

Telephone: 843-549-2545

Fax: 843-549-9795

USA Relay: 1-800-735-2905

City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

Mailing Address:

Post Office Box 709

Walterboro, South Carolina 29488-0008

Walterboro City Council
Regular Meeting
January 25, 2011
City Hall
6:15 P.M.

Revised
A G E N D A

I. Call to Order:

1. Invocation.
2. Pledge of Allegiance.

II. Public Input on Agenda Items:

III. Presentation:

1. 2009-2010 Audit Report - Baird & Company, CPAs, LLC. - Mr. Rep E. Whiddon.
2. SCE&G Coal Ash Landfill, Mr. Kevin Wicker.

IV. Approval of Minutes:

1. Minutes of the January 11, 2011 Regular Meeting (Minutes attached).

V. Old Business:

VI. New Business:

1. **Ordinance # 2011-01**, an Ordinance to Require All Advertising That Contains Images and/or Voices of People Positively Display Cultural and Racial Diversity, **First Reading** (Ordinance attached).
2. **Ordinance # 2011-02**, An Ordinance Amending Walterboro Code Section 2-23(a), to Clarify the Language of the Section, So As to Specify When the City Attorney Shall Draft Ordinances, **First Reading** (Ordinance attached).
3. **Resolution No. 2011-R-02**, A Resolution Opposing the Construction of a Coal Ash Landfill in Colleton County (Resolution attached).
4. Consideration of Proposals for North Lemacks Street Area Revitalization Plan (Memorandum and summary sheet attached).

VI. New Business (Cont):

5. Consideration of 2011 Rice Festival Requests, Jimmy Trippe, Colleton County Rice Festival (Letter attached).
 - a. Approval of Street Closing Request and Parade Permit Request (Copies attached).
6. Consideration of the Location of City Council Annual Retreat.

VII. Committee Reports:

VIII. Executive Session:

IX. ADJOURNMENT.

DRAFT

Walterboro City Council
Regular Meeting
January 11, 2011

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, January 11, 2011, at 6:15 P.M., with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Dwayne Buckner, Randy Peters, Charles Lucas, Ted Parker, and Franklin Smalls. City Manager Jeff Lord, City Clerk Betty Hudson, and City Attorney George Cone were also present. Council Member Tom Lohr was absent. There were approximately 21 persons present in the audience.

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

The Mayor announced that Council Member Lohr will be absent tonight. He is still recovering from some minor surgery.

There being no objection, the Mayor added the following items to the agenda:

- 1) Immediately following the Public Input on Agenda Items, **add:**
" III. Presentation on SCE&G Coal Ash Proposal - by Jim Addison.
- 2) **Under Executive Session, add item No. 1 entitled, "A Discussion of Matters Related to the Provision of Services."**

PUBLIC INPUT ON AGENDA ITEMS:

Ms. Marsha Johnson, a city resident, noted that Council has decided to use the same place for its annual retreat as used last year. She said, I find it interesting that we did not have any money in the budget for that program these children are coming in for, and you voted on it the last time. I am concerned about the fact that you are going to spend money in a privileged manner instead of doing programs like that. I am wondering at what point, especially this year when you have to pay \$200,000 out of the contingent fund to balance the budget, when are we going to stop these privileged spending?

PUBLIC HEARING - It was noted on the agenda that the public hearing for Ordinance # 2010-13 was cancelled. This ordinance was dropped at the request of the prospective property purchaser.

PRESENTATION:

Mr. Jim Addison appeared before Council to speak against the proposal being submitted by SCE&G to have a coal ash dump site located between Pleasant Grove Rd. and Round O Rd. Mr. Addison said, tonight I will tell you why I believe this Council needs to look at the proposed SCE&G toxic ash landfill.

- 1) SCE& G's application says they will make this thing safe for a 25-year storm. We are overdue for a 50-year storm. There was Gracie and Hazel over 50 years ago. Safe for 25 years means it will be breached by 50 years. It's going to flow right into us.
- 2) The over-reaching concern beyond the safety issues, is the economic growth issue. When economic growth and property values are depressed out in that part of the county, it affects the City. The City is the economic hull of this county. When you have lower property values and no growth in that area, its going to mean depressed sales tax revenue for the City.
- 3) For the citizens, the quality of life is going to be affected.
- 4) All your economic activities will be affected. Your ability to attract tourism in the Great Swamp will be affected. Having a toxic waste dump near by is not going to be productive and conducive to that market for tourists.

DRAFT

Walterboro City Council
Regular Meeting
January 11, 2011

MINUTES/Page II

5) Eventually, the City is going to need to grow, and this is going to be one of the logical areas the County Land Use Plan projects will be a prime area to look for the City's growth. All that, will be called into question as to whether or not it is a toxic land or area.

Mr. Addison further stated, I believe the City needs to look at this, and we need to have a full and public debate on the issues, but we don't have time for that. Because if we make a mistake on January 27, at the County Zoning Board of Appeals, we can't correct that. Once that stuff goes into the landfill, mercury and arsenic don't go away. The only way they come out of there is if they leak into the ground. I think it was outrageous that the City was not consulted before this project was conceived and in the planning stages. I believe you desire to have some input for the benefit of not only the citizens of the City, but for citizens like me in unincorporated areas of Walterboro, who have always looked upon ourselves as being from Walterboro or part of Walterboro.

Council Member Lucas asked if there is a meeting scheduled on the 18th. Mr. Addison then announced that a meeting will be held on January 18th at St. Anthony's Church, at 6:15 P.M. There will not be a lot of long speeches. We will have discussions, questions and answers.

Council Member Buckner then asked Mr. Addison, in reaching your decision that this is a project that is not good for the county and city, did you determine if there were any benefits at all for a coal ash facility being put there? Are there any benefits at all that you saw in your research? Mr. Addison responded that time has been short and he has not fully educated himself, but I will say, I see the benefit to SCE&G because they will not have the same reporting requirements to EPA and the same restrictions that they would if we just wait and let the 10-year process that EPA has been undergoing with both parties. This is not a partisan issue and they are going to be issuing soon new regulations. The only benefit I can see for the county is that they will now be able to tax that thing as commercial. I believe that is very short-sighted. Of course, that is only for the county revenues, because you will be dealing with a minimum of 44,000 tons per year. That's just from Cannadys, that does include the count for the shipments out of state. Those roads will grumble with the heavy material. They will have to be upgraded. They will probably spend all that additional revenue on upgrading those roads. The short answer is "No", I don't see any benefit for the citizens at all.

Approval of the Minutes:

The Minutes of the November 23, 2010 Regular Meeting and the Minutes of the December 14, 2010 Regular Meeting were approved as submitted on the motion of Council Member Lucas, seconded by Council Member Smalls, and passed with all members present voting in favor. Council Member Lohr was absent and did not vote.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. **Resolution No., 2011-R-01 to Adopt the Municipal Association Legislative Agenda for 2011-2012**

A motion was made by Council Member Parker to adopt Resolution No. 2011-R-01 as submitted, seconded by Council Member Peters and passed with all members

DRAFT

Walterboro City Council
Regular Meeting
January 11, 2011

MINUTES/Page III

present voting in favor, except Council Member Lohr was absent and did not vote. A copy of said resolution is attached as part of these minutes.

2. **Acceptance of Grant Award from SC Coordinating Council for Economic Development in the Amount of \$71,000, and Approval of an Intergovernmental Agreement with the Department of Juvenile Justice to Develop and Carry Out Same**

Mayor Young stated that this is part of the public safety initiative grant that the city has been awarded. It's a means by which we provide Juvenile Justice with funding.

City Manager Lord stated, this is part of that program that the Governor announced. It is the community safety initiative involving the economic development. It is in combination with three parts, this is the Department of Juvenile Justice part. It is for equipment to be used by the police department through SLED and it is also the Building Renaissance and the Neighborhood Revitalization portion. The way that this has been packaged is that the Coordinating Council is providing the match funds. So, these are no match grants for the city to do these things. The match funds are sent to the city as a through grant to the Department of Juvenile Justice. This is to expand a current program they have already when they bring youth in and help them with job skills, and this is to add 60 students to their capacity.

The Mayor then asked for a motion to accept the grant award from the South Carolina Coordinating Council in the amount of \$71,000. A motion to accept the grant award as stated was made by Council Member Lucas and seconded by Council Member Peters. The motion passed with all members present voting in favor, except Council Member Lohr was absent and did not vote.

3. **Next, City Manager Jeff Lord made the following announcement regarding Council's Annual Retreat:**

"Walterboro City Council will conduct its 2011 City Council Planning Retreat beginning Friday, January 28, 2011 and running through Sunday morning, January 30, 2011 to be held at the Wild Dunes Conference Center, Island of Palms, SC. No formal action will be taken on any items at this retreat. Any action items will be brought back to a regular Council meeting for Council's consideration".

4. **Appeal Regarding the Restrictions on the Activities of Peddlers and Transient Merchants and Business License Requirements, Mr. Sonny Heart**

Since Mr. Heart was not present, this agenda item was dropped.

COMMITTEE REPORTS:

There were no Committee Reports given.

The Mayor then entertained a motion to enter an Executive Session. Council Member Parker moved to approve said motion, and a second was received from Council Member Smalls. The motion passed unanimously, except Council Member Lohr was absent and did not vote. The Mayor announced that the meeting will convene into an Executive Session for a discussion of matters relating to the provision of services. The meeting then convened into an Executive Session.

DRAFT

Walterboro City Council
Regular Meeting
January 11, 2011

MINUTES/Page IV

The meeting returned to Open Session and there being no further business to consider, a motion was made by Council Member Parker to adjourn. Council Member Smalls seconded the motion that passed with all members voting in favor, except Council Member Lohr was absent and did not vote. The Mayor adjourned the meeting at 6:58 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 NO. 2011-01

AN ORDINANCE TO REQUIRE ALL ADVERTISING THAT CONTAINS IMAGES AND/OR VOICES OF PEOPLE POSITIVELY DISPLAY CULTURAL AND RACIAL DIVERSITY.

WHEREAS, there should be an advertising and marketing policy for the City of Walterboro that will ensure that all cultures and races are positively represented in advertising done by the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WALTERBORO, IN COUNCIL ASSEMBLED, AS FOLLOWS:

The City of Walterboro shall positively display cultural and racial diversity in all advertisements or marketing materials that contain images and/or voices of people.

ADOPTED, THIS _____ DAY OF _____, 2011.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
City Clerk

ORDINANCE # 2011-02

**AN ORDINANCE AMENDING WALTERBORO CODE SECTION 2-23(a),
TO CLARIFY THE LANGUAGE OF THE SECTION, SO AS TO SPECIFY
WHEN THE CITY ATTORNEY SHALL DRAFT ORDINANCES.**

WHEREAS, the City Attorney has as one of his duties drafting ordinances and as set out in Walterboro City Code Section 2-23(a); and

WHEREAS, the City Council of the City of Walterboro wishes to clarify when the city attorney shall render aid in the drafting of ordinances, to avoid duplication of effort and unnecessary expense being incurred by the City by having ordinances drafted before City Council has some initial input;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WALTERBORO, IN COUNCIL ASSEMBLED, AS FOLLOWS:

Walterboro City Code Section 2-23(a) is amended as follows:

by adding after last word of the second sentence thereof the words "by City Council at any duly called City Council meeting";

and

by adding after the last word of the third sentence thereof the words "at the request of City Council at any duly called City Council meeting",

so that the Section after amendment will read as follows:

- (a) The Mayor or any Councilmember may propose an ordinance. A proposed ordinance may be referred to the City Attorney for approval as to its legality and form by City Council at any duly called City Council meeting. The City Attorney shall render assistance in the preparation of ordinances at the request of City Council at any duly called City Council meeting.

ADOPTED, THIS _____ DAY OF _____, 2011.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
City Clerk

RESOLUTION NO. 2011-R-02

**by
Walterboro City Council**

**A Resolution Opposing the Construction of a
Coal Ash Landfill in Colleton County**

WHEREAS, South Carolina Electric and Gas Company has applied for a permit to construct a coal ash landfill in Colleton County in the Pleasant Grove area; and,

WHEREAS, Coal ash is known to contain, lead, arsenic, mercury, and numerous other elements which are harmful to humans, wildlife, and the environment; and,

WHEREAS, Young children are at a much higher risk to the effects of coal ash in our environment; and,

WHEREAS, The spreading of coal ash from trucks going to and from the dump along roads and highways in Colleton County; and,

WHEREAS, The excessive wear on our roads by the numerous heavily loaded trucks with coal ash each day; and,

WHEREAS, The potential to contaminate well water near the coal ash landfill site, and;

WHEREAS, The potential to affect land values near the site and throughout the county; and,

WHEREAS, The potential for elements of coal ash to enter into and contaminate the rivers and aquatic life of the ACE Basin and beyond, and,

WHEREAS, DHEC has not yet determined if coal ash is classified as a hazardous waste product, and

WHEREAS, The placement of a coal ash landfill in Colleton County would be detrimental to the economic growth and to tourism in Walterboro and Colleton County.

BE IT, THEREFORE, RESOLVED, that the Walterboro City Council, In Council Assembled, does hereby oppose granting the approval and construction of a coal ash landfill in Colleton County.

DONE, this _____ day of January, 2010.

William T. Young, Jr.
Mayor

Attest:

Betty J. Hudson
City Clerk

Telephone: 843-549-2545

Fax: 843-549-9795

TDD Relay: 1-800-735-2905

City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

Mailing Address:

Post Office Box 709

Walterboro, South Carolina 29488-0008

To: Mayor and Council

From: Jeffrey, V. Lord, City Manager *JVL*

Date: 1/21/2011

Re: North Lemacks Street Area Revitalization Plan Proposals

On January 10, 2011, the City received proposals from planning firms to prepare a revitalization plane for the North Lemacks Area.

Five proposals were received and each of these proposals were scored by Charlie Chewning, David Dodd, and myself. The firms were:

Wood+Partners of Hilton Head, SC

Urbanomics, Inc. of Ponte Vedra Beach, FL

Urban Edge Studio of Mount Pleasant, SC

DesignWorks, LC of Charleston, SC

Benchmark CMR, Inc. of Kannapolis, NC

The review committee then met on January 18, 2011 to compile our result (attached) an as a result recommend that Council engage Wood+Partners, Inc for this study.

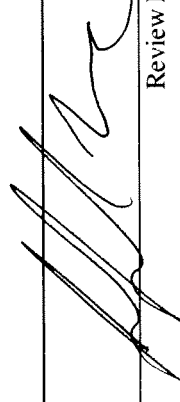
They not only received the highest overall score but their proposed fee of \$20,000 is well within the \$25,000 grant that the City received for this project.

PROJECT PROPOSAL SUMMARY

(To summarize the results of the Review Committee's Selection for RFP/RFQ)

ULG/OWNER: City of Waterboro Project Name & Number: Lemacks St. Revitalization Project CDBG #: 4-V-10-012

EXAMPLES OF EVALUATION CRITERIA (For additional criteria add sheets)	RANKING RANGE	RANKING FIRMS (From the Evaluation Form)									
		A	B	C	D	E	F	G	H	I	J
a) Overall experience of the firm	1-20	54	54	50	51	35					
b) Project Team	1-15	37	41	37	40	28					
c) Familiarity with the City and project area	1-15	44	40	15	22	4					
d) Project Approach and Schedule	1-20	49	53	52	47	47					
e) Qualifications demonstrated by past projects	1-20	49	51	51	51	37					
f) Cost of Services (Fee Proposal)	1-10	28	20	19	4	B					
g) Other:	1-10	261	259	224	217	164					
TOTAL		1	2	3	4	5					
RANKING OF FIRMS (1, 2, 3, 4,.....)											
NOTES:		FIRM NAMES:									
		A Wood & Partners									
		B Benchmark CMAA									
		C Design Works									
		D Urban Edge Studio									
		E UrbanScape									
		F									
		G									
		H									
		I									
		J									

 Jeffrey V. Card 1/18/11
 Review Panel Chair: Signature & Print Name DATE



Colleton County Rice Festival

200 East Washington Street • Walterboro, South Carolina 29488
(843) 549-1079 • Fax (843) 549-5232

January 6, 2011

City of Walterboro
Mayor and City Council
P. O. Box 709
Walterboro, S. C. 29488

Dear City Officials:

We are preparing for the 2011 Colleton County Rice Festival: a Celebration of History and Art, and request to be put on the **City Council agenda for Tuesday, January 25, 2011**. We wish to inform you of the proposed activities for **April 29-30, 2011** and would also like to request endorsement of the 2011 Rice Festival; as well as approval of the following:

1. The waiving of business license requirements for all festival sanctioned activities.
2. We ask that you please have the streets cleaned Monday evening April 25 for the Taste of Walterboro, which will be held at the Waterfall on Tuesday evening the 26th.
3. We request the closing of E. Washington from Lucas Street to Walter Street on **Tuesday, April 26th from 4 – 10 P.M. for the Taste of Walterboro that is being held at the waterfall.** We request the blocking of all parking spaces in **front of the waterfall from 3 P.M. until 10 P.M.** We also request the blocking of all parking spaces opposite the waterfall from **3 P.M. until 10 P.M.**
4. The closing of **Hampton Street** from Jefferies Boulevard to Memorial Avenue intersection. Also, we request the closing of Walter Street and Lucas Street from Lucas Alley to Hampton Street. These streets should be closed on Thursday evening until 9:30 A.M. Sunday.
We ask that you close Washington Street from Dowling Avenue, stopping at Ivanhoe Rd, close Ireland Hills Drive from the corner of Ireland Hills Dr. and Dowling Avenue to Washington St. from 2:00 p.m. Friday night until 10:00 p.m. Friday night for the fireworks.
In addition, we ask that you close Washington Street from Jefferies Boulevard down Hargo Hill, stopping at Dowling Avenue, from Friday night after the fireworks until Saturday 10:00 a.m. for the Rice Run.
5. We request that you give the Rice Festival exclusive rights to control events related to all Festival activities.
6. We request the closing of **E. Washington Street at 7:45-8 A.M. Saturday, April 30th** from Memorial to Jefferies Blvd. **The Rice Run** will originate at the City Parking lot due to the location of the festival and vendors.
7. We ask that no dogs be allowed on the streets during the Festival. The only exception being the dogs that are participating in the Dog Show at the Museum.

8. We request the use of the lawn of the water department to display the winners of the art contest.

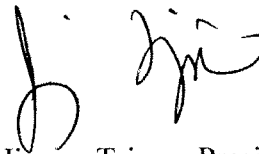
The 36th annual Colleton County Rice Festival features all proposed activities in the Rice Festival brochure. This brochure will be distributed throughout the state to promote our City, County, and Festival.

As always, the Rice Festival involves many Walterboro City residents in the planning of events in order to make the celebration safe and fun filled for the entire family. With this in mind, we would like to present this letter to Council in order to obtain the necessary waivers, permits, street closures, etc., needed to make a successful weekend for the community.

As in the past, we look forward to the city's gracious and generous cooperation.

Sincerely,

Colleton County Rice Festival

A handwritten signature in black ink, appearing to read 'J. Trippe', written in a cursive style.

Jimmy Trippe, President

cc:

Mayor Bill Young
Dwayne Buckner
Charles Lucas
Ted Parker
Franklin Smalls
Randy Peters
Tom Lohr



Colleton County Rice Festival

200 East Washington Street • Walterboro, South Carolina 29488
(843) 549-1079 • Fax (843) 549-5232

January 6, 2011

City of Walterboro
Mayor and City Council
P.O. Box 709
Walterboro, SC 29488

RE: Street Closing for Rice Festival Parade
Saturday, April 30, 2011

Dear City Officials:

The Colleton County Rice Festival Board wishes to request that the city close certain streets for the 2011 Rice Festival Parade.

The parade is being held Saturday, April 30, 2011 at 11:00 a.m.. We ask that the streets be closed at 10 A.M. The parade route will be from Detreville Street on S. Jefferies Blvd. to Forest Hills Road on N. Jefferies Blvd. with a left turn to Ivanhoe Shopping Center.

Thank you very much for your generous cooperation.

Sincerely,

Jimmy Trippe, President

(PLEASE PRINT INFORMATION REQUESTED)

Application Date: 1-10-10

1. Person submitting application: Alicia Biering
Address: 200 E. Washington St.
Telephone: 843.549.1079
2. Name of Organization: Colleton County Rice Festival
Chairperson/President: Jimmy Trippe
Address: 445 Chamblee Rd.
Telephone: 843.538.7200
3. Parade Chairman: Redell Sherrill
Address: 22 Sherrill Ln.
Telephone: 843.6634
4. Date/Time of Parade: April 30, 2011 11 AM
5. Parade Route requested (Attach Sketch) The parade will begin at Live Oak Cemetery on Jeffries Blvd - travel north on Jeffries - left at Forest Hills Rd and disperse at Ivanhoe Creek.
6. Number of Vehicles/Floats: 80 approx Number of Animals: 10 approx
7. Portion (width) of street parade will occupy: entire street
8. Additional Information (Upon Request): _____

Signature/Parade Chairman

Signature/Organization Chairperson

____ Approval

____ Disapproval

Otis L. Rhodes, Chief

Jeff Lord, City Manager

NOTE: >>> Call Police Dept. (549-1811) to confirm Parade/Procession Route three days prior to parade.