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City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

Mailing Address:

Post Office Box 709

Walterboro, South Carolina 29488-0008

Walterboro City Council
Public Hearing and Regular Meeting
June 26, 2012
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. Project Amendment CDBG 4-CI-11-034 Jackson Street Pump Station Project, Chris Bickley, Lowcountry Council of Governments.
2. Ordinance # 2012-06, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2012-2013 and Matters Relating Thereto.
3. Ordinance # 2012-07, An Ordinance Adopting the City Budget for Fiscal Year 2012-2013 and Matters Relating Thereto.
4. Ordinance # 2012-08, An Ordinance of the City of Walterboro, South Carolina, Amending the Comprehensive Fee Schedule for Finance Department, Zoning and Code Services and Sanitation Department.

IV. Approval of Minutes:

1. Minutes of the June 12, 2012 Regular Meeting (Minutes attached).

V. Old Business:

1. Ordinance # 2012-06, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2012-2013 and Matters Relating Thereto, **Second Reading and Adoption** (Ordinance attached).
2. Ordinance # 2012-07, An Ordinance Adopting the City Budget for Fiscal Year 2012-2013 and Matters Relating Thereto, **Second Reading and Adoption** (Ordinance attached).

V. Old Business (Cont.):

3. **Ordinance # 2012-08**, An Ordinance of the City of Walterboro, South Carolina, Amending the Comprehensive Fee Schedule for Finance Department, Zoning and Code Services and Sanitation Department, **Second Reading and Adoption** (Ordinance attached).

VI. New Business:

1. Consideration of a Motion to Have the City Manager Draft an Ordinance to Place on the November General Election Ballot a Referendum to Allow Sunday Alcohol Sales (Memorandum and materials attached).

VII. Committee Reports:

VIII. Executive Session:

1. Receipt of Legal Advice.

IX. ADJOURNMENT.

**City of Walterboro Community Development Block Grant
Notice of Public Hearing Concerning Project Amendment**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, June 26, 2012 at 6:15 PM in Council Chambers at 242 Hampton Street, Walterboro, SC, the City of Walterboro will hold a public hearing to discuss a project amendment to CDBG #4-CI-11-034 (the Jackson Street Pump Station project). The contract for the original project came in under budget and the City will request an amendment to use the excess funds to upgrade the Birch Street Pump Station. This additional work will benefit 117 people, of which 92 (78.6%) persons are LMI.

This public hearing and the matters to be discussed are subject to the provisions of the City of Walterboro's Citizens Participation Plan, developed in anticipation of participation in the State of South Carolina's Community Development Block Grant (CDBG) Program, providing for the participation of citizens of Walterboro in the planning and implementation of community and economic development projects which involve CDBG funds.

The Citizen Participation Plan is available for review at the above address between the hours of 9:00 am - 5:00 pm, Monday through Friday. Persons with questions or comments concerning the public hearing or the Citizen Participation Plan may contact Michelle Knight, Lowcountry Council of Governments, POB 98, Yemassee, SC 29945 and (843) 726-5536.

The City of Walterboro does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in its federally assisted programs or activities. Jeffery V. Lord, City Manager, City of Walterboro, 242 Hampton Street, PO Box 709, Walterboro, SC 29488, (843) 782-1000, has been designated to coordinate compliance with the nondiscrimination requirements contained in the US Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR Part 8, dated June 2, 1988).

NOTE: Assistance will be provided to accommodate the special needs of disabled persons upon request. Please contact Mr. Lord at 843-782-1000 if accommodations are needed.

To: The Press & Standard (Rhonda Sauls)
Pressads2@lowcountry.com

From: Betty J. Hudson, City Clerk
549-2545, X 221

Date: June 6, 2012

Please run the following public hearing notice in your newspaper.

-two column display ad with City logo at top.

-run once: Friday, June 8, 2012 (The Press & Standard)

PUBLIC HEARING NOTICE

Walterboro City Council will hold a public hearing on Tuesday, June 26, 2012 at 6:15 P.M. in City Hall, 242 Hampton Street, to receive public comments on the following proposed ordinance:

Ordinance # 2012-06, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2012-2013 and Matters Relating Thereto.

Ordinance # 2012-08, An Ordinance of the City of Walterboro, South Carolina, Amending the Comprehensive Fee Schedule for Finance Department and Sanitation Department.

Copies of the proposed ordinances are available in the City Managers Office at City Hall, 242 Hampton Street. Written comments may be mailed to the City Manager, P.O. Box 709, Walterboro, SC 29488 and must be received prior to the public hearing. Please call the City Manager's Office (782-1000) for additional information or for disabled persons needing auxiliary aids. Please give at least 24 hours notice if auxiliary aids are required.

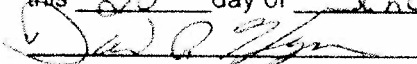
AFFIDAVIT OF PUBLICATION IN

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 Two(2) issues, said publication commencing on June 08, 2012, and ending on June 12, 2012.

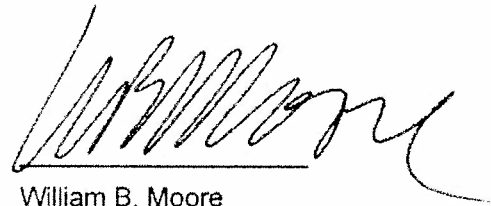
SWORN to before me

this 20 day of June, 2012

 (L.S.)

Notary Public for South Carolina

Commission expires My Commission Expires April 7, 2019


William B. Moore



PUBLIC NOTICE CITY OF WALTERBORO HEARING ON MUNICIPAL BUDGET

Pursuant to Section 6-1-80 of the S.C. Code of Laws, public notice is hereby given that Walterboro City Council will hold a public hearing on the municipal budget for the 2012-2013 fiscal year.

Date: Tuesday, June 26, 2012

Time: 6:15 P.M.

Location: City Hall Council Chambers, 242 Hampton Street

Current Fiscal Year Revenue	Projected Revenue 2012-2013	Percentage Change in Revenue	Current Fiscal Year Millage
\$7,387,710	\$7,189,609	-3.0%	77Mills

Current Fiscal Year Expenditures	Projected Expenditures 2012 - 2013	Percentage Change in Expenditures	Estimated Millage for 2012 - 2013
\$7,387,710	\$7,455,079	+1.0%	79.5 Mills*

*Estimated Millage Equals \$.0795 per \$1,000 of Assessed Property Value.

The City of Walterboro does not discriminate on the basis of disability status. Anyone needing reasonable accommodations, auxiliary aids or services to participate in the public hearing should contact the City Manager's Office 782-1000 at least 72 hours in advance of the meeting date.

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Walterboro City Council
Regular Meeting
June 12, 2012

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, June 12, 2012 at 6:15 P.M. with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Paul Siegel, Dwayne Buckner, Charles Lucas, Randy Peters, Tom Lohr and Bobby Bonds. City Manager Jeff Lord, City Clerk Betty Hudson and City Attorney George Cone were also present. **Council Member Paul Siegel was ABSENT.** Approximately 16 persons were present in the audience.

There being a quorum present, the Mayor called the meeting to order and called on Council Member Buckner for the invocation, and Council Member Lohr to lead the Pledge of Allegiance to our flag.

The Mayor reminded everyone that there is still time to vote. The polls are open until 7:00 P.M. tonight.

PUBLIC INPUT ON AGENDA ITEMS:

There were no public comments made on agenda items.

APPROVAL OF THE MINUTES:

The Minutes of the May 22, 2012 Regular Meeting were approved as submitted on the motion of Council Member Lucas, seconded by Council Member Buckner and passed unanimously, except Council Member Siegel was absent and did not vote.

PROCLAMATIONS AND RESOLUTIONS:

Proclamation # 2012-05, in Recognition of Police Week in the City of Walterboro, designated nationally as the week of May 13-19, 2012. A motion to approve Proclamation # 2012-05 as submitted was made by Council Member Lucas, seconded by Council Member Bonds and passed unanimously, except Council Member Siegel was absent and did not vote. A copy of said proclamation is attached as part of these minutes.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. **Ordinance # 2012-06**, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2012-2013 and Matters Relating Thereto, was before Council for approval. Council Member Lucas then gave a brief explanation of the new fiscal year budget.
 - 1) He thanked the Finance Committee Members, Mayor Young, Council Member Lohr and other Council Members for their hard work on the budget. We feel that this is a good budget, but it is one that had some cuts.
 - 2) The City of Walterboro's budget for 2012-2013 is \$9,448,930. This reflects a General Fund Budget of \$7,455,079 and an Enterprise Fund Budget of \$3,369,600. Keep in mind that the Enterprise Fund transfers money to the General Fund, so if you add the two numbers, it does not

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come out to what the budget is. The budget is actually less than the two funds budget balances.

- 3) The budget reflects about a 1% increase over last year's budget. Keep in mind that the Consumer Price Index (CPI) increase was about 3%.
- 4) The 2012-2013 budget contains several areas of increased expenses and reduced revenues as follows:
 - a) There is a 5.6% increase in health insurance costs.
 - b) There is a 10% increase in SC Retirement and the Police Retirement costs.
 - c) There is a 22% increase in the City's "ORBIT" contribution, which is money put into a trust fund for employees who are already retired.
 - d) There is about a 15% increase in fuel costs.
 - e) The county is going to do a property reassessment, which we don't know for sure, but we are anticipating about a 3% reduction in tax revenues.
 - f) The State Aid Subdivision Funds, which are state mandated funds for the cities, is 40% less than what they should be giving us. Some of this is still in the legislature. We don't know, and we may get less.
 - g) The budget reflects a 3.2% increase in the City's property tax millage for next year.
 - h) It also reflects a garbage rate increase of \$5 per billing cycle, which would be roughly \$2.50 per month.

Concluding, Council Member Lucas thanked all the department heads for cutting back as much as they could. He also thanked Finance Director Dennis Averkin and City Manager Jeff Lord for their guidance and direction during the budget process.

A motion giving First Reading Approval to Ordinance # 2012-06, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2012-2013, was made by Council Member Peters, seconded by Council Member Bonds. In discussing the motion, Council Member Buckner asked the City Manager about the wording in the ordinance, which says "a public hearing on the budget has been properly advertised and conducted on June 26, 2012". City Manager Lord explained that a public hearing will be held on June 26, the next Council Meeting. He said, we write the ordinance as it will be passed on Second Reading. We will have a public hearing on the 26th and Second Reading and Adoption. Mr. Buckner then asked, do we need to have a public hearing before we pass First Reading of the budget? Mr. Lord responded, "Not before First Reading."

The motion then passed with all members voting in favor, except Council Member Siegel was absent and did not vote.

2. **Ordinance # 2012-07**, An Ordinance Adopting the City Budget for Fiscal Year 2012-2013 and Matters Relating Thereto, was given First Reading Approval on the motion of Council Member Buckner, seconded by Council Member Peters and passed unanimously. Council Member Siegel was absent and did not vote on the motion for adoption.
3. **Ordinance # 2012-08**, An Ordinance of the City of Walterboro, South Carolina, Amending the Comprehensive Fee Schedule for Finance Department, Zoning and Code Services and Sanitation Department, was before Council for First Reading Approval.

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City Manager Jeff Lord told Council that there are three things to be considered with this ordinance.

- 1) The Residential Garbage Rate will increase from \$18.00 per billing cycle to \$23.00 per billing cycle.
- 2) Additionally, there is also before you a new Zoning Ordinance, or Unified Development Ordinance. That's incorporating the Tree Provisions of the current ordinance. Instead of listing the fee for Tree Mitigation, it says, refer to the Comprehensive Fee Schedule. So, this is just moving it from that part of the ordinance to the Comprehensive Fee Schedule. That is not a change. It's \$50 an inch now, and will still be \$50 an inch in the Comprehensive Fee Schedule.
- 3) For Sexually Oriented Business, when we completed the code changes in 2010, that should have been added to the schedule. It wasn't. This is just fixing that error. It's not a change in the fee, but it's just incorporating what should have been in the Comprehensive Fee Schedule.

A motion giving First Reading Approval to Ordinance # 2012-08 was made by Council Member Lucas and seconded by Council Member Peters. In discussing the motion, Council Member Buckner raised concern on the proposed \$5 increase in the residential garbage rate. He asked how much revenue would be raised as a result of this \$5 increase? Finance Director Dennis Averkin stated that this would raise a total of \$50,000. Council Member Buckner then stated, I have some reservations about raising the residential garbage rate. I know we probably have some of the lowest rates compared to other municipals, but we are still in a recovery. We are still trying to move forward economically, and \$5 may not seem like a lot to some folks, but to others \$5 is a lot of money. So, I have some reservations. I am going to go ahead and vote for it, but I just want to get on record that I think we need to try to keep our rates and not increase them for some of the services we provide, if possible.

Mayor Young then stated, I would like to point out that the committee and the Council Members who attended the budget work sessions wrestled with that and all of the increases that were being placed on our citizens. None of those were taken lightly. I don't think anybody wanted to have increases, but that was a way for us to try to balance the budget in a very difficult year. It wasn't something that was done lightly, I can assure you.

The discussion closed, and the motion giving First Reading Approval to Ordinance # 2012-08 passed with all members voting in favor, except Council Member Siegel was absent and did not vote.

4. **Ordinance # 2012-09**, An Ordinance to Repeal Chapter 21, Zoning, of the 2003 Code of Ordinances of the City of Walterboro, South Carolina, As Well As to Repeal Chapters 17 and 24, Flood Damage Control and Planning, of the 2010 Code of Ordinances of the City of Walterboro, South Carolina, and to Replace Said Chapter 24 with a Revised Chapter 24, Entitled "Planning" Which Contains the "City of Walterboro Unified Development Ordinance," As Well As to Repeal Other Sections of the Codes that Conflict with the Provisions of the Revised Chapter 24.

City Manager Lord stated that in 2010, the City completed a new Comprehensive Plan, a ten-year plan, and when you do that, you are supposed to go back and look through your zoning ordinances and update them to match your plan. Two and a half years later, the Planning Commission has been working very diligently with Benchmark, a planning and consulting firm, to come up with this new Unified Development Ordinance. That not only incorporates zoning, but it also has the tree provisions, as

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I mentioned earlier. So, anything that has to do with development will be contained here. Many special meetings and many drafts later are the results here presented to Council for First Reading. After this, there will need to be a notification period, and public hearing. Any changes at the public hearing will go back to the Planning Commission for review and recommendation and then we'll come back to Council for Final Reading.

A motion was then made by Council Member Lucas, seconded by Council Member Bonds, giving First Reading Approval to Ordinance # 2012-09. In discussing this motion, Council Member Bonds asked City Manager Lord to briefly explain the last part of his statement on the process. City Manager Lord responded, we have to advertise a public hearing, and put notices out, (post them on the properties which are affected), and after that a public hearing. Any changes that arise from that public hearing goes back to the Planning Commission. From that point, they make recommendations and it comes back to you for Second Reading and Adoption.

Council Member Buckner then stated, Mr. Lord, I want to make sure I am clear on this, procedurally, we are repealing everything prior as it relates to codes, so that we can now adopt our new Unified Development Ordinance, and are we adopting First Reading of the New Planning Ordinance? City Manager Lord responded, it's all in the same action. So, at the same time that you repeal the old codes, you will be putting in force the new codes.

On a question raised by Council Member Peters, City Manager Lord affirmed that there will be a public hearing held on this ordinance.

The motion giving First Reading Approval to Ordinance # 2012-09 then passed with all members voting in favor, except Council Member Siegel was absent and did not vote.

At this point, the City Manager pointed out that the current draft copy of the Unified Development can be found for review on the City's website. If anyone wants to look at this in preparation for the public hearing, you can.

On behalf of the City, the Mayor then thanked the Planning Commission Members and specifically Mr. Thomas Angell, Chairman of the Planning Commission, for their hard work and for the long time that they have worked on completing the Unified Development Ordinance.

5. Funding Request for Rehabilitation of the Well at the Armory

City Manager said, this is called the Armory well, but it is the well at Pinckney Park. It serves the downtown area mainly. It went down, and we brought in a company we have used to repair our pumps. They found damage and the extent of the damage grew and grew. What we would like to do is to be able to put this well back in service and get the authorization to spend the money from fund balance to do that. Presented to you is a worse case scenario, so that we will be able to get it back into service as soon as possible.

A motion was made by Council Member Peters, seconded by Council Member Lucas to approve the funding request as submitted for rehabilitation of the well at the Armory. In discussing the motion, Council Member Buckner then asked the City Manager, I thought that Council had already voted at its last meeting to spend the money on this repair work. Mr. Lord responded, that was for the Water Line Looping project, ISO Project No. 3. That was a different project. Councilman Buckner and Councilman Bonds felt that Council had already discussed this matter. Mayor Young pointed out that this matter was not discussed in an open session. It was previously

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a contractual matter in an executive session. Councilman Peters added, so now it's broke, so it's got to be fixed, so it does not matter if we discussed it before or didn't discuss it.

Councilman Buckner then asked the City Manager, what was the worst case scenario cost for this repair? Mr. Lord pointed out that a memorandum in the packet from Utilities Director Wayne Crosby noted that the cost of repair (a worst case scenario) may be as much as \$45,650.00. A budget estimate sheet for this repair work was also submitted in the packet by Graves Water Supply of Jackson, South Carolina in the amount of \$45,650.00. Mayor Young noted that he hoped that the City would come out better with a lower repair cost.

The motion to approve the funding request for rehabilitation of the well at the Armory then passed with all members voting in favor, except Council Member Siegel was absent and did not vote.

6. Consideration of Bids Received to Purchase Seven (7) New Council Member Chairs for Council Chambers

City Manager Lord noted that this is part of the ongoing renovation project for Council Chambers. The original intent was just to repair or cover the chairs. Unfortunately that mechanism would cost more to fix than to just replace them. So the recommendation is to replace them. Prices were taken. Again, something of this matter would not come before Council, but because a City Official is involved in this transaction, it would need to come before you for approval. The low price given was from Lowcountry Office Supply for \$2,975.00. The bids received were as follows:

Lowcountry Office Supply	\$2,975.00
Collins Office Supply	\$2,978.00
Office Furniture Plus	\$3,105.00

A motion was made by Council Member Lohr, and seconded by Council Member Lucas to approve the low bid of \$2,975.00 from Lowcountry Office Supply to purchase seven (7) new chairs for Council Chambers.

In discussing the motion, Councilman Buckner asked City Manager Lord what is the plan for the current Council Member chairs? What will we do with the chairs we have now? City Manager Lord responded, we have to figure out what we will do with the Council Member chairs, as well as the other chairs for the audience. Probably, I would recommend making them surplus, and we usually auction off our surplus items. There is a local auction house that we have worked with in the past, but there are options available. Mayor Young then asked City Attorney George Cone if he knew how old the chairs were? Attorney Cone responded, they date from the late 70's when the courtroom was renovated under Tuck McConnell, I believe. So, they are at least 30 or 35 years old.

The motion then passed with a vote of 5/0 with Mayor Young, Council Members Buckner, Lucas, Peters, and Bonds voting in favor. Council Member Peters recused himself from voting on this issue, because of his association with Lowcountry Office Supply. Council Member Siegel was absent and did not vote.

7. Request Regarding Moving and Replacing Pavers (Bricks) at the Downtown Waterfall Plaza by Colleton County Veterans Council

Mr. James White and Mr. Johnny Holmes were present on behalf of the Colleton County Veterans Council. Mr. White spoke to Council asking for permission to remove and replace brick pavers at the Downtown Waterfall Plaza. Mr. White presented

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Council with a sketch and photo of the Veterans Memorial Brick area in the Downtown Waterfall area. He said some of the bricks are discolored. When his organization started engraving work before Memorial Day, we ran into some difficulties. The brick pavers down there actually are not designed for the arrangement we wanted to do. Because of the age of the bricks and the continuation of moisture in the bricks, we found that some of the bricks were dark and some were blemished. We found it difficult to try and engrave those bricks. So, our next recourse will be to try and get new pavers and replace the old ones with same size bricks and original texture. Mr. White showed Council a sample of the old bricks. He said, we attempted to engrave the bricks, but we found that there is chipping in between and this is causing us not to have a quality type engraving. So, we are asking Council permission to allow the Veterans Council to work with Mr. David Steedley to remove those bricks and we will hire a person to put the bricks in. The project from start to finish should be no more than 3 days. We would like to have the project completed by the end of this month (June), so we can have an unveiling. We currently have 83 bricks. We are only going to cut out sections that are necessary to put the bricks in. We just can't get the stencils to stay down on those bricks any longer.

A motion was made by Council Member Lucas to approve the moving and replacing of brick pavers at the Downtown Waterfall as requested. Council Member Bonds seconded the motion. In discussing the motion, Council Member Buckner then asked Mr. White, are you planning to remove all the current memorials that are on those bricks? Mr. White responded, "no," we are putting in new bricks, only new bricks.

Mr. Buckner then said, so the memorials that are there now, are you touching any of those? Mr. White responded, only if necessary to try to cut an even square, not to complicate, but we will replace those that we had to remove. If we have to remove any of the original ones there, we have agreed to cut those and put them back in place.

On a question raised by Mayor Young on removing a current memorial for a loved one, Mr. White explained, we may have to remove some of those to get a clean cut. You just can't cut angle to angle in that concrete. You have to get a straight cut, and we will get the best cut possible. If we had to remove any, we will replace those and re-engrave them. Mr. White also noted that the replacement bricks would be the same size as the bricks that are in there now. Councilman Buckner asked Mr. White, are you offering any other memorials? Did these individuals pay to have their names engraved on these bricks? What was the agreement? Mr. White responded, we had the dedication of the names that were read during Memorial Day. So, we are looking at 30 days from that date to get these bricks in and paved. We tried to get them done before Memorial Day, but because it was not done, it was just the dedication of the names. Now, we are in the process of actually making sure the bricks are in. The committee is trying to get this done in 30 days after Memorial Day to make sure everybody is satisfied. We are planning to have a reception and invite everyone who purchased a brick to come to that reception downtown. We are looking at doing this the 28th of June. Mr. Buckner asked again, are you offering any more bricks for individuals? Mr. White responded, this year, we hope not. We need to get this project done, and we are going to offer the same project again hopefully next year.

On a question by Mayor Young, Former Mayor Charlie Sweat told Council that the Downtown Development Corporation and the City of Walterboro were originally in charge of the "Remember Bricks" at the Downtown Plaza. They were put in when the plaza was set up. Mayor Young then said, actually what Mr. White and his committee are doing are the bricks to honor veterans, but the original "Remembrance Bricks" have a variety of names - children names, parent names and other persons. Mr. Lucas then asked if the names on the bricks had to be for deceased veterans or just veterans. Mr. White said, in the World War II area, there are a large number of

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remembrance bricks and those are for deceased veterans. Mr. Lucas then asked, if someone wanted to purchase a brick, would it be for a deceased person in honor of, or could it be a living person in honor of? Mr. White said, it could be for a living person in honor of.

Council Member Buckner asked Mr. White what procedure would he use to make sure the new bricks blended in with the old bricks, without taking all of them out and doing them all over again? He said, we want to make sure it looks nice and the colors blend. Mr. White said, I had another brick which was a brick called a blue brick paver. This brick was the original color of the bricks down town. But because of the long lapse since 1990, the water and chlorine in the water and just the outside weather has darkened the brick. Some are light and some are dark. So, you are going to have a different texture throughout the entire area.

Council Member Lucas then suggested to Mr. White, before you start the actual work, would you please coordinate with Mr. Lord to make sure there are no scheduled events at the waterfall at the time you plan to work on the bricks. Mr. White agreed.

The motion then passed unanimously, except Council Member Siegel was absent and did not vote.

8. Request to Use the Downtown Waterfall Plaza for Salkehatchie Stew on Friday October 26, 2012

Next, before Council was a request to use the Downtown Waterfall Plaza for the Salkehatchie Stew on Friday, October 26, 2012 by Dr. Carmela Gottesman, Co-chair, on behalf of the Salkehatchie Stew Executive Committee. A motion to approve this request as submitted was made by Council Member Bonds, seconded by Council Member Lucas and passed with all members voting in favor, except Council Member Siegel was absent and did not vote.

COMMITTEE REPORTS:

Council Member Lohr gave a brief report on the Youth Advisory Commission.

Council Member Lohr gave the following highlights.

- 1) Sandy at the Recreation Center reports that they have more activities, camps and participants than they had last year.
- 2) Maggie Hendricks is the contact person who coordinates activities through the Arts Council. She is located next to the Artisans Center. The Arts Council has visual arts' activities, camps, clay work, crafts, painting, drawing, etc.
- 3) The library has a children's department coordinator, a young adult department and also a primary person. They have a lot of activities scheduled there, and some are already underway.
- 4) USC Salkehatchie probably has camps going on.
- 5) Mr. Adams at the public high school has softball camps, and also the Walterboro Tennis Association is having tennis camps for ages 4-8, 9-10, 11-12 and 12 and over. Becky Hooker is the person coordinating this.

Concluding his report, Mr. Lohr pointed out that Council will need to reappoint a youth person to represent Colleton Preparatory Academy. The young man representing the Academy has graduated, so we will need to appoint a replacement for him on the Youth Advisory Committee. The young lady representing Colleton County High School is a rising senior and will continue to represent her school again next year on the committee.

Mayor Young then thanked Councilman Lohr for his work with this committee.

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EXECUTIVE SESSION:

A motion to enter an Executive Session was made by Council Member Lucas, seconded by Council Member Peters and passed unanimously. Council Member Siegel was absent and did not vote. The Mayor then announced that the meeting would enter into an Executive Session for receipt of legal advice. The meeting then convened into an Executive Session.

The meeting returned to Open Session with no action being taken as a result of the Executive Session. There being no further business, a motion to adjourn was made by Council Member Lucas, seconded by Council Member Lohr and passed unanimously. The Mayor adjourned the meeting at 7:46 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

ORDINANCE # 2012-06

AN ORDINANCE ADOPTING THE CITY ENTERPRISE BUDGET FOR FISCAL YEAR 2012-2013 AND MATTERS RELATING THERETO.

WHEREAS, the 2012-2013 budget has been presented and considered; and

WHEREAS, a public hearing on the budget has been properly advertised and conducted on June 26, 2012.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Walterboro, South Carolina, in Council assembled, as follows:

The 2012-2013 City Enterprise Budget is hereby adopted in the amount of \$3,369,600 with revenues and expenditures as set out in the budget document dated June 5, 2012.

This ordinance shall be effective July 1, 2012.

DONE, this 26th day of June, 2012.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
City Clerk

First Reading: June 12, 2012
Public Hearing: June 26, 2012
Second Reading: _____

**CITY OF WALTERBORO
FY 2011-2012 BUDGET
SUMMARY SHEET BY CATEGORY**

6/5/2012

LINE ITEM	APPROVED FY 2011-2012 BUDGET AS AMENDED	FY 2012-2013 DEPARTMENT REQUEST	FY 2012-2013 MANAGER'S RECOMMENDATION	FY 2012-2013 COUNCIL APPROVED
<u>BEGINNING FUND BALANCE</u>				
UTILITY FUND	1,800,178	\$ 1,834,240	\$ 1,834,240	\$ 1,712,240
BEGINNING BALANCE TOTAL	\$1,800,178	\$1,834,240	\$1,834,240	\$1,712,240
<u>REVENUE</u>				
UTILITY FUND	3,381,200	3,282,600	3,292,600	3,292,600
<u>EXPENDITURES</u>				
WATER				
PERSONNEL	\$ 325,622	\$ 336,399	\$ 327,920	\$ 333,870
OPERATING	\$ 428,326	\$ 445,753	\$ 398,643	\$ 400,003
CAPITAL	\$ -	\$ 66,500	\$ 61,500	\$ 36,500
SUBTOTAL	\$ 753,948	\$ 848,652	\$ 788,063	\$ 770,373
UTILITY SUPPORT				
PERSONNEL	\$ 63,163	\$ 68,575	\$ 66,343	\$ 68,043
OPERATING	\$ 514,254	\$ 461,322	\$ 460,972	\$ 460,972
CAPITAL	\$ -	\$ 46,800	\$ -	\$ -
SUBTOTAL	\$ 577,417	\$ 576,697	\$ 527,315	\$ 529,015
ECONOMIC DEVELOPMENT				
PERSONNEL	\$ 52,292	\$ 54,933	\$ 53,612	\$ 54,462
OPERATING	\$ 14,630	\$ 16,900	\$ 16,267	\$ 16,267
CAPITAL	\$ -	\$ -	\$ -	\$ -
SUBTOTAL	\$ 66,922	\$ 71,833	\$ 69,879	\$ 70,729
SEWER				
PERSONNEL	\$ 233,370	\$ 249,925	\$ 235,360	\$ 239,610
OPERATING	\$ 344,265	\$ 377,233	\$ 369,429	\$ 368,624
CAPITAL	\$ 22,700	\$ 29,500	\$ 15,500	\$ 15,500
SUBTOTAL	\$ 600,335	\$ 656,658	\$ 620,289	\$ 623,734
UTILITY SUPPORT TO GF	\$ 1,348,516	\$ 1,128,760	\$ 1,364,054	\$ 1,375,749
UTILITY FUND SUBTOTAL	\$ 3,347,138	\$ 3,282,600	\$ 3,369,600	\$ 3,369,600
TOTAL ALL EXPENDITURES	\$ 3,347,138	\$ 3,282,600	\$ 3,369,600	\$ 3,369,600
<u>ENDING FUND BALANCE</u>				
UTILITY FUND	\$ 1,834,240	\$ 1,834,240	\$ 1,757,240	\$ 1,635,240

ORDINANCE # 2012-07

AN ORDINANCE ADOPTING THE CITY BUDGET FOR FISCAL YEAR 2012-2013 AND MATTERS RELATING THERETO.

WHEREAS, the 2012-2013 budget has been presented and considered; and

WHEREAS, a public hearing on the budget has been properly advertised and conducted on June 26, 2012.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Walterboro, South Carolina, in Council assembled, as follows:

1. The 2012-2013 City Budget is hereby adopted in the amount of \$7,455,079 with revenues and expenditures as set out in the budget document dated June 5, 2012.
2. The property tax rate shall be set at seventy-nine point five (79.5) mills.
3. The local option sales tax credit factor shall be .001987 to provide the rollback required by State law.

This ordinance shall be effective July 1, 2012.

DONE, this 26th day of June, 2012.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
City Clerk

First Reading: June 12, 2012
Public Hearing: June 26, 2012
Second Reading: _____

**CITY OF WALTERBORO
FY 2011-2012 BUDGET
SUMMARY SHEET BY CATEGORY**

6/5/2012

LINE ITEM	APPROVED FY 2011- 2012 BUDGET AS AMENDED	FY 2012-2013 DEPARTMENT REQUEST	FY2012-2013 MANAGER'S RECOMMENDATION	FY 2012-2013 COUNCIL APPROVED
<u>REVENUE</u>				
GENERAL FUND	7,387,710	6,538,760	7,359,797	7,189,609
<u>EXPENDITURES</u>				
CITY COUNCIL				
PERSONNEL	\$ 119,392	\$ 137,621	\$ 130,821	\$ 137,621
OPERATING	\$ 147,200	\$ 138,500	\$ 116,000	\$ 116,000
CAPITAL	\$ -	\$ -	\$ -	\$ -
SUBTOTAL	\$ 266,592	\$ 276,121	\$ 246,821	\$ 253,621
CITY MANAGER				
PERSONNEL	\$ 165,697	\$ 178,769	\$ 173,667	\$ 175,367
OPERATING	\$ 22,100	\$ 20,400	\$ 15,500	\$ 15,500
CAPITAL	\$ -	\$ -	\$ -	\$ -
SUBTOTAL	\$ 187,797	\$ 199,169	\$ 189,167	\$ 190,867
FINANCE				
PERSONNEL	\$ 286,301	\$ 297,106	\$ 290,401	\$ 294,651
OPERATING	\$ 113,709	\$ 151,785	\$ 146,562	\$ 144,562
CAPITAL	\$ -	\$ 51,123	\$ -	\$ -
SUBTOTAL	\$ 400,010	\$ 500,014	\$ 436,963	\$ 439,213
PUBLIC WORKS				
PERSONNEL	\$ 587,886	\$ 624,132	\$ 602,161	\$ 614,911
OPERATING	\$ 596,877	\$ 621,874	\$ 555,017	\$ 555,776
CAPITAL	\$ 191,043	\$ 41,750	\$ 41,750	\$ 41,750
SUBTOTAL	\$ 1,375,806	\$ 1,287,756	\$ 1,198,928	\$ 1,212,437
PLANNING & CODES				
PERSONNEL	\$ 206,728	\$ 220,840	\$ 214,718	\$ 218,118
OPERATING	\$ 37,724	\$ 37,204	\$ 33,838	\$ 33,838
CAPITAL	\$ 17,000	\$ -	\$ -	\$ -
SUBTOTAL	\$ 261,452	\$ 258,044	\$ 248,556	\$ 251,956
JUDICIAL				
PERSONNEL	\$ 123,103	\$ 130,478	\$ 124,737	\$ 127,287
OPERATING	\$ 41,916	\$ 40,846	\$ 38,916	\$ 38,916
CAPITAL	\$ -	\$ 38,000	\$ -	\$ -
SUBTOTAL	\$ 165,019	\$ 209,324	\$ 163,653	\$ 166,203
PUBLIC SAFETY				
PERSONNEL	\$ 2,380,003	\$ 2,471,535	\$ 2,672,817	\$ 2,491,192
OPERATING	\$ 482,649	\$ 554,896	\$ 555,626	\$ 560,326
CAPITAL	\$ 102,500	\$ 736,864	\$ 245,720	\$ 245,720
SUBTOTAL	\$ 2,965,152	\$ 3,763,295	\$ 3,474,163	\$ 3,297,238

**CITY OF WALTERBORO
FY 2011-2012 BUDGET
SUMMARY SHEET BY CATEGORY**

6/5/2012

LINE ITEM	APPROVED FY 2011- 2012 BUDGET AS AMENDED	FY 2012-2013 DEPARTMENT REQUEST	FY2012-2013 MANAGER'S RECOMMENDATION	FY 2012-2013 COUNCIL APPROVED
SANITATION				
PERSONNEL	\$ 231,036	\$ 236,098	\$ 229,282	\$ 233,532
OPERATING	\$ 287,434	\$ 292,949	\$ 294,269	\$ 295,411
CAPITAL	\$ 183,500	\$ -	\$ -	\$ -
SUBTOTAL	\$ 701,970	\$ 529,047	\$ 523,551	\$ 528,943
PARKS				
PERSONNEL	\$ 312,986	\$ 328,417	\$ 315,763	\$ 324,263
OPERATING	\$ 137,657	\$ 150,265	\$ 89,316	\$ 89,891
CAPITAL	\$ 33,586	\$ 39,439	\$ 6,200	\$ 6,200
SUBTOTAL	\$ 484,229	\$ 518,121	\$ 411,279	\$ 420,354
NON DEPARTMENTAL	\$ 189,900	\$ 191,800	\$ 186,700	\$ 191,700
RESERVE ACCOUNTS	\$ 249,000	\$ 345,000	\$ 425,000	\$ 364,805
TOURISM				
PERSONNEL	\$ 99,883	\$ 102,716	\$ 100,992	\$ 101,842
OPERATING	\$ 40,900	\$ 47,000	\$ 35,900	\$ 35,900
SUBTOTAL	\$ 140,783	\$ 149,716	\$ 136,892	\$ 137,742
TOTAL ALL EXPENDITURES	\$ 7,387,710	\$ 8,227,407	\$ 7,641,673	\$ 7,455,079
EQUIPMENT REPLACE FUND	\$ -	\$ -	\$ 281,876	\$ 265,470
BALANCE	\$ -	\$ (1,688,647)	\$ -	\$ -

ORDINANCE NO. 2012-08

AN ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR FINANCE DEPARTMENT, ZONING AND CODE SERVICES AND SANITATION DEPARTMENT.

WHEREAS, the City of Walterboro from time to time must review its fees and charges and make adjustments as necessary; and

WHEREAS, the need to maintain a comprehensive fee schedule for all City of Walterboro fees is necessary; and

WHEREAS, the fees recommended by the Mayor and Walterboro City Council are as follows:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Walterboro, the following fees are amended or adopted:

FINANCE DEPARTMENT FEES:

Sexually Oriented	\$850	in addition to business
Business Annual Permit		license and any other
Fee		applicable fees or permits

ZONING CODE SERVICES AND FEES:

Tree Mitigation	\$50	per inch of required
		mitigation

SANITATION DEPARTMENT FEES:

GARBAGE

Residential Rate	\$23.00
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This Ordinance shall become effective July 1, 2012.

DONE, this 26th day of June, 2012.

William T Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
Municipal Clerk

First Reading: June 12, 2012
Public Hearing: June 26, 2012
Second Reading: _____

MEMO

TO: Jeff Lord
FROM: **Hank Amundson, Economic Development Commission**
RE: Recommendation to City Council
DATE: May 29, 2012



In a special called meeting of the Economic Development Commission, held on May 3, 2012, the Commission voted 4-1 in favor of a motion made by Henry Hiott and seconded by Nicole Holmes asking that City Council take the necessary action in order to place a referendum vote approving or disapproving of the on-premise sales of alcohol on Sundays within the City limits of the City of Walterboro South Carolina, on the General Election Ballot for November 2012 as set forth in SC Code of Laws 61-6-2010. This requires no position to be taken by Council, it is simply a response to the requests and complaints of businesses and citizens to be put to a vote of the citizens.

Details discussed:

- This is for holders of liquor by the drink licenses only, also known as on-premise, locations.
- This is not a free pass to sell alcohol on Sundays, but gives individual businesses the option of purchasing: individual Sunday licenses for \$200, an annual license for \$3000, or not selling alcohol on Sundays and therefore not purchasing a permit at all.
- It was discussed that other stops on I-95 do have the ability to sell alcohol on Sundays and this negatively affects our businesses as many customers, upon discovering our Sunday alcohol restriction, choose to get back in their car and drive to the next stop where they can enjoy an alcoholic beverage with their meal or while watching the sporting event of their liking.

After more research and discussion with the SC Municipal Association, SC Dept. of Revenue, and the SC Hospitality Association, There are three options before Council if they should chose to act on this matter.

They are:

1. Draft an ordinance placing a referendum on the ballot to allow the Department of Revenue to sell Local Option Permits authorizing the possession, sale and consumption of liquor by the drink (beer, wine and liquor poured in a bar, restaurant or other establishments/events permitted by SCDOR) for on-site consumption on Sundays, either by individual Sunday license or annual license.

2. Draft an ordinance placing a referendum on the ballot to allow the Department of Revenue to sell a Local Option Permit authorizing, after license approval, the possession, sale and consumption of liquor by the drink **AND** to allow the sale of beer and wine at permitted off-premise locations (retail establishments authorized to sell carry-out beer and wine)
3. Take no action

Economic Development Impact Analysis

Businesses presently eligible to purchase Local Option Permits	-	11
Businesses eligible to purchase 7-Day Beer/Wine License	-	34
(All grocery stores and gas stations that currently sell beer/wine)		
Local Option Permits - \$200/Sunday or \$3000/Annually		
7-Day Beer/Wine License - \$2200/Bi-Annually		

These directly affected businesses will undoubtedly increase revenues; however spin-off benefits are realized by other business entities. These businesses include all hotels, and non-alcohol serving restaurants (breakfast and fast food). Additionally, if more people are stopping, eating, and staying in Walterboro, ancillary businesses such as those in retail and tourism benefit as the captive market to draw from is larger. Finally, the intangible, long-term benefits include (1) new business attraction, and (2) existing business growth. I further explain below:

- (1) It is difficult to attract restaurants to the exits when they know they will miss out on approximately \$55,000 in Sunday alcohol sales. They also know that this number is made larger because when a customer stops and finds there to be no availability to have an adult beverage with their meal, they are never returning to that location. This is demonstrated by direct customer comments.
- (2) If, for example, a downtown restaurant is open on Sundays, servicing the increased hotel stay market and local customers enjoying a Sunday afternoon, then other businesses may open and new businesses may locate as this creates a new market and adds another day of revenue generation to their week.

Attachments: Letters of support from local businesses.

- SC Municipal Association summary of the issue.
- List of Counties and Cities Currently Permitting Sunday Sales
- Copy of SC Code Section 61-6-2010

SC Municipal Association Summary of Temporary Permits for Sunday Alcohol Sales

The sale of alcoholic beverages on Sundays is generally prohibited in the State of South Carolina except as provide in Section 61-6-2010 of the South Carolina Code of Laws 1976 as amended, <http://www.scstatehouse.gov/code/t61c006.php>.

- This code section as currently written only allows the sale of alcoholic beverages on Sundays by temporary permit, referred to as a Local Option Permit (LOP).
- For SCDOR to be authorized to issue a LOP the municipality must conduct a referendum.
- To schedule a referendum one of two methods must be used:
 - A petition signed by a least ten percent of the registered electors in the municipality, not to exceed 7,500 qualified electors, must be received by the election commission having jurisdiction in municipality at least ~~120 days in advance of the next general election~~. The election commission must certify the names on the petition within 60 days of receipt or
 - Pursuant to an alternative method, a municipal council may call for the referendum by adoption of an ordinance. The ordinance must be passed at least 60 days in advance of the next general election date. A copy of the ordinance must also be provided to the election commission having jurisdiction in municipality at least 60 days in advance of the next general election.
- Referendums may only be held during general elections.
- Section 61-6-2010 provides for three options regarding the types of alcoholic beverages that are authorized for sale by the temporary permits. The referendum ballot question must specify the option being presented to the electors for approval. The options are as follow:
 - Possession, sale and consumption of liquor by the drink (beer, wine and liquor poured in a bar, restaurant or other establishments/events permitted by SCDOR for on site consumption.
 - Possession, sale and consumption of liquor by the drink and to allow the sale of beer and wine at permitted off-premise locations (retail establishments authorized to sell carry-out beer and wine)
 - In the case of municipalities that had previously approved the possession, sale and consumption of liquor by the drink, to allow the sale of beer and wine at permitted off-premise locations.

http://www.sctax.org/NR/rdonlyres/0D8426A6-B435-4811-9877-C0323F682736/0/LOP_weekly.pdf

http://www.sctax.org/NR/rdonlyres/04797623-65D0-438A-9EDB-09ABB5749FCB/0/LOP_annual.pdf

<http://www.sctax.org/Tax+Information/abl/Jurisdictions+with+Local+Option+Permit.htm>

JURISDICTIONS WITH LOCAL OPTION FOR SUNDAY BEER, WINE and ALCOHOLIC BEVERAGE SALES

COUNTIES:	LOP	7-Day Beer & Wine
Beaufort	YES	YES
Berkeley	YES	YES
Charleston	YES	YES
Georgetown	YES	YES
Horry	YES	YES
Lexington	YES	NO
Richland	YES	YES*
York	YES	NO
CITIES:	LOP	7-Day Beer & Wine
Aiken	YES	YES
Anderson	YES	NO
Bluffton	YES	YES
Blythewood	YES	YES
Camden	YES	YES
Columbia (Lexington Cty.)	YES	YES
Columbia (Richland Cty.)	YES	YES
Daniel Island	YES	YES
Edisto Beach	YES	YES
Elgin	YES	YES
Florence	YES	NO
Forest Acres	YES	YES
Goose Creek	YES	YES
Greenville	YES	YES
Greer	YES	NO
Hanahan	YES	YES
Hardeeville	YES	NO
Hilton Head	YES	YES
Irmo	YES	YES
Landrum	YES	NO
Lexington	YES	YES
Mauldin	YES	YES
Moncks Corner	YES	YES
North Charleston (Charleston Cty.)	YES	YES
North Charleston (Berkeley Cty.)	YES	YES
North Charleston (Dorchester Cty.)	YES	YES
Port Royal	YES	YES
Rock Hill	YES	NO
Santee	YES	NO
Simpsonville	YES	YES
Spartanburg	YES	NO
Summerville (Charleston Cty.)	YES	YES
Summerville (Berkeley Cty.)	YES	YES
Summerville (Dorchester Cty.)	YES	YES
Tega Cay	YES	YES
Yemassee	YES	YES

City/County = Jurisdictions our businesses compete with for customers and in this market.

SECTION 61-6-2010. Temporary permits upon referendum vote.

(A) In addition to the provisions of Section 61-6-2000, the department may issue a temporary permit to allow the possession, sale, and consumption of alcoholic liquors by the drink. This permit is valid for a period not to exceed twenty-four hours and may be issued only to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed for sales. The department shall charge a nonrefundable filing fee of one hundred dollars for processing each application and a daily permit fee of fifty dollars for each day for which a permit is approved. An application must be filed for each permit requested. The department must also offer the option of an annual fifty-two week temporary permit for a nonrefundable fee of three thousand dollars per year. However, the optional fifty-two week permit must not extend beyond the expiration date of the biennial license issued pursuant to this chapter. If the expiration date is less than fifty-two weeks from the date of the application for the optional fifty-two week permit, the department must prorate the three thousand dollar fee on a monthly basis. The department in its sole discretion shall specify the terms and conditions of the permit.

(B)(1) The filing and permit fees must be distributed by the State Treasurer to the municipality or county in which the retailer who paid the fee is located. The revenue may be used only by the municipality or county for the following purposes:

(a) capital improvements to tourism-related buildings including, but not limited to, civic centers, convention centers, coliseums, aquariums, stadiums, marinas, parks, and recreational facilities;

(b) purchase or renovation of buildings which are historic properties as defined in Section 60-12-10(4) and (5);

(c) festivals that have a demonstrable and significant impact on tourism;

(d) local youth mentor programs to serve juvenile offenders under the jurisdiction of the family court;

(e) contributions to matching funds necessary for a local government or entity to receive funding from the Legacy Trust Fund pursuant to Chapter 22, Title 51;

(f) contributions to a redevelopment authority pursuant to Chapter 12, Title 31;

(g) acquiring fee and less than fee interest in land while it is still available to be held in perpetuity as wildlife preserves or believed to be needed by the public in the future for active and passive recreation uses and scenic easements, to include the following types of land: ocean, harbor, and pond frontage in the form of beaches, dunes, and adjoining backlands; barrier beaches; fresh and saltwater marshes and adjoining uplands; land for bicycle paths; land protecting existing and future public water supply, well fields, highway buffering and aquifer recharge areas; land for wildlife preserves; and land for future public recreational facilities;

(h) nourishment, renourishment (resanding), and maintenance of beaches;

(i) dune restoration, including the planting of grass, sea oats, or other vegetation useful in preserving the dune system;

(j) maintenance of public beach access;

(k) capital improvements to the beaches and beach-related facilities, such as public parking areas for beach access; dune walkovers and restroom facilities, with or without changing rooms, at public beach parks; and

(l) construction and maintenance of drainage systems.

(2) The revenue may not be used for operating expenses of tourism-related buildings.

(C)(1) A permit authorized by this section may be issued only in those counties or municipalities where a majority of the qualified electors voting in a referendum vote in favor of the issuance of the permit. The county or municipal election commission, as the case may be, shall conduct a referendum upon petition of at least ten percent but not more than seven thousand five hundred qualified electors of the county or municipality, as the case may be. The petition form must be submitted to the election commission not less than one hundred twenty days before the date of the referendum. The names on the petition must be on the petition form provided to county election officials by the State Election Commission. The names on the petition must be certified by the election commission within sixty days after receiving the petition

form. The referendum must be conducted at the next general election. The election commission shall cause a notice to be published in a newspaper circulated in the county or municipality, as the case may be, at least seven days before the referendum. The state election laws shall apply to the referendum, mutatis mutandis. The election commission shall publish the results of the referendum and certify them to the South Carolina Department of Revenue. The question on the ballot shall be one of the following:

(a) "Shall the South Carolina Department of Revenue be authorized to issue temporary permits in this (county) (municipality) for a period not to exceed twenty-four hours to allow the possession, sale, and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed for consumption-on-premises sales?" or

(b) "Shall the South Carolina Department of Revenue be authorized to issue temporary permits in this (county) (municipality) for a period not to exceed twenty-four hours to allow the possession, sale, and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments authorized to be licensed for consumption-on-premises sales and to allow the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales?" or

(c) in case of a county or municipality where temporary permits are authorized to be issued pursuant to this section as of June 21, 1993, the question may be "Shall the Department of Revenue be authorized to issue temporary permits in this (county) (municipality) for a period not to exceed twenty-four hours to allow the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales?".

(2) A referendum for this purpose may not be held more often than once in forty-eight months.

(3) The expenses for a referendum for this purpose must be paid by the county or municipality conducting the referendum.

(4) In addition to the petition method of calling the referendum provided for in item (1) of this subsection, a county or municipal governing body by ordinance may also call the referendum. Upon receipt of a copy of the ordinance filed with the county or municipal election commission at least sixty days before the date of the next general election, the commission shall conduct the referendum in the manner provided in this section at that general election. The provisions of this item are in addition to the authority of a municipal governing body to call for a referendum under the circumstances enumerated in subsection (D).

(D)(1) The municipal governing body may order a referendum on the question of the issuance of temporary permits to allow the possession, sale, and consumption of alcoholic liquors by the drink in the following circumstances:

(a) parts of the municipality are located in more than one county;

(b) as a result of a favorable vote in a county referendum held pursuant to this section, permits may be issued in only the parts of the municipality located in that county; and

(c) the proposed referendum would authorize issuance of permits in the remaining parts of the municipality.

(2) The method of ordering a referendum provided in this subsection is in addition to the petition method provided in subsection (C). An unfavorable vote in a municipal referendum does not affect the authority to issue these permits in the part of the municipality located in a county where these permits may be issued.

(3) Upon receipt of a copy of the ordinance filed with the municipal election commission at least sixty days before the date of the general election, the commission must conduct the referendum at the time of the general election and publish and certify its results in the same manner as provided in subsection (C). Subsection (C)(2) does not apply to this referendum.

(E) Temporary permits for the sale of beer and wine for off-premises consumption authorized to be issued in a county or municipality pursuant to the referendum provided for at that time may continue to be issued or reissued without the requirement of a further referendum.

(F) Temporary permits issued by the Department of Revenue pursuant to this section may be issued in all parts of a municipality if any part of the municipality is located in a county where the issuance of these permits is allowed.

(G) A business establishment located within a building on the grounds of an international airport in this State where the possession, sale, and consumption of alcoholic liquors by the drink is permitted on its licensed premises may apply for and receive a temporary permit authorized by this section, notwithstanding any other requirements of this section to the contrary, to allow the possession, sale, and consumption of alcoholic liquors by the drink for a period not to exceed twenty-four hours on its licensed premises if any county within the territory of the airport district which operates the international airport or any municipality located within the territory of the district has approved, by referendum, the issuance of these temporary permits.

HISTORY: 1996 Act No. 415, Section 1; 1996 Act No. 462, Section 24B; 1997 Act No. 155, Part II, Section 45A; 2000 Act No. 391, Section 1; 2002 Act No. 353, Section 1; 2003 Act No. 70, Sections 15, 16; 2005 Act No. 139, Section 19; 2006 Act No. 259, Section 1; 2006 Act No. 386, Section 56; 2008 Act No. 353, Section 2, Pt 21E.1, eff July 1, 2008; 2011 Act No. 67, Section 4, eff June 17, 2011.

Holiday Inn Express & Suites
1834 Sniders Highway
Walterboro, SC 29488
t: 843.538.2700
f: 843.538.6807
1.800.HOLIDAY
hiexpress.com/walterboro



WALTERBORO

May 17, 2012

To: Hank Amundson

Dear Mr. Amundson:

This letter is to follow up our conversation regarding Sunday alcohol sales.

We are routinely losing customers due to Walterboro not having Sunday alcohol sales. Our guests have no problem driving to the next county, in either direction, in order to find a location that allows this.

Passing this law would greatly improve both our business and our customer satisfaction.

Regards,

A handwritten signature in black ink, appearing to read 'Mitra Solomon', with a long horizontal flourish extending to the right.

Mitra Solomon

General Manager

Holiday Inn Express Walterboro

May 11,2012

Walker Purcell
Ruby Tuesday General Manager
1480 Sniders Highway
Walterboro SC 29488

City of Walterboro
242 Hampton Street
Walterboro SC 29488

To Whom It May Concern:

Allowing restaurants to sell alcohol in the City of Walterboro would greatly increase the number of visitors dining in our local area. We lose roughly 20 to 30 guests every Sunday due to the fact that we cannot sell alcohol. On the way out the door they also state that they will never stop in this town again. I also know many people leave Walterboro and stay elsewhere because we cannot sell alcohol on Sundays. Allowing us to sell alcohol on Sundays would give us the opportunity to drive higher sales and to employ many more local people. Thank you for reading and your concern for our local economy. I hope you will listen and help us out.

Sincerely,



Walker Purcell
General Manager
Ruby Tuesday



May 7, 2012

Hank Amundson
City of Walterboro
242 Hampton Street
Walterboro, SC 29488

Dear Hank,

I wanted to follow up on our conversation regarding the challenges the hotel encounters on Sundays. We lose an incredible amount of business due to the fact the many of our Guests would like to dine out in Walterboro, watch a sporting event and have an alcoholic beverage. Many of our Guests will cancel and/or check-out after they have realized they are unable.

Thank you for taking time out of your day to discuss these matters with me.

Regards,

A handwritten signature in black ink that reads "Linda Kelly". The signature is fluid and cursive, with the first name "Linda" being more prominent than the last name "Kelly".

Linda Kelly
General Manager
Microtel Inn & Suites by Wyndham
130 Cane Branch Road
Walterboro, SC 29488
(843) 539-5656

To: Hank Amundson

From: Derek Rush

Date: May 17, 2012

Reference: Sunday Alcohol Sales

As owner of Main Street Grille in downtown Walterboro, I believe that the ability to sell alcoholic beverages on Sunday would be very beneficial to me as well as other businesses throughout the city of Walterboro. I am in full support of the proposal to have the option of selling alcohol on Sundays. In my opinion this would benefit not only my business, but the City of Walterboro as well.

With regards,

Derek Rush

FISHBURNE & COMPANY DEVELOPMENT

Investment Real Estate

WALTERBORO, S.C. 29488-0001

May 17, 2012

Land
Timber
Management

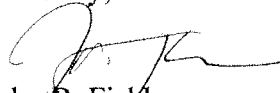
Post Office Box 80
Telephone (843) 549-1581
(843) 549-1582
Fax (843) 549-5295

Hank Amundson
City of Walterboro
Economic Development
Walterboro, SC 29488

Dear Hank,

Pursuant to our conversation regarding the sale of alcohol on Sunday, there is no question that if sales were permitted, there would be a very large increase in revenue to restaurants and an increase in room revenue at Interstate motels.

Sincerely,



John B. Fishburne

JBf:fbg

From: ERVIN MATHIAS (emmathias@bellsouth.net)

To: hankamondson@walterborosc.org;

Date: Thu, May 17, 2012 12:40:45 PM

Cc:

Subject: Sunday Alcohol Sales

Hank Amundson
Economic Development Coordinator
City of Walterboro
242 Hampton Street
Walterboro, SC 29488

Mr. Amundson:

I would like to encourage the Walterboro City Council to allow the decision for Sunday Alcohol Sales to be put on the ballot for the citizens/voters to decide the fate of Sunday Alcohol Sales in Walterboro.

I feel that a positive decision allowing Sunday Alcohol Sales would be beneficial to the operation of Dogwood Hills Golf Club.

Thank you for your consideration.

Sincerely,
Ervin M Mathias
General Manager
Dogwood Hills Golf Club

