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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
April 26, 2011
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. Ordinance # 2011-05, An Ordinance Authorizing the Conveyance of a Twenty-One (21) Acres, More or Less, Tract of Land, to the County of Colleton, a Body Corporate and Politic.

IV. Old Business:

1. Ordinance # 2011-04, An Ordinance Allowing the City of Walterboro to Join the County of Colleton in Abolishing Walterboro-Colleton City-County Recreation Commission AKA the "Walterboro-colleton County Recreation Commission" AKA the "Walterboro-Colleton County Recreation and Parks Commission"; and Abolishing Said Commission, **Second Reading and Adoption** (Ordinance attached).
2. Ordinance # 2011-05, An Ordinance Authorizing the Conveyance of a Twenty-One (21) Acres, More or Less, Tract of Land, to the County of Colleton, a Body Corporate and Politic, **Second Reading and Adoption** (Ordinance attached).

V. New Business:

1. Street Closing Request and Use of Downtown Plaza for Annual Memorial Day Ceremony on May 30, 2011, by Veterans Council (Letter attached).
2. Consideration to have the City Manager Publish an Annual Public Safety Report.

VI. Committee Reports:

VII. Executive Session:

1. Discussion of negotiations incident to proposed contractual arrangements.

VIII. ADJOURNMENT.

ORDINANCE # 2011-04

AN ORDINANCE ALLOWING THE CITY OF WALTERBORO TO JOIN THE COUNTY OF COLLETON IN ABOLISHING WALTERBORO-COLLETON CITY-COUNTY RECREATION COMMISSION AKA THE "WALTERBORO-COLLETON COUNTY RECREATION COMMISSION" AKA THE "WALTERBORO-COLLETON COUNTY RECREATION AND PARKS COMMISSION"; AND ABOLISHING SAID COMMISSION

WHEREAS, The Walterboro-Colleton City-County Recreation Commission was established by the South Carolina legislature by Act 628 of 1973 as amended by Act 853 of 1973, which created the Walterboro-Colleton City-County Recreation District; and

WHEREAS, The Walterboro-Colleton City-County Recreation Commission was also known as and one and the same commission as the "Walterboro-Colleton County Recreation Commission" and was also known as and one and the same commission as the "Walterboro-Colleton County Recreation and Parks Commission"; and

WHEREAS, the County of Colleton has previously adopted Ordinance 09-0-15 to abolish The Walterboro-Colleton City-County Recreation Commission aka the "Walterboro-Colleton County Recreation Commission" aka the "Walterboro-Colleton County Recreation and Parks Commission" which was established by the above referenced local legislation; and

WHEREAS, the City of Walterboro now wishes to join with the County of Colleton in the exercise of the authority granted to municipal corporations and counties generally by the South Carolina Code of Laws, 1976 *as amended*, to abolish The Walterboro-Colleton City-County Recreation Commission aka the "Walterboro-Colleton County Recreation Commission" aka the "Walterboro-Colleton County Recreation and Parks Commission" which was established by the above referenced local legislation; and

WHEREAS, the intent of this ordinance is to fully exercise the authority of the County of Colleton and the City of Walterboro under the Constitution and laws of the State of South Carolina and to supersede any local and/or special legislation related to The Walterboro-Colleton City-County Recreation Commission, enacted prior to the adoption of the current versions of Article VIII, § 7 and Article VIII, § 8 of the South Carolina Constitution,

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

SECTION I

The City of Walterboro hereby joins with the County of Colleton in abolishing The Walterboro-Colleton City-County Recreation Commission aka the "Walterboro-Colleton County Recreation Commission" aka the "Walterboro-Colleton County Recreation and Parks Commission" which was established by the above referenced local legislation, and abolishes and declares abolished said Commission.

SECTION II

The title to all real estate or interests in real estate in the name of said Commission shall devolve jointly to the City of Walterboro and the County of Colleton, subject to Memorandum of Understanding, between the City of Walterboro and the County of Colleton, approved by Colleton County Council on August 4, 2009 and approved by Walterboro City Council on August 25, 2009.

ADOPTED, THIS 26th DAY OF April, 2011.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
City Clerk

First Reading: April 12, 2011
Second Reading: _____

ORDINANCE # 2011-05

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A
TWENTY-ONE (21) ACRES, MORE OR LESS, TRACT OF
LAND, TO THE COUNTY OF COLLETON, A BODY
CORPORATE AND POLITIC**

WHEREAS, the City of Walterboro entered into a Memorandum of Understanding, with the County of Colleton, approved by Colleton County Council on August 4, 2009 and approved by Walterboro City Council on August 25, 2009; and

WHEREAS, the terms of that Memorandum of Understanding provided, *inter alia*, :

"5. The City agrees to sell for one dollar (\$1.00) the interest in the following property which it currently owns, which are in the unincorporated areas of the County and which are currently used by the Walterboro Colleton County Recreation Commission:
The 21 Acre tract bearing TMS NO. 148-00-00-036.000";

and

WHEREAS, the County and City have agreed that the conveyance shall be subject to all obligations previously undertaken to the South Carolina Parks and Recreation Department under PARD Grants;

WHEREAS, the City of Walterboro wishes to fulfil its obligation under said agreement,

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

SECTION I

That the City of Walterboro convey to the County of Colleton, a body corporate and politic, for a consideration of the premises and One and no/100 Dollars (\$1.00) the following described property:

PROPERTY DESCRIPTION

ALL that certain piece, parcel or tract of land, situate, lying and being in Colleton County, South Carolina, formerly part of Walterboro Army Air Field, measuring and containing Twenty-One (21) acres, more or less, and being delineated on a plat thereof by W. Gene Whetsell,

Registered Land Surveyor, dated October 30, 1971 and being bounded as follows: On the Northwest by lands of Walterboro-Colleton County Airport Commission; On the Northeast by a road; On the East and Southeast by Recold Road and Ryan Road; and on the Southwest by the present site of Continental Motors.

This being the same property conveyed to City of Walterboro by deed of Walterboro-Colleton County Airport Commission dated May 11, 1973 and recorded May 18, 1973 in Deed Book 169 at Page 339 in the Office of the Clerk of Court for Colleton County, South Carolina.

TMS #148-00-00-036

SECTION II

The conveyance referenced hereinabove shall be subject to all obligations previously undertaken by the grantor to the South Carolina Parks and Recreation Department under the terms of PARD Grants.

SECTION III

That the Mayor of the City of Walterboro and the City Clerk be, and they are, hereby authorized, empowered and directed on behalf of the City of Walterboro to execute and deliver said Deed, and to execute such other documents as may be necessary or desirable in connection with the Conveyance of the property.

ADOPTED, THIS 26th DAY OF April, 2011.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
City Clerk

First Reading: April 12, 2011
Public Hearing: April 26, 2011
Second Reading: _____

Colleton County Veterans Council

P.O. BOX 637
WALTERBORO, SC 29488

PRINCE TUCKER, JR.
CHAIRMAN

JAMES A. WHITE
COORDINATOR

FRED FRASER
CO-CHAIRMAN

Date: April 18, 2011

Mr. Jeff Lord, City Manager
P.O. Box 709
Walterboro, SC 29488

Dear Mr. Lord:

The Colleton County Veterans Council is making the final preparations for this year's annual Memorial Day Ceremony. The Ceremony is scheduled for Monday, May 30, 2011 at the Downtown Plaza. We are writing for your approval to utilize the Plaza and to invite you and all the City officials to attend this event.

The program will commence at 9:00 a.m. As we approach the celebration to honor those who served, the Veterans Council requests that the City's street flags be displayed on Washington Street from May 16 – July 4, 2011. In addition, we request that the waterfall is turned off by Saturday evening, May 28th and that Washington Street is closed from 8:30 a.m. – 10:00 a.m. on Monday morning, the day of the ceremony.

We appreciate your assistance in making this year's Memorial Day Ceremony a success. If you have any questions, please give me a call at 549-1412.

Respectfully,

James A. White,
Coordinator