Fire-Rescue District and the City of Walterboro (Agreement attached).

**VIII. Committee Reports:**

**IX. Executive Session:**

**X. ADJOURNMENT.**

AFFIDAVIT OF PUBLICATION  
IN

**The Press and Standard**

PERSONALLY appeared before me, William B. Moore, who being duly sworn, says that he is the publisher of The Press and Standard, published on Tuesday and Friday of each week in Walterboro, County of Colleton, State of South Carolina; that the notice, of which a printed copy is hereby attached, was published in The Press and Standard for One(1) issues, said publication commencing on January 3, 2014, and ending on January 3, 2014.

SWORN to before me

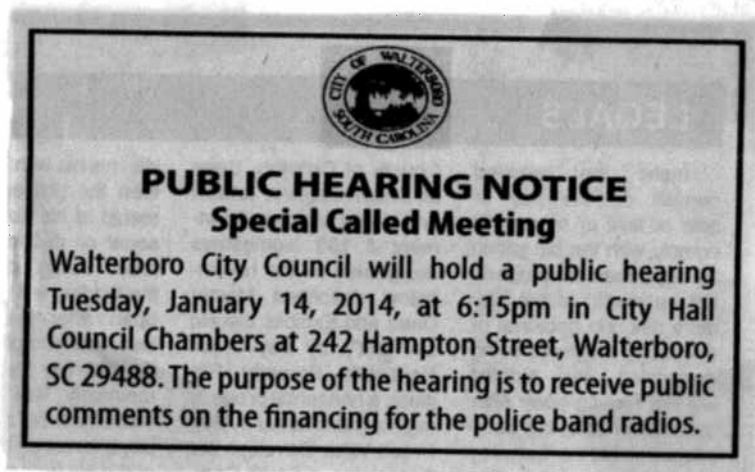
this 3 day of Jan, 2014  
William Moore (L.S.)

Notary Public for South Carolina

Commission expires 6-4-22



William B. Moore



Walterboro City Council  
Regular Meeting  
October 22, 2013

**MINUTES**

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, October 22, 2013 at 6:15 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds and James Broderick. (NOTE: Vacant seat remains due to passing of Councilman Randy Peters). Interim City Manager Jim Duckett, City Clerk Betty Hudson, and City Attorney George Cone along with Clenton Campbell, were also present. There were approximately 38 persons present in the audience.

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

The Mayor reminded everyone of the "Polo for the Point" Event to be held this Sunday, at the Limehouse Farms. This is a benefit event for the Colleton Center. It begins at 12:00 noon and the first event is at 2:00 P.M.

**PUBLIC INPUT ON AGENDA ITEMS:**

No public comments or questions were received.

**PRESENTATION:**

1. **Results of ICMA Study on Public Safety Department**, - Mr. Leonard Matarese.

Mr. Leonard Matarese and Mr. Joe Pozzo of ICMA were present to provide a final report of ICMA analysis of the Walterboro Public Safety Department.

Mr. Matarese reported that his staff spent 12 man-days on the ground and conducted a large public meeting. In addition, there was backroom work that was very extensive, as you see the report with regard to data analysis and a series of comprehensive recommendations. He said, we are really pleased with the report and hope that you are as well.

Mr. Matarese stated that ICMA is the International City County Management Association, which is a 100-year-old professional association of public administrators headquartered in Washington, D.C. There are about 9,000 members in 32 counties around the world. Next year will be our 100<sup>th</sup> anniversary. He said, since the beginning of the organization, we have been engaged in working closely with elected officials and public administrators in advancing the services that government provides to its citizens. ICMA is involved in all kinds of activities of local government from parks, recreation, libraries, economic development, public works facilities, etc. We have people who work in those areas, not only in the United States, but around the world. We do an extensive amount of work with the United States' state departments and USAID.

One of the areas that we focus on is the area of public safety (police, fire and EMS). We do a wide range of activities there from training to research. We have done over 200 public safety studies over the past 6 years. We do a lot of consultation with local governments.

Mr. Matarese informed Council that his firm did a very comprehensive analysis of the Walterboro Public Safety Department. We found that there are significant improvements that can be achieved in the agency. We identified some important issues that I would like to highlight. We made 54 recommendations, and I will just highlight some of those major recommendations.

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Mr. Matarese then gave the important highlights of his findings for the public safety department, specifically, he noted that:

ICMA found that there are major improvements that should be made in the manner in which public safety services are delivered in Walterboro. Critical areas the ICMA team identified that need improvement and that resulted in recommendations are: significant human resource administrative and process deficiencies need to be corrected; the department has not completed a comprehensive strategic plan or community risk assessment; the department has a limited performance measurement system in place; there are administrative and operational inefficiencies that reduce the effectiveness of the public safety officer concept; the agency lacks current and succinct agency policies and procedures; and there are a number of agency-wide administrative and operational deficiencies and areas that need improvement.

We found that this agency is in urgent need of highly skilled leadership, experienced in the public safety concept, who can instill a vision in the agency built around a deep commitment to protect the citizens of the city. Members of the agency working hard to meet the needs of the community do not receive sufficient support or guidance. There is an absence of standard processes for recruitment, promotion, discipline or recognition of service or exemplary performance. The agency fails to train its personnel adequately. In total, these shortcomings send a very poor message to the staff sworn to protect the community. Even physical conditions kind of speak out. One of the issues that we identified in the report is that there is not even a single sign that says "The Public Safety Department is housed in this building" or anywhere in this area. I have never been to a city where you can't identify the police department by its signs. The fire department has signage, but the police department does not.

Mr. Matarese noted that the report contains 54 recommendations as a result of their findings. He briefly summarized most of these recommendations. A full copy of these recommendations can be found in their booklet entitled "Public Safety Department Analysis, Walterboro, South Carolina July 2013, ICMA Center for Public Safety Management."

During his discussion on the recommendations for the public safety department, Mr. Matarese said, one of the things that we did find that we were very pleased to see and something that your detectives should be very proud of is: They have a very high clearance rate compared to the state averages and national averages. So, they are doing really a good job in solving cases and they should be recognized for doing that.

Mr. Joe Pozzo then reported on the findings for the fire side. Mr. Pozzo stated that his observation of the public safety department was that it lacks the basic fundamentals and characteristics of what a public safety organization should be. It was formed a number of years ago, and we think after it was formed, there were some things that were not put into place. Things just were not put in place and carried out. But when you look at the fire side of it, that is certainly the case. I think the fire part of this got put over to the side when the public safety department was organized. The staffing that was put in place on the patrol side does not meet the objectives of a public safety department. Mr. Pozzo then gave a brief report of their findings with recommendations for improvements.

In the processing of giving his report, Mr. Pozzo pointed out that one of the wisest things that (the City) can do immediately is to go to a central communications system. The Colleton County Emergency Base Center has a sophisticated computer-aided dispatch. I watched how they processed calls and what they do. It's very sophisticated, because all of the information is in there.

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In conclusion, Mr. Pozzo said, I think we have given you some solid recommendations in this report on how to be more effective. One of the most critical pieces here is getting the right leadership in place that understands what a public safety department is, if your choice is to maintain that model.

Concluding the report, Mr. Matarese spoke on the "Crime report" on page 41 of the booklet. He stated, on Table 5: 2011 UCR Crime Comparisons, it shows that in 2011 Walterboro had a uniform crime report, part 1 Violent Crime Rate of 916 violent crimes and a property crime rate of 11,994 per 100,000 residents. The violent crime rate in Walterboro is 69% higher than the state average and 237%, more than double higher than the national average. The rate of property crime is 307% higher than the state average (more than triple), and 412% higher than the national average (4 times greater). Walterboro has the highest property crime rate and the 2<sup>nd</sup> lowest violent crime rate of all the jurisdictions shown in the table. What we did with this table was to look at other cities in South Carolina with approximately the same population. We are not suggesting that you compare completely with those cities, because you are a county seat, with a lot of business activity here. A lot of people come into the community from outside the community, but I think it does give you a sense of what the issues are in terms of crime.

He stated, essentially over the past ten years, the rate of crime in Walterboro has fluctuated. Violent crime reached a high in 2003, and appears to be trending downward since 2008. Similarly, property crime in Walterboro has fluctuated over the decade with alternating high and low periods. I will remind you that crime throughout the country is decreasing in many places at a much faster rate.

You, as an elected official, need to see on a regular basis the reports having to do with these benchmarks and some other benchmarks that you may wish to add, and it should be the responsibility for the next City Manager and the next Public Safety Director to share that information with you on a regular basis, so that you can provide the oversight and policy setting responsibilities that you have as elected officials.

**APPROVAL OF THE MINUTES:**

The Minutes of the October 8, 2013 Public Hearing and Regular Meeting were approved as submitted on the motion of Council Member Siegel, seconded by Council Member Lohr and passed with all members voting in favor.

**OLD BUSINESS:**

1. **Ordinance # 2013-11**, An Ordinance Authorizing the City of Walterboro to Join with the Walterboro - Colleton County Airport Commission and the County of Colleton in Waiving a Right of First Refusal to Purchase Eight (8) Acres, More or Less, of Land in Connection with the Sale of the Land by Marketing Services International, LLC to Universal Distributors, LLC, **Second Reading**.

A motion was made by Council Member Bonds, seconded by Council Member Broderick giving Second Reading and Adoption to Ordinance # 2013-11 as submitted. In discussing the motion, Council Member Siegel reminded that there was a previous discussion on the issue, and the question was this a waiver only for this transaction or was this a release of the first right of refusal by the Commission. Mayor Young responded that this was a waiver only for this transaction, and that's what the County is doing also.

The motion then passed unanimously.

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**NEW BUSINESS:**

1. Request to Close Streets from 8:00 A.M. to 10:00 A.M. for First Annual Santa Sprint and 5K Run and Use of City Parking Lot from 10:00 A.M. to 11:00 A.M. on December 7, 2013 by Colleton County Arts Council

A motion granting this request as submitted was made upon motion of Council Member Siegel, seconded by Council Member Lohr and passed unanimously.

2. Request to Close Streets from 6:00 P.M. to 10:00 P.M. for the Oyster Roast/Crab Crack Fund-raising Event on November 23, 2013 by CTS/CHS Alumni Association, Inc.

A motion was made by Council Member Bonds, seconded by Council Member Broderick, to approve the street closing request (for Gruber Street) as submitted by the CTS/CHS Alumni Association. The motion passed with all members voting in favor.

3. Designation of Voting Delegate and Alternate for the NLC Congress of Cities and Exposition in Seattle, Washington November 13-16, 2013

Council Member Lohr nominated Council Member Broderick as the voting delegate and Mayor Young as the alternate voting delegate. Council Member Bonds seconded the motion that passed unanimously.

**COMMITTEE REPORTS:**

1. There were no Committee Reports given.

There being no further business to consider, a motion to adjourn was made by Council Member Lohr, seconded by Council Member Bonds and passed unanimously. The Mayor adjourned the meeting at 7:05 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

Walterboro City Council  
Special Called Meeting  
November 6, 2013

**MINUTES**

A Special Called Meeting of City Council was held at City Hall on Wednesday, November 6, 2013 at 5:00 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds and James Broderick. (NOTE: Vacant seat remains due to passing of Councilman Randy Peters). Interim City Manager Jim Duckett, City Clerk Betty Hudson, City Attorney George Cone along with Attorney Clenton Campbell was also present. There were approximately 12 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 Siegel led the pledge of allegiance to our flag.

The Mayor then thanked all candidates who ran for office to fill the vacant City Council Member seat. He said there were a lot of good people running for office, and we are fortunate to have good people interested in serving the people of Walterboro. The Mayor also congratulated Judy Bridge and Dwayne Buckner, who made it to a run-off election to be held on November 19, 2013.

**PUBLIC INPUT ON AGENDA ITEMS:**

No comments or questions were received.

**OLD BUSINESS:**

There was no Old Business before Council.

**NEW BUSINESS:**

1. Request to Close Streets for Community Walk, December 7, 2013 at 10:30 A.M. by United Colleton

A motion was made by Council Member Bonds, seconded by Council Member Siegel to approve the walk and parade permit as requested. In discussing the motion, Mr. Eric Campbell thanked Council for it's support of this walk. He invited the Mayor and Council Members to participate in this walk. He said, this is a serious effort in bringing our community together to help combat all the serious crimes and to do those things to better our community.

The motion passed with all members voting in favor.

2. Request to Close Streets for Turkey Trot Run/Walk, November 28, 2013 from 8:30 A.M. to 9:30 A.M. by Walterboro-Colleton Chamber of Commerce

A motion granting this request as submitted was made by Council Member Broderick, seconded by Council Member Lohr and passed unanimously.

3. Request for Street Closing for Martin Luther King, Jr. Day Parade January 19, 2014

A motion was made by Council Member Lohr, seconded by Mayor Young, to approve the Martin Luther King, Jr. Day Parade Permit Request as submitted. The motion passed unanimously.



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**COMMITTEE REPORTS:**

1. There were no Committee Reports given.

**EXECUTIVE SESSION:**

The Mayor then entertained a motion to enter an Executive Session, and Council Member Bonds So Moved. Council Member Syfrett seconded the motion that passed unanimously. The Mayor announced that the meeting will convene into an executive session for a discussion of:

1. Contractual Matters:
  - a. Discussion of negotiations incident to proposed contractual arrangements with Colleton County
    1. Mutual Aid Agreement
    2. Mediation Agreement
    3. Sales Tax Projects
  - b. Workers Compensation Insurance Carrier
2. Personnel Matter - City Manager Search Update.

The meeting then convened into Executive Session.

The meeting returned to Open Session and a motion was made by Council Member Bonds to approve the Settlement Agreement with the County and the County Fire-Rescue District and to authorize the Mayor to sign on behalf of the City. Council Member Lohr seconded the motion that passed unanimously. A copy of the Settlement Agreement is attached as part of these minutes.

There being no further business to consider, a motion to adjourn was made by Council Member Lohr, seconded by Council Member Broderick and passed unanimously. The Mayor adjourned the meeting at 5:45 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

Walterboro City Council  
Regular Meeting  
November 26, 2013

**MINUTES**

A Regular Meeting of City Council was held at City Hall on Tuesday, November 26, 2013 at 6:15 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds and James Broderick. (Note: The vacant seat of Council Member Randy Peters was filled at this meeting by Judy Bridge upon her swearing-in below). Interim City Manager Jim Duckett, City Clerk Betty Hudson, City Attorney George Cone and Attorney Clenton Campbell were also present. There were approximately 30 persons present in the audience.

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

The Mayor then welcomed everyone to the meeting. He gave a special welcome to Judy Bridge's family members who were present for this special occasion.

**PUBLIC INPUT ON AGENDA ITEMS:**

No comments or questions were received.

**OLD BUSINESS:**

There was no Old Business before Council.

**NEW BUSINESS:**

1. Certification of November 5, 2013 Special Election and the November 19, 2013 Runoff Election Results - Resolution # 2013-R-10

**(Note: The Special Election on November 5, 2013 and the Runoff Election on November 19, 2013 was held to fill the vacant seat on City Council due to the recent death of Council Member Randy Peters).**

Resolution #2013-R-10 accepting, ratifying and confirming the results of the November 5, 2013 Special Election and the November 19, 2013 Runoff Election was adopted **on the motion of Council Member Bonds, seconded by Council Member Syfrett with all members voting in favor.**

This resolution declares a runoff election to be held between Judge Bridge (175 votes) and Dwayne Buckner (169) votes as a result of the November 5, 2013 Special Election. Further, it declared Judge Bridge (341 votes) winner and newly elected as a member of City Council for the 2-year term remaining for this seat as a result of the Runoff Election held on November 19, 2013 with Dwayne Buckner receiving 248 votes. A copy of said resolution is attached as part of these minutes.

2. Swearing-In - Judy Bridge, City Council Member

Next, Council Member Elect Judy Bridge was officially sworn into office by City Attorney George Cone. Her husband, Jack Bridge, stood by holding the Bible during the swearing-in, along with her grandchildren: Carlyle Griffin, Matilyn Griffin, Lauren Astin, Tommy Astin, Owen Bridge and Jacob Davidson.

Council Member Bridge was then seated on Council.

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3. Proclamation No. 2013-R-06, Declaring the Month of November "Pancreatic Cancer Awareness Month"

A motion approving Proclamation No. 2013-R-06 as submitted was made by Council Member Siegel, seconded by Council Member Broderick and passed unanimously. A copy of said proclamation is attached as part of these minutes.

4. Consideration of Recommendation to Change Workers Compensation Insurance Carrier to SC State Accident Fund, Arthur J. Gallagher Risk Management Services

Next, Finance Director Bill Floyd recommended that the City change its current worker's compensation insurance carrier from SCMIT to the SC State Accident Fund Arthur J. Gallagher Risk Management. Mr. Floyd pointed out that the Gallagher quote is through the State Accident Fund for a net of \$124,000 not only gives us a very similar premium but it also gives us a zero deductible. The SCMIT quote is for \$108,414. The SCMIT quote for a comparable zero-deductible policy is \$185,641. Mr. Floyd noted that our average payout under the \$50,000 per occurrence deductible, has been \$68,501 over the last five years, and since it is not capped, it could be even higher in the future. Mr. Floyd also pointed out that SCMIT tends to pay claims more readily with less follow-up, than the State Accident Fund, and since we insure 100% of the small claims, this really does drive up our experience rating. He recommended that the City make this change, effective on the policy anniversary of January 1, 2014.

A motion was made by Council Member Lohr, seconded by Council Member Siegel to approve the change for the City's Worker's Compensation Carrier to the SC State Accident Fund, Arthur J. Gallagher Risk Management Services as recommended. The motion passed unanimously.

5. Funding Recommendations from the Accommodations Tax Advisory Board

Next, The following recommendations from the A-Tax Board were submitted for funding approval from the 65% Tourism Fund:

<u>Requests for 65% Tourism Fund</u>	<u>Requested</u>	<u>Approved</u>
Colleton Center & Coastal Electric SC Barbeque Association Cook Off	\$4,600	\$4,600
Colleton Museum & Farmers Market SC Humanities Council 2014 Festival	\$7,000	\$7,000
South Carolina Artisans Center Walterboro Antiques, History & Arts Festival	\$8,500	\$6,000
Walterboro Pro Rodeo	<u>\$10,000</u>	<u>\$0</u>
Total 65% Requests	\$30,100	\$17,600

A motion was made by Council Member Broderick, seconded by Council Member Siegel, to approve the funding requests as submitted by the Accommodations Tax Advisory Board. The motion passed with all members voting in favor.

6. Request to Close Streets for the Missions 6K Run/Walk, February 1, 2014 from 9:00 A.M. to 11:00 A.M. by First Baptist Church

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A motion was made by Council Member Lohr to grant the Street Closing Request for February 1, 2014 from 9:00 A.M. to 11:00 A.M. for the Missions 6K Run/Walk by First Baptist Church as submitted. Council Member Syfrett seconded the motion that passed unanimously.

7. Consideration of Conditions to House Ducks and Chickens at 311 Warren Street in the City Limits, by Steven Gantt

**This request was denied due to lack of a motion for approval.**

8. Appointment of Associate Municipal Judge

A motion was made by Council Member Syfrett to newly appoint Attorney Deborah Kane to the position of Associate Municipal Judge. Council Member Lohr 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 Bonds and Siegel recused themselves from voting due to a conflict of interest in that their law firms may practice law before the City court from time to time.

**COMMITTEE REPORTS:**

1. There were no Committee Reports given.

Before adjourning, the Mayor announced that the City received notice last week that we have been awarded a \$500,000 CDBG Grant from the Department of Commerce to be used for the South Jefferies Loop Project. So, we will be going forward with this project. The Mayor also pointed out that the grant does require a match, but we will be allowed to use what we have already paid for engineering costs for the total project to qualify as our match. There may be additional expenses because things don't always match up exactly right, but we will be going forward with that. We are very pleased to get this grant and that is good news for Walterboro.

There being no further business to consider, a motion to adjourn was made by Council Member Bonds, seconded by Council Member Lohr and passed unanimously. The Mayor adjourned the meeting at 7:00 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

Walterboro City Council  
Regular Meeting  
December 10, 2013

**MINUTES**

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, December 10, 2013 at 6:15 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. Interim City Manager Jim Duckett, City Clerk Betty Hudson, City Attorney George Cone along with Attorney Thomas Howard, Jr., were also present. There were 18 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and called on Council Member Syfrett for the invocation, and Council Member Bridge to lead the pledge of allegiance to our flag.

The Mayor then thanked all the City employees and everybody who played a part in the Tree Lighting Ceremony and all the decorations downtown. Everything looks beautiful and we appreciate it.

**PUBLIC INPUT ON AGENDA ITEMS:**

No public comments were made on agenda items.

At this point, former Mayor Charlie Sweat then added his congratulations to City staff for the Christmas decorations downtown and in Council Chambers. He said you have done a great job. He also thanked City Council for its participation in the Christmas Parade again this year.

**PRESENTATION:**

1. Colleton County Library, Illustrate-A-Book Program, by Shiela Keaise and Carl Coffin

Mr. Carl Coffin, assisted by Ms. Shiela Keaise, addressed City Council regarding the Illustrate-A-Book Program sponsored by the Colleton County Library. He told Council this program has been in operation for about 9 years. It has a great impact to Colleton County because every year, it showcases our youth. We are here to tell you where we are and where we would like to go with it, because we are seeking your endorsement of this program. We have a unique opportunity to carry this program beyond Walterboro. Mr. Coffin then gave the history of the program. This program was created by Ms. Shiela Keaise to encourage children in Colleton County and to give them an opportunity to be published illustrators. The goal of the program is to provide an exclusive art and literary program to involve the community. This is the 9<sup>th</sup> year for this program and we have published 8 books. This program is for children 7-18 to use their imagination to draw. We have helped about 120 children in this program to be successful illustrators. Now, we have the opportunity to go statewide and hopefully nationally. We would like to see our books in every school in South Carolina. That's a lot to go, but we feel with your endorsement and with the Governor's endorsement, it will help us get on the map and help us to promote and market this program. Currently, we are the only library with a program of this type. So, tonight I am asking for your endorsement, it will be a big help to us. We are hoping in the future to have our Governor to stop by Walterboro to meet some of our children. However, if you know ahead of time that she is coming, please let us know and we will arrange for her to come to the library and meet some of our children and show her our program.

Ms. Shiela Keaise thanked Council for the opportunity to come and present this program. She also thanked Mayor Young for taking the time to do the "Forward" in

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their upcoming book. She invited all Council Members to attend an awards program at the library on January 9, 2014 at 5:00 P.M. at the library. Ms. Keaise also stated that this Council has always supported us through the years, especially Councilman Lohr who has always given us his presence at our programs. She further stated, if no other Councilman or County Councilman would be there, Councilman Lohr would be there to support the children, and we appreciate him for that.

Concluding the presentation, Mayor Young asked Ms. Keaise if they wanted the endorsement in writing or in the form of a proclamation or resolution? Mrs. Keaise responded, that would be wonderful.

**OLD BUSINESS:**

1. There was no Old Business before Council.

**NEW BUSINESS:**

1. **Resolution # 2013-R-11**, A Resolution to Amend All Prior Resolutions of the City of Walterboro, Inconsistent with this Resolution to the Extent of the Inconsistency, Including, but Not Limited To, Resolution No. 2013-R-07, Declaring Slum and Blighted Area.

This resolution designates the following area as a "Slum and Blighted Area": South Jefferies Boulevard from Detreville Street to Sanders Street. A boundary map, location map of deteriorated buildings and public improvements, inventory and description of public improvements and an inventory and description of deteriorated buildings and properties were also attached to this resolution.

Mayor Young explained that in order for us to get the grant we applied for to do the South Jefferies Project, some of the language needed to be changed. This corrects this to meet the requirements.

A motion was then made by Council Member Lohr, seconded by Council Member Broderick, to approve Resolution # 2013-R-11 as submitted. The motion passed unanimously. A copy of said Resolution is attached as part of these minutes.

2. **Request to Use the Downtown Waterfall for Community Food Box Giveaway, December 21, 2013, from 12:00 Noon to 3:00 P.M. by More Than Conquerors International Ministries**

A motion to approve the request to use the Downtown Waterfall on December 21, 2013 from 12:00 Noon to 3:00 P.M. for a Community Food Box Giveaway by the More Than Conquerors Ministries as submitted was made by Council Member Bonds, seconded by Council Member Siegel and passed with all members voting in favor.

3. **Consideration of Cancelling the December 24, 2013 Regular City Council Meeting**

Since December 24, 2013 falls on the Christmas Eve Holiday, a motion to cancel the December 24 Regular City Council Meeting was made by Council Member Bonds, seconded by Council Member Broderick and passed unanimously.

**COMMITTEE REPORTS:**

There were no Committee Reports given.

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**EXECUTIVE SESSION:**

A motion to enter an Executive Session was then made by Council Member Bonds, seconded by Council Member Lohr and passed unanimously. The Mayor announced that the meeting will convene into an Executive Session for a personnel matter to discuss the City Manager applicants.

The meeting then entered into an Executive Session.

The meeting returned to Open Session with no action taken as a result of the Executive Session.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Lohr, seconded by Council Member Bonds and passed unanimously. The meeting adjourned at 7:30 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

Walterboro City Council  
Special Called Meeting  
December 16, 2013

**MINUTES**

A Special Called Meeting of Walterboro City Council was held at City Hall on Monday, December 16, 2013, at 12:00 Noon with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. Interim City Manager Jim Duckett was also present. City Clerk Betty Hudson and City Attorney George Cone were absent. The sole purpose of this meeting was to conduct initial interviews with the candidates for the City Manager position.

There being a quorum present, Mayor Young called the meeting to order at 12:00 Noon. The invocation was offered by Council Member Syfrett, followed by the pledge of allegiance led by Council Member Lohr.

The Mayor then entertained a motion to enter an Executive Session. Council Member Bonds then moved to enter an Executive Session. Council Member Broderick seconded the motion, that passed with all members voting in favor.

The Mayor announced that the meeting would enter an Executive Session to interview candidates for the City Manager position. The meeting then convened into an Executive Session.

Council returned to Open Session around 4:15 P.M. and no action was taken as a result of the Executive Session.

There being no further business, a motion to adjourn the meeting was made by Council Member Lohr, seconded by Council Member Siegel and passed unanimously. The Mayor adjourned the meeting at 4:16 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk



Walterboro City Council  
Special Called Meeting  
December 23, 2013

**MINUTES**

A Special Called Meeting of Walterboro City Council was held at City Hall on Monday, December 23, 2013, at 9:00 A.M. with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. Interim City Manager Jim Duckett was also present. City Clerk Betty Hudson and City Attorney George Cone were absent. The sole purpose of this meeting was to conduct initial interviews with the candidates for the City Manager position.

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

The Mayor then entertained a motion to enter an Executive Session. Council Member Siegel then moved to enter an Executive Session. Council Member Lohr seconded the motion, that passed unanimously.

The Mayor announced that the meeting would enter into an Executive Session to conduct interviews with the candidates for the City Manager. The meeting then convened into an Executive Session.

Council returned to Open Session around 11:19 A.M. and no action was taken as a result of the Executive Session.

There being no further business, a motion to adjourn the meeting was made by Council Member Bonds, seconded by Council Member Syfrett and passed unanimously. The Mayor adjourned the meeting at 11:20 A.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

Walterboro City Council  
Special Called Meeting  
January 7, 2014

**MINUTES**

A Special Called Meeting of Walterboro City Council was held at City Hall on Tuesday, January 7, 2014, at 6:15 P.M. with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. Interim City Manager Jim Duckett, City Clerk Betty Hudson, City Attorney George Cone along with Attorney Clenton Campbell were also present. Also present in the audience were two persons representing the local press.

This meeting was held for the sole purpose of finalizing a decision on the City Manager.

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

The Mayor then entertained a motion to enter an Executive Session. Council Member Broderick then moved to enter an Executive Session. Council Member Lohr seconded the motion, that passed unanimously.

The Mayor announced that the meeting would enter into an Executive Session to discuss a personnel matter related to the candidates for the City Manager position. The meeting then convened into an Executive Session.

Council returned to Open Session at approximately 7:50 p.m. and the following motion was made by Council Member Lohr: That our Interim City Manager on behalf of the Mayor and City Council is to offer a contract of employment to Mr. Jeffrey Molinari as City Manager. The details of which will be finalized within 2 to 3 days. Council Member Siegel seconded the motion that passed unanimously.

There being no further business, a motion to adjourn the meeting was made by Council Member Bonds, seconded by Council Member Broderick and passed unanimously. The Mayor adjourned the meeting at 7:51 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

**RESOLUTION NO. 2014-R-01**

**Resolution Approving Financing Terms**

**WHEREAS:** The City of Waltherboro ("City") has previously determined to undertake a project for police band radios, and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The City hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated December 12, 2013. The amount financed shall not exceed \$312,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.55%, and the financing term shall not exceed five years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved, this 14<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
William T. Young, Jr., Mayor

Attest:

\_\_\_\_\_  
Betty J. Hudson, City Clerk

**WALTERBORO PUBLIC SAFETY  
CITY OF WALTERBORO**

242 HAMPTON STREET • POST OFFICE BOX 709

Walterboro, South Carolina 29488




Chief

TEL. 843-549-1811

FAX 843-549-8583

police@walterborosc.org

To: Interim Chief Dasen 

Dec 30<sup>th</sup> 2013

Subject: Police Interceptor SUV

From: Captain Chris Warren

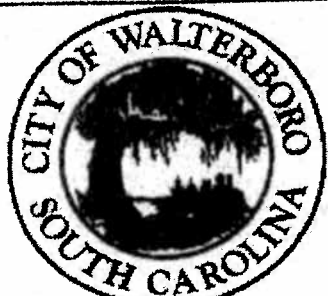
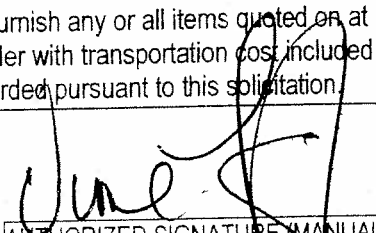
I have researched the cost of (1) Police Interceptor SUV including required equipment with the below listed results (per City Purchasing Procedures). When pricing the vehicles please refer to SC State Contract # 4400005788, 4400007289, and 4400007300

Company	P.O.C	Date of Contact	Date of Quote	Price Quote
Walterboro Motor Sales	Vince Fagnoli	12/3/13	12/27/13	30,073.50
Rizer Chevy	Scott Rizer	12/3/13	No Response	
Vic Bailey Ford	Fleet	12/3/13	No Response	
Bobby Jones	Fleet	12/3/13	No Response	
Sville Ford	Fleet	12/3/13	No Response	
Ravenel Ford	Fleet	12/3/13	No Response	
Palmetto Ford	Fleet	12/3/13	No Response	
Marchant Chevy	Fleet	12/3/13	No Response	
N Chas Chevy	Fleet	12/3/13	No Response	

Based upon these result I recommend we purchase the (1) Police Interceptor SUV from the sole bidder which is Walterboro Motor Sales

Christopher Warren  
Captain

**THIS IS NOT A PURCHASE ORDER**

	<p><b>INVITATION FOR BID (IFB)</b></p>	FORMAL SEALED BID ( )      REQUEST FOR QUOTE ( )			
		BIDS/QUOTES SHOULD BE MAILED TO:    ATTN: Captain Chris Warren Walterboro Public Safety 242 Hampton Street Walterboro, SC 29948		FAX QUOTES TO: (843) 549-1046 (FAX BIDS NOT ACCEPTED)	
*BIDS/QUOTES WILL BE RECEIVED UNTIL 5:00p E.S.T ON: December 27 <sup>th</sup> 2013 THEN PUBLICLY OPENED IF SEALED BID		<p><b>Bid No. IFB # 2013-</b></p>			
BID TITLE:		Comparable/Equivalent Item Accepted <input type="checkbox"/> YES <input type="checkbox"/> NO			
PREBID QUERIES: All pre-bid queries can be made by email to    cwarren@walterborosc.org					
SPECIFICATIONS:					
<p><b>*Please see attachment related to specifications</b></p>					
VENDOR NAME		NO BID <input type="checkbox"/> REASON:			
VENDOR MAILING ADDRESS		VENDOR EMAIL			
CITY-STATE-ZIP-CODE		S.C. TAX NO.			
Telephone Number (    )		FEDERAL I.D. OR SOCIAL SECURITY NO.			
Fax Number (    )					
<b>QTY.</b>	<b>U/M</b>	<b>COMMODITY OR SERVICE</b> (If more than one item use reverse)	<b>UNIT PRICE</b>	<b>TOTAL TAXES</b>	<b>TOTAL PRICE</b>
1		2014 INTERCEPTOR SUV	29,773.50	300.00	30,073.50
I certify that this bid/quote is made without prior understanding, agreement, or connection with any corporation, firm or any corporation, firm, or person submitting a bid/quote for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid/quote and certify that I am authorized to sign this bid/quote for the vendor.					
BID ACCEPTANCE AND DELIVERY (Prices bid/quoted must be firm for a minimum of 90 days). In compliance with the Invitation, and subject to all conditions thereof, the above signed offers and agrees, if this bid is accepted within <u>5</u> days from date of opening, to furnish any or all items quoted on at prices as set forth after the item and to make delivery within <u>150</u> days after receipt of order with transportation cost included and prepaid. The City of Walterboro, at their option, shall be eligible for use of any contract awarded pursuant to this solicitation.					
 AUTHORIZED SIGNATURE (MANUAL)			<b>VINCE FARGNOLI      FLEET MANAGER</b> AUTHORIZED SIGNATURE (PLEASE PRINT WITH TITLE)		

\* Bids received after the time specified for opening cannot be considered and will be unopened.

QTY.	U/M	COMMODITY OR SERVICE	UNIT PRICE	TOTAL PRICE
1		NON-FACTORY EQUIPMENT	2,942.75	2,942.75

Total	2,942.75
Taxes	
Grand Total	

**WALTERBORO PUBLIC SAFETY  
CITY OF WALTERBORO**

242 HAMPTON STREET • POST OFFICE BOX 709  
Walterboro, South Carolina 29488




~~603-555-5555~~  
Chief

TEL. 843-549-1811

FAX 843-549-8583

police@walterborosc.org

To: Interim Chief Dasen 

Dec 30<sup>th</sup> 2013

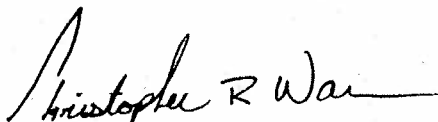
Subject: Police Vehicle Purchases

From: Captain Chris Warren



I have researched the cost of (2) Police Interceptors Sedans including required equipment with the below listed results (per City Purchasing Procedures). When pricing the vehicles please refer to SC State Contract # 4400005788, 4400007289, and 4400007300

Company	P.O.C	Date of Contact	Date of Quote	Price Quote
Walterboro Motor Sales	Vince Fagnoli	12/3/13	12/27/13.	88,345.20
Rizer Chevy	Scott Rizer	12/3/13	12/27/13	93,078.02
Vic Bailey Ford	Fleet	12/3/13	No Response	
Bobby Jones	Fleet	12/3/13	No Response	
Sville Ford	Fleet	12/3/13	No Response	
Ravenel Ford	Fleet	12/3/13	No Response	
Palmetto Ford	Fleet	12/3/13	No Response	
Marchant Chevy	Fleet	12/3/13	No Response	
N Chas Chevy	Fleet	12/3/13	No Response	

Based upon these result I recommend we purchase the (2) Police Interceptor sedans from the lowest bidder which is Walterboro Motor Sales

  
Christopher Warren  
Captain

**THIS IS NOT A PURCHASE ORDER**

	<p><b>INVITATION FOR BID (IFB)</b></p>	FORMAL SEALED BID ( )      REQUEST FOR QUOTE ( )			
		BIDS/QUOTES SHOULD BE MAILED TO:      ATTN: Finance Department City of Walterboro 248 Hampton Street Walterboro, SC 29948 <i>(Bid No., Date, and Time of Opening to be shown on Envelope)</i>		FAX QUOTES TO: (843) 549-1046 (FAX BIDS NOT ACCEPTED)	
*BIDS/QUOTES WILL BE RECEIVED UNTIL _____ E.S.T. ON: _____ THEN PUBLICLY OPENED IF SEALED BID		<p><b>Bid No. IFB # 2012-</b></p>			
BID TITLE: _____					
PREBID QUERIES: All pre-bid queries can be made by email to _____@walterborosc.org.			Comparable/Equivalent Item Accepted <input type="checkbox"/> YES <input type="checkbox"/> NO		
SPECIFICATIONS: _____					
_____					
_____					
VENDOR NAME: <b>Rizer Chevrolet Buick GMC</b>			NO BID <input type="checkbox"/> REASON: _____		
VENDOR MAILING ADDRESS: <b>351 N. Jefferies Blvd</b>			VENDOR EMAIL: _____		
CITY-STATE-ZIP-CODE: <b>Walterboro SC 29488</b>			S.C. TAX NO.: _____		
Telephone Number: <b>(843) 549-6363</b>			FEDERAL I.D. OR SOCIAL SECURITY NO.: _____		
Fax Number: <b>(843) 549-2179</b>					
QTY.	U/M	COMMODITY OR SERVICE (If more than one item use reverse)	UNIT PRICE	TOTAL TAXES	TOTAL PRICE
2		Chevrolet Caprice	46,239.01	600.00	93,078.02
I certify that this bid/quote is made without prior understanding, agreement, or connection with any corporation, firm or any corporation, firm, or person submitting a bid/quote for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid/quote and certify that I am authorized to sign this bid/quote for the vendor.					
BID ACCEPTANCE AND DELIVERY (Prices bid/quoted must be firm for a minimum of 90 days). In compliance with the Invitation, and subject to all conditions thereof, the above signed offers and agrees, if this bid is accepted within _____ days from date of opening, to furnish any or all items quoted on at prices as set forth after the item and to make delivery within _____ days after receipt of order with transportation cost included and prepaid. The City of Walterboro, at their option, shall be eligible for use of any contract awarded pursuant to this solicitation.					
_____ AUTHORIZED SIGNATURE (MANUAL)			 Pres. AUTHORIZED SIGNATURE (PLEASE PRINT WITH TITLE)		


\* Bids received after the time specified for opening cannot be considered and will be unopened.



QTY.	U/M	COMMODITY OR SERVICE	UNIT PRICE	TOTAL PRICE

<b>Total</b>	
<b>Taxes</b>	
<b>Grand Total</b>	

**THIS IS NOT A PURCHASE ORDER**

	<b>INVITATION FOR BID (IFB)</b>	FORMAL SEALED BID ( )      REQUEST FOR QUOTE ( )			
		BIDS/QUOTES SHOULD BE MAILED TO:    ATTN: Captain Chris Warren Walterboro Public Safety 242 Hampton Street Walterboro, SC 29948  FAX QUOTES TO: (843) 549-1046 (FAX BIDS NOT ACCEPTED)			
*BIDS/QUOTES WILL BE RECEIVED UNTIL 5:00p E.S.T. ON: December 27 <sup>th</sup> 2013 THEN PUBLICLY OPENED IF SEALED BID		<b>Bid No. IFB # 2013-</b>			
BID TITLE:					
PREBID QUERIES: All pre-bid queries can be made by email to    cwarren@walterborosc.org		Comparable/Equivalent Item Accepted <input type="checkbox"/> YES <input type="checkbox"/> NO			
SPECIFICATIONS:					
*Please see attachment related to specifications					
VENDOR NAME		NO BID <input type="checkbox"/> REASON:			
VENDOR MAILING ADDRESS		VENDOR EMAIL			
CITY-STATE-ZIP-CODE		S.C. TAX NO.			
Telephone Number (    )		FEDERAL I.D. OR SOCIAL SECURITY NO.			
Fax Number (    )					
<b>QTY.</b>	<b>U/M</b>	<b>COMMODITY OR SERVICE</b> (If more than one item use reverse)	<b>UNIT PRICE</b>	<b>TOTAL TAXES</b>	<b>TOTAL PRICE</b>
2		<b>2014 POLICE SEDANS</b>	<b>43,872.80</b>	<b>600.00</b>	<b>88,345.20</b>
I certify that this bid/quote is made without prior understanding, agreement, or connection with any corporation, firm or any corporation, firm, or person submitting a bid/quote for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid/quote and certify that I am authorized to sign this bid/quote for the vendor.					
BID ACCEPTANCE AND DELIVERY (Prices bid/quoted must be firm for a minimum of 90 days). In compliance with the Invitation, and subject to all conditions thereof, the above signed offers and agrees, if this bid is accepted within <u>  5  </u> days from date of opening, to furnish any or all items quoted on at prices as set forth after the item and to make delivery within <u>  150  </u> days after receipt of order with transportation cost included and prepaid. The City of Walterboro, at their option, shall be eligible for use of any contract awarded pursuant to this solicitation.					
[AUTHORIZED SIGNATURE (MANUAL)]			VINCE FARGNOLI      FLEET MANAGER [AUTHORIZED SIGNATURE (PLEASE PRINT WITH TITLE)]		

\* Bids received after the time specified for opening cannot be considered and will be unopened.

QTY.	U/M	COMMODITY OR SERVICE	UNIT PRICE	TOTAL PRICE
2		NON-FACTORY EQUIPMENT	19,174.80	38,349.60
			Total	38,349.60
			Taxes	
			Grand Total	

**SOUTH CAROLINA            )    INTERGOVERNMENTAL AGREEMENT REGARDING**  
  )    **MUTUAL AID FOR FIRE PROTECTION BETWEEN**  
  )    **COLLETON COUNTY, COLLETON COUNTY FIRE-**  
**COLLETON COUNTY         )    RESCUE DISTRICT AND THE CITY OF WALTERBORO**

**I.        INITIAL PREMISES.**

WHEREAS, The Colleton County Fire-Rescue District (District) presently provides fire protection and other rescue related services to residents, visitors and taxpayers in the area known as the Colleton County Fire-Rescue Special Taxing District, pursuant to Colleton County Ordinance 93-O-17, codified at Section 2.20 of the Colleton County Code of Ordinances, adopted by Colleton County Council (County) pursuant to Section 4-9-30 and 4-9-130 of the Code of Laws of South Carolina; and

WHEREAS, pursuant to said Ordinance, the Colleton County Fire-Rescue Commission (Commission) is the operating County agency through which fire protection and rescue services are coordinated and through which various enumerated powers and duties provided by said ordinance and the enabling statutes are implemented; and

WHEREAS, among these enumerated powers and duties are the charge to establish predetermined response procedures for all fire and rescue calls within the County, which may be mutual or automatic as may be necessary and negotiable, as well as to enter into contracts with public and private entities having fire and/or rescue capabilities for the provision of such within the District, subject to approval by County Council, based upon reasonable approved budgets and handled in accordance with sound business and accounting practices; and

WHEREAS, the City of Walterboro has its own Public Safety Department (City) through which fire protection services are rendered within the incorporated boundaries of the City, and the City Council, pursuant to Section 5-7-30 and 5-7-60 of the Code of Laws of South Carolina is authorized to enter into agreements to provide its services beyond the corporate limits; and

WHEREAS, Section 6-11-1810 and following of the Code of Laws of South Carolina provides that “any municipality, fire district, fire protection agency, or other emergency service unit may provide mutual aid assistance, upon request, from any other municipality, fire district, fire protection agency, or other emergency service unit at the time of any significant incident such as fire, earthquake, hurricane, flood, tornado, hazardous material event, or other such disaster. The chief or highest ranking officer, with the approval and consent of the governing body, may provide this assistance while acting in accordance with the policies, ordinances, and procedures set forth by the governing body of the providing governmental entity;” and

WHEREAS, the City, County and District have been engaged in litigation (Civil Action Number 2013-CP-15-429) regarding the provision of services within areas annexed by the City, and have reached a settlement of those matters and entered into an Intergovernmental Plan for Services pursuant to Section 5-3-310, et seq. of the Code of Laws of South Carolina; and

WHEREAS, it is recognized and acknowledged in Article IV of the Settlement Agreement with Intergovernmental Plan for Services that the City and District should enter into a mutual aid agreement as to fire protection; and

WHEREAS, both the City of Walterboro, the District and County agree that it is in the best interests of their citizens to secure, by agreement, a Mutual Aid Agreement to provide supplemental fire and rescue

related services to each other and ensure that all of the firefighters and emergency services personnel who respond to these calls receive the full benefit of various federal, state and local provisions providing various insurance and other benefits that may not be available in the absence of a mutual aid agreement, as well as institute appropriate utilization of incident command pursuant to Sections 6-11-1820 and 6-11-1830 of the Code of Laws of South Carolina; and

NOW, THEREFORE, based upon the foregoing premises, and in accordance with the powers granted to the City, County, and District under the South Carolina Constitution, statutes, and ordinances applicable, in compliance with the terms of the Settlement Agreement with Intergovernmental Plan for Services, and with the approval of each of their governing bodies, as evidenced by their authorized representatives below, the following is adopted as an Intergovernmental Mutual Aid Agreement (Agreement) upon the following terms and conditions.

## **II. INITIAL TERM; MODIFICATION AND EFFECTIVE DATE.**

**Section 1:** The City agrees that its Public Safety Department will provide Mutual Aid to the District, and the District agrees that it will provide Mutual Aid to the City upon the following terms and conditions, which may be altered from time to time by both Councils passing resolutions containing complementary terms amending the terms of this Mutual Aid Agreement.

**Section 2:** The term of this Agreement shall end on June 30, 2016, unless otherwise extended by mutual agreement, which shall be evidenced by a joint resolution of the City, District, and County.

**Section 3:** The Agreement shall take effect immediately after its adoption by and receipt of a reciprocal Resolution by the City, District and County agreeing to the terms and conditions, and execution of this Agreement by authorized officials of each of the parties hereto.

**Section 4:** Either agency desiring to terminate this Agreement shall serve written notice upon the other agency of its intention to terminate this Agreement. Such notice shall be served not less than thirty calendar days prior to the termination date set forth in said written notice. Said written notice shall automatically terminate this Agreement on the date specified therein unless rescinded prior in writing.

## **III. BASIC FIRE PROTECTION SERVICES**

- a) When a call for Fire services is received by the City for a property or incident located within the City's incorporated boundaries, the dispatcher will initially notify the City's Public Safety Department for response from the appropriate City's fire station. Initial response responsibility shall be the obligation of the City. Upon request of the City, the District will initially provide mutual aid consisting of the closest engine and certified firefighters upon receipt of the request. Additional resources may be requested as agreed upon by the Fire Rescue District Chief and City Director of Public Safety for the emergency.
- b) Conversely, when a call for Fire Services is received by the County for a property or incident located outside the City's incorporated boundaries, the dispatcher will initially notify the District's Fire-Rescue Department (District) for response from the appropriate District fire station. Initial response responsibility shall be the obligation of the District. Upon request of the District, the City will initially provide mutual aid consisting of the closest engine and certified firefighters upon receipt of the request. Additional resources may be requested as agreed upon by the Fire-Rescue Chief and City Director of Public Safety for the emergency.
- c) There shall be no charge for the basic fire protection service request to the requesting jurisdiction.

- d) Reserve equipment/apparatus will be the responsibility of each jurisdiction.

#### **IV. THIRD PARTY INSURER BILLING**

- a) The District agrees to perform extrication at no charge to the City. However, if there is third party liability or indemnity liable for the cost of rescue extrication services provided within the terms of this agreement, recoverable from a third party or insurer, request for compensation will be made to the third party, insurer or indemnity.

#### **V. HAZARDOUS MATERIALS AND EXTRICATIONS**

- a) When a call for emergency Hazardous Materials (HAZMAT)/Confined Space Rescue/Other Rescue or Extrication services is received for an incident located within the incorporated boundaries of the City, the City may request the District for the need to respond. And, when an emergency call is received and extrication is required/requested, Rescue will automatically be dispatched.
- b) The District agrees to perform HAZMAT services for charges/fees as determined in the March 20<sup>th</sup>, 2013 letter from District Chairman Lavern Polk to Mayor William T. Young and City Manager Jeff V. Lord. Confined Space Rescue, Extrication, and other Rescue services will be performed at no charge.

#### **VI. WATER**

- a) The City has and maintains a fully capable public water service in the City and areas of the District that includes Fire Hydrants.
- c) The City agrees to allow the District use of the Fire Hydrants at no charge.

#### **VII. TRAINING**

- a) The District and City agree to share training facilities. In order to coordinate and enhance the cooperative utilization of their fire protection personnel, the City and District agree to have their personnel participate in joint education and training sessions hosted by the City and/or District on a basis agreed upon by the Fire-Rescue Chief and City Director of Public Safety.
- b) In order to promote the efficient use of personnel and equipment, the City and District shall endeavor to establish standardized pre-incident planning and take such steps over time as will lead to a standardization of equipment to promote compatibility, and to have the level of equipment available on the fire response vehicles of the same type and quality. Additional training may be required for specialty equipment and the City and District agree to participate in joint education and training sessions hosted by the City and/or District on a basis agreed upon by the Fire-Rescue Chief and City Director of Public Safety.

#### **VIII. INCIDENT COMMAND AND CONTROL**

- a) In accordance with Section 6-11-1820 of the Code of Laws of South Carolina, “any municipality, fire district, fire protection agency, or other emergency service entity requesting mutual aid assistance from any emergency service delivery system in South Carolina shall utilize an incident commander, and the Incident Command System, at all emergency incidents.”

- b) The Incident Commander of the requesting agency at the scene of the emergency, to which the response is made, shall be in command of the operations. The Incident Commander may relinquish command to the responding agency to take advantage of the strengths, resources and experience of the responding personnel.
- c) The responding agency's personnel and equipment shall be released by the requesting agency when the services of the responding agency are no longer needed or when the responding agency's resources are needed in their primary response area. The requesting agency may request additional resources if necessary. Responding agency's resources may withdraw from the scene after giving notice to the incident commander when they are needed in their primary response area.

**IX. REVIEW OF MUTUAL AID SERVICES**

- a) The County, the District and City agree to meet and review coordination and cooperation through this agreement no later than January 30, 2015. The meeting shall consist of the District Fire Chief, District Chairman, and County Administrator, designated County Council member, City Manager, City Public Safety Director, and designated City Council member. After review of this mutual aid agreement, a joint recommendation to the respective political bodies shall be made as to extensions of the agreement or any adjustments to the agreement deemed necessary. The recommendation(s) shall be presented to each respective political body by their March 2015 regular meeting.

[SIGNATURE PAGE TO FOLLOW.]

**IN WITNESS WHEREOF**, Colleton County, the Colleton County Fire-Rescue District and the City of Walterboro, acting under the authority of their respective governing bodies, having caused this Agreement to be duly executed in duplicate, either of which is to be considered an original, hereby binds the County, District and City for the faithful and full performance of the terms and conditions of this Agreement, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

As to **Colleton County**:

Witness:

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_

As to **Colleton County Fire-Rescue Commission**:

Witness:

\_\_\_\_\_  
LaVern Polk, Chairman

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_

As to **City of Walterboro**:

Witness:

\_\_\_\_\_  
William T. Young, Mayor

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_