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City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

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Walterboro, South Carolina 29488-0008

Walterboro City Council
Public Hearing and Regular Meeting
July 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. 2011 Edward Byrne Memorial Justice Assistance Grant (JAG).

IV. Approval of Minutes:

1. Minutes of the June 14, 2011 Public Hearing and Regular Meeting (Minutes attached).
2. Minutes of the June 28, 2011 Public Hearing and Regular Meeting (Minutes attached).
3. Minutes of the July 12, 2011 Regular Meeting (Minutes attached).

V. Old Business:

VI. New Business:

1. Consideration of a motion to hire an independent consultant to assist Public Safety Department in addressing the issues of crime in the City of Walterboro.
2. Consideration of a motion to have prepared a Strategic Economic Development Plan for the City of Walterboro.

VII. Committee Reports:

VIII. Executive Session:

1. Discussion of Appointments.
2. Receipt of Legal Advice.

IX. ADJOURNMENT.

PUBLIC HEARING NOTICE

The City of Walterboro proposes to file an application for a grant with Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and will hold a public hearing on Tuesday, July 26, 2011 at 6:15 P.M. in City Hall, 242 Hampton Street, Walterboro, SC 29488. The purpose of this hearing is to give citizens an opportunity to become acquainted with a proposed Grant Project, consisting generally of federal funds for replacing obsolete police equipment. Citizens will have an opportunity to comment on such items as economic impacts, service area and alternatives to the project. JAG has already allocated \$10,362.00 to Walterboro Public Safety to be used in program areas that will be discussed at this meeting.

The proposed application is available for review in the Public Safety Department, Major Ken Dasen's Office at City Hall, 242 Hampton Street, Walterboro, SC Monday through Friday from 8:00 a.m. to 5:00 p.m. Persons with questions or comments concerning the public hearing may contact Major Ken Dasen at P.O. Box 709, Walterboro, SC 29488, (843) 549-1811. Projects funded by JAG are equal opportunity programs and discrimination in the program is prohibited by federal law.

Assistance will be provided to accommodate the special needs of disabled persons upon request.

SUBJECT: 2011 Edward Byrne Memorial Justice Assistance Grant (JAG)

Walterboro Public Safety is allocated to receive \$10,362.

No match is required from the City.

The money will be used to purchase the remaining thermal printers for the in-car computers. The thermal printers will allow the, already installed, ticket writing program to operate more efficiently

This meeting also provides the public the opportunity to comment on the application.

The money will be made available upon final approval from the Bureau of Justice (BJA).

The City of Walterboro Purchasing Procedures will be used.

SUBJECT: 2011 Edward Byrne Memorial Justice Assistance Grant (JAG)

Walterboro Public Safety (police department) currently has an automated ticket system (purchased with city funds) installed in the patrol cars. The original printers purchased were in constant need of alignment and repairs to the point where the officers quite using the system. Thermal ticket printing has been authorized by the state. Last year the Edward Byrne Memorial Justice Grant (JAG) funds paid for 12 of the 21 thermal printers needed for the patrol units. The 2011 JAG funds, if approved, would be used to install and purchase new thermal printers and replacement thermal rolls for remaining patrol vehicle. The estimated cost of this project is \$10,362.00. There are no matching funds required from the city.

Grant requirements state “that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and to neighborhood or community based organizations.”

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and criminal justice information systems for criminal justice that will improve or enhance such areas as:

- Law Enforcement programs
- Prosecution and court programs
- Prevention and Education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)

This request for funding will fall into Law Enforcement, Prosecution and court programs under the “equipment” section.

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Walterboro City Council
Public Hearing and Regular Meeting
June 14, 2011

MINUTES

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, June 14, 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, Franklin Smalls and Tom Lohr. City Manager Jeff Lord, City Clerk Betty Hudson and City Attorney George Cone were also present. There were approximately 17 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 Parker to lead the pledge of allegiance to our flag.

The Mayor announced that a flower arrangement had been brought in the room and placed by Ms. Carol Hinson of the Mayfield Garden Club. The Garden Club placed plants around town in honor of National Garden Week which was last week. He then thanked the Garden Club for bringing in this plant for us to enjoy.

PUBLIC INPUT ON AGENDA ITEMS:

There were no public comments received on the agenda items.

PUBLIC HEARING:

The Mayor opened a public hearing, duly advertised, to receive public comments on:

1. An Application for USDA Rural Development Community Facilities Grant for Replacing Obsolete City Vehicles, Dennis Averkin, Finance Director.

Mr. Dennis Averkin, Finance Director, was present to conduct this hearing.

In opening the hearing, Mr. Averkin announced that the City is planning to apply for a Rural Development Community Facilities Grant. This grant allows the city to receive a 15% match for vehicles that we have budgeted for the coming year. There are no fees and no constraints. It is a pure 15% match. Mr. Averkin further stated that the City would be purchasing those vehicles at the state contract price. Mr. Averkin then opened the hearing to receive any questions or comments.

Ms. Marsha Johnson asked how much is the total grant. Mr. Averkin responded that this would be based upon state contract prices for certain vehicles. Given the vehicles that we have budgeted for the coming year, this would be approximately \$75,740 in grant funds that the city could potentially receive. These grant funds are disbursed after the vehicles are purchased.

Ms. Johnson then asked what was the total amount of purchases to be made. Mr. Averkin responded that the total amount of purchases that we have budgeted is \$504,943. So, take 15% of that and you would get \$75,740.

Councilman Buckner then asked Mr. Averkin to explain why the grant is called a Rural Development Community Facilities Grant. Mr. Averkin explained that this is more of an equipment grant. Those needs that USDA guidelines fit into rural category based on the population of a city. If they can call it an LMI (lower to moderate income community), then you would qualify for this program.

The public hearing was closed and the regular meeting began.

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REQUEST FOR APPEARANCE:

1. Mr. Carl K. Coffin, Library Director, appeared before Council to give a report on the summer activities to be held at the local Colleton County Memorial Library. He told Council there are many activities being offered by the library for adults and children to enjoy. These activities include the summer reading program which includes a new adult summer reading program, and a children's program that goes from infancy through the 6th grade. There is a teen program for children from the 6th grade through high school. Last year the library serviced a number of children, quite a few thousand through the library. There is the bookmobile library, which goes out in the community. The bookmobile staff has already signed up 222 children for the program. They are serving 6 daycares and 7 summer feeding sites. At the first teen event that we had last weekend, there were 35 teens in attendance.

The programs that we are doing is trying to instill in young people that there is a world of stories out there. We want people to be introduced to other cultures, and to have fun at the library. All these things are free to the community. For the teens, we have a great line up from self defense workshops, chess and game tournaments, graphic novel and all kinds of things. Many people in the community feel there is not much here for the youth to do, but there really is at the library.

Mr. Coffin then passed out flyers on the children's and teens programs for anyone interested in a schedule of events. He announced that the children's programs are generally held on Tuesday, Wednesday and Thursday mornings from 10 A.M. to 11 or 12 Noon. There is one program on Thursday night from 6-8 PM, which is a family event. As far as the teens, their programs are generally held on Tuesday nights from 4-8 P.M.

APPROVAL OF THE MINUTES:

The Minutes of the May 10, 2011 Regular Meeting were approved as submitted on the motion of Council Member Lucas, seconded by Council Member Buckner and passed with all members voting in favor.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. Ordinance # 2011-06 (First Reading)

Council Member Lucas, Chairman of the Budget Committee, reported that the two budgets combined for the 2011-2012 fiscal year for the city, came to \$9,386,332, of which the General Budget was \$7,387,710 and the Enterprise Budget was \$3,347,138.

He reported that the budget includes a transfer of \$1,348,516 from the Utility Fund to the General Fund. This year, we have no tax increases. The budget has a 5% water and sewer increase, which was part of a 5-year plan initiated 4 years ago. So, this would be the last increase of that set. Walterboro is still in the lower 25% cost of water and sewer in the state. We have a \$1 a month fee for a recycling program which will be initiated in this budget year. The budget includes a \$2,000,000 general obligation bond, which is for the parks rehabilitation. What we will end up doing is paying off some of the more expensive bonds we already have and then using the balance to redo the parks. The budget also contains on-going capital equipment replacements, the "Keep the Bucks in the Boro Campaign", a 2% cost of living increase for the employees, and an additional 2 employees to be hired in the Parks Department.

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Compared to last year's budget, we are \$57,726 lower. We were able to retain \$34,062 back into the Utility Fund. Mr. Lucas stated that this represents a very lean budget. He then thanked City Manager Lord, Finance Director Averkin, department heads and the Budget Committee (Bill Young, Randy Peters) for their hard work on the budget.

A motion was made by Council Member Lucas, seconded by Council Member Lohr, giving First Reading Approval to Ordinance # 2011-06, being:

An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2011-2012 and Matters Relating Thereto.

In discussing the motion, Council Member Buckner asked a question about the GASB 45 Retirement Account. City Manager Lord responded that those monies are allocated in the budget. The city had an actuarial evaluation for that last year. That evaluation holds for two years, so it is the same value as it was last year. Next year, we will get re-evaluated. He affirmed that the city is on target with this money.

Council Member Buckner expressed concern that no monies were set aside for a Municipal Public Defender. He said, I have some concerns about that. Hopefully, at our next meeting, if possible, the City Attorney could render an opinion on whether or not we are required to have a budget for a Public Defender. I know we have budgeted for a City Prosecutor, but we have no budget for a Public Defender. I think that citizens who are indigent should have representative, if there is a possibility of jail time from prosecution. With the Bucks in the Boro campaign, I think we budgeted \$20,000 for that effort. I think we need to look at that amount and maybe scale it back some. In terms of that program verses making sure that indigent people have representation, I'd rather make sure that the indigent people have representation than to spend additional monies on an advertising campaign.

Mayor Young then spoke on the concern raised by Councilman Buckner on the Public Defender position. He said, in checking with the Municipal Association, they were not aware of any municipalities that provided a public defender. They were also of the opinion that this is a county function. I understand that you disagree with that, but we can certainly get Attorney Cone's opinion on this. If we are negligent on that, then everybody in the state is also negligent. So, I think it is a county function and we are doing what the other municipalities in the state are doing, but we can certainly look into this.

The motion then passed with all members voting in favor.

2. Ordinance # 2011-07 (First Reading)

A motion was made by Council Member Lucas, seconded by Council Member Parker giving First Reading Approval to Ordinance # 2011-07, being:

An Ordinance Adopting the City Budget for Fiscal Year 2011-2012 and Matters Relating Thereto.

The motion passed with all members voting in favor.

3. Ordinance # 2011-08 (First Reading)

City Manager Lord explained that this ordinance is just to confirm all the fees that were already in place as we do each year. The only change in fees are the 5% increase for water and sewer, and the tap fees and the recycling fee. All other fees are the same.

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A motion was made by Council Member Peters, seconded by Council Member Smalls giving First Reading Approval to Ordinance # 2011-08, being:

An Ordinance of the City of Walterboro, South Carolina, Adopting a Comprehensive Fee Schedule for Administration, Building and Codes Department; Finance Department; Public Safety Department; Sanitation Department and Utility Support Department.

In discussing the motion, Council Member Buckner asked Mr. Lord about the increase for the recycling program. He asked if this included the green trash cans. Mr. Lord responded, yes, it is a curbside recycling program. Council Member Smalls asked when would this program be implemented. Mr. Lord responded that when the budget has had passed second reading, we can order the cans. I would think that we can place it in the bills going out on July 1, so I would think September would be the date. Council Member Lucas asked if this program was still voluntary. People will have to want to participate, he stated. City Manager Lord responded in the affirmative.

The motion then passed with all members voting in favor.

4. Ordinance # 2011-09 (First Reading)

The Mayor then introduced Margaret McGee from our bond attorney's office, Pope Ziegler of Columbia, SC.

Ms. McGee stated that this bond will refund the city's 2003 bond issue, which currently has an interest rate of 4.03%. Based on the market, we can do a little better than that on interest rate and save some monies on interest. Any monies remaining after payment of the 2003 bond, will go to pay for a new ladder fire truck and related equipment and improvements for the parks.

The bond ordinance states that the terms of payment and interest rate are subject to negotiation with the banks. We'll ask all the banks for a quote on the interest rate and then the Mayor will decide on the interest rate and the length of bond, but the bond will not exceed 15 years. So, this is a general obligation bond.

A motion was then made by Council Member Lucas, seconded by Council Member Lohr, giving First Reading Approval to Ordinance # 2011-09, being:

An Ordinance to Provide for the Issuance and Sale of a Not Exceeding Two Million Dollar (\$2,000,000) General Obligation Bond, Series 2011, of the City of Walterboro, South Carolina, to Prescribe the Purposes for Which the Proceeds Shall Be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto.

In discussing the motion, Council Member Buckner asked Ms. McGee to explain to the citizens in plain language what we are looking to do, and how we are going to accomplish it, by using the bond as a way of getting this accomplished.

Ms. McGee stated that the plan for parks improvements has been around for a while. There is also a need for a ladder truck for the Public Safety Department, and currently you have outstanding a bond that was issued in 2003 for an original principal amount of \$1,000,000. The City has been paying down on that, and at the end of the last fiscal year, the balance was around \$669,000. So, it will be right under \$600,000 when we pay it off. Of the \$2,000,000 that we borrow, around \$600,000 of that will pay off the 2003 bond, which has a 4.03% interest rate. The money we borrow now will be at a lower rate, so that results in interest savings for the City. Anything beyond what we need to pay off that 2003 bond, will be used to pay for the parks improvements and the fire truck. Your tax rates won't go up, but this bond is a

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general obligation bond and it is secured by the taxing power of the city. While you currently won't have to raise taxes, if it ever happened that there was not enough cash to pay it off, you'd have to add some millage to pay this off. Your debt ceiling for general obligation debt is 8% of the assessed value of all the properties within the city. Due to some family illness of the auditor, we don't have a definite assessed value for the City of Walterboro currently. However, based on last year's and his projections, we believe it is going to be in excess of \$25,000,000, and 8% of \$25,000,000 is \$2,000,000. So, this will go right up to your debit limit, and you will not be able to issue any more general obligation debt after this until you pay this off. This does not affect your revenue debt or lease purchases or anything like that.

Council Member Peters asked about the time limit on the 2003 bond. Ms. McGee stated that the 2003 bond was for 15 years with an annual payment of \$90,130.

Council Member Parker asked Ms. McGee what rate did she expect the interest rate to come down to. She stated that the market is changing all the time, but we have seen, depending on the length of time, the interest rate come down to under 3%. That's just a ballpark figure.

Mayor Young stated how the money is used is going to depend on the bids for the park improvements and the prices for the fire truck. City Manager Lord pointed out that the balance monies will primarily be spent on the park improvements and if we get really good prices on the park improvements, then we can use the excess monies for the fire truck.

The discussion concluded, and the motion for First Reading Approval of Ordinance # 2011-09 passed with all members voting in favor.

5. Consideration of Bids Received for Water Systems Improvements for Ladson Street Water Line Extension

City Manager Lord reported that the City received bids for the Ladson Street Water (ISO Site # 8) System Improvements on May 26. This is on Exit 53, and is similar to the 12-inch line we put there. This is an additional loop in there to help with our ISO coverage. Seven bids were received as follows:

1.	J. Baucom Construction	\$82,751.75
2.	J. H. Hiers Construction	\$83,569.75
3.	Tri-County Utilities	\$94,140.00
4.	Malphrus Utilities	\$104,798.00
5.	James F. Pederson Co.	\$116,702.50
6.	Anson Construction	\$116,842.00
7.	Green Construction	\$153,955.00

Utilities Director Wayne Crosby reported that the city received a grant of \$113,428.57 for this project. Engineering services for easements and construction will be paid from this grant, so we have approximately \$103,000 to go towards construction.

Mr. Crosby stated that two of the bids received would qualify in the range of available funds. They are: J. Baucom Construction \$82,751.75 and J. H. Hiers Construction \$83,569.75. J. H. Hiers Construction is a local contractor and there is a difference of \$900 with the low bid of \$82,751.75 from J. Baucom Construction. Mr. Crosby also reported to Council that each of the contractors submitting bids has the experience and resources to complete the project.

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A motion was made by Council Member Peters to award the bid to J. H. Hiers Construction in the amount of \$83,569.75 (a local contractor). Council Member Lucas seconded the motion. Council Member Buckner expressed a concern that some of the work that the City has done with the water lines has left black splotches on the pavement, after the road had already been newly paved. Mr. Crosby answered that this particular project will be constructed on private easements and no work will be done in the roadway.

The motion then passed unanimously.

6. Consideration of Bids Received for Water Systems Improvements for Lemacks St., Valley St., and Springwood Dr. Water Line Extension

Utilities Director Wayne Crosby reported that this project will be constructed in a residential area. The project will be constructed with CDBG grant funds. There were 7 bids accepted on this project as follows:

C & W Construction	\$198,515.00
J. H. Hiers Construction	\$215,226.95
BES	\$285,834.65
James F. Pederson	\$290,025.25
L-J Inc.	\$290,318.00
Green Construction	\$358,226.40
Anson Construction	\$394,890.00

Mr. Crosby reported that the low bid was submitted by C & W Construction. He said, we have worked with this contractor in the past and feel they have the capability and resources to complete this project. Mr. Crosby also pointed out that the low bid is approximately \$23,000 over the available grant funding and budgeted funds for this project. He recommended that the city move forward with the project and use program income funds monies to pay the balance.

A motion was then made by Council Member Parker to accept the low bid from C & W Construction in the amount of \$198,515 for the Lemacks, Valley and Springwood Drive Water System Improvement Project. Council Member Smalls seconded the motion. In discussing the motion, Council Member Buckner asked if any of the bidders were minority owned contractors? Mr. Crosby responded he was not sure, however, C & W is not a minority owned contractor. Mr. Lord also responded that he had no knowledge whether any of the bidders were minority owned contractors. Mr. Crosby then told Mr. Buckner that this is a state grant, so that's not a qualification or consideration that they will allow in order to get the grant monies. Mr. Buckner repeated his concern with potential damage to the pavement during the project construction. Mr. Crosby stated that there is a lot of asphalt work in this project. We have tried to minimize the asphalt work. We actually took a \$27,000 deduction in order to directional drill under the pavement. The reason for that is in a residential neighborhood, you have a lot of phone lines, gas lines, etc. We did some directional drilling that added additional cost and that is why we came up over budget. Mr. Crosby also reported that Springwood Drive is on DOT's list to be resurfaced next year.

The motion then passed with all members voting in favor of awarding the construction contract for the Lemacks St., Valley St. And Springwood Drive Water Line Extension Project to C & W Construction for \$198,515.00 .

7. Consideration of Amendment to the City Manager's Employment Contract

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The Mayor explained that this adds one month of severance pay to Mr. Lord's employment contract. This matter was discussed at the retreat and everyone supported adding a month to his severance package.

A motion was made by Council Member Parker, seconded by Council Member Smalls, to adopt the amendment to add an additional month to the City Manager's severance package. In discussing the motion, Mr. Buckner asked Mr. Lord, why are we bringing this up now to increase the severance pay from four months to five months at this time? Mr. Lord responded, this is what I was asked to put on the agenda, and secondly, I don't think it is appropriate for me to discuss contractual negotiations. Councilman Buckner stated he felt this item should be discussed in Executive Session. Mayor Young stated that he asked that this item be placed on the agenda. It needs to be done in conjunction with the budget year. It is also what we discussed at the retreat. We could have done this in executive session as a personnel matter, but in the interest of being transparent, we put it in the public part of the meeting.

The motion passed with a vote of 6/1 with Mayor Young and Council Members Peters, Lucas, Parker, Smalls and Lohr voting in favor and Council Member Buckner voting against the motion for adoption.

8. Certification of the May 24, 2011 Municipal Election Results (Resolution # 2011-R-08)

A motion was made by Council Member Buckner, seconded by Council Member Lohr to adopt Resolution # 2011-R-08 as submitted, certifying the May 24, 2011 Municipal Election Results. The motion passed unanimously. A copy of said resolution is attached as part of these minutes.

9. Request to Use the City Parking Lot for the International Food and Arts Festival, August 27, 2011

A motion was made by Council Member Peters, seconded by Council Member Smalls granting the use of the City Parking Lot for the International Food and Arts Festival on August 27, 2011. Council Member Buckner recused himself from voting on this agenda item since he is a member of the International Food and Arts Board. The motion then passed with a vote of 6/0 with Mayor Young, Council Members Peters, Lucas, Parker, Smalls and Lohr voting in favor. Council Member Buckner did not vote due to a potential conflict of interest.

COMMITTEE REPORTS:

Council Member Tom Lohr gave a brief status report on the Youth Advisory Commission. The highlights of his report were as follows:

- 1) A handout was provided to all Council Members.
- 2) Arts Council - Out of the programs of the Arts Council, 47 percent of the programs are used for minority scholarship for kids to participate in arts programs in the summer. So not everything is charged to the children. So, I publically thank the Arts Council for their efforts. I am sure with the upcoming \$5,000, they will do as well as they can.
- 3) There are groups that receive scholarships for intercity youth and disadvantaged minorities.
- 4) Mr. Lohr recognized the efforts of Wayne Bennett for his youth employment program. He also recognized the efforts of the people who helped to get this program in Walterboro; namely, City Manager Jeff Lord, Chief of Police Otis Rhodes, and Mayor Bill Young. This program will start the 3rd week in June. The students will start July 2 at Clemson Extension.

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- This is to teach life skills to help them with part-time employment. Afterwards, these children will more likely be gainfully employed and will pursue their education. Mr. Lohr also thanked the Mr. Reggie Lord, retiring SLED representative, and Governor Sanford. They were responsible for getting the youth program here.
- 5) There is a USTA, United States Tennis Association Program that was spearheaded by Mr. William Stead, former President of the Walterboro Tennis Association. This is a youth tennis program and the program is free. A USTA grant was received, and the group will be providing nets on the back tennis court. They will also provide smaller rackets and smaller balls.
 - 6) Mr. Lohr said the Rec Commission had 100 more participants last fall than previously in the fall sports, mainly in football. The Rec is also expanding fields and attracting tournaments in, which will bring in outside people to stay at motels and eat at restaurants.
 - 7) The Walterboro Soccer Club is an open organization. They have a tremendous field out toward the Recreation Center. They are also continuing to add membership. They have been scheduling tournaments that will also bring in people from out of town.

Mayor Young expressed his thanks to Mr. Lohr for his continued good work with the Youth Commission.

The Mayor also thanked Council Member Charles Lucas for his work as chairman of the Budget Committee.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Parker, seconded by Council Member Lucas and passed unanimously. The Mayor adjourned the meeting at 7:10 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

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Walterboro City Council
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June 28, 2011

MINUTES

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, June 28, 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, Franklin Smalls and Tom Lohr. City Manager Jeff Lord, City Clerk Betty Hudson and City Attorney George Cone were also present. There were approximately 17 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.

At the beginning of the meeting, Mayor Young announced that this is the last meeting of this Council. Councilman Smalls and Parker have been here a long time. Councilman Smalls served 22 years and Councilman Parker served 30 years and we want to thank them for their commitment and service to the citizens of Walterboro, and we wish them well in future.

PUBLIC INPUT ON AGENDA ITEMS:

There were no public comments received on the agenda items.

PUBLIC HEARING:

The Mayor opened a public hearing, duly advertised, to receive public comments on the following ordinances:

1. Ordinance # 2011-06, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2011-2012 and Matters Relating Thereto. **No public comments were received.**
2. Ordinance # 2011-07, An Ordinance Adopting the City Budget for Fiscal Year 2011-2012 and Matters Relating Thereto. **No public comments were received.**
3. Ordinance # 2011-08, An Ordinance of the City of Walterboro, Adopting a Comprehensive Fee Schedule for Administration, Building and Codes Department; Finance Department; Public Safety Department; Sanitation Department and Utility Support Department. **No public comments were received.**
4. Ordinance # 2011-09, An Ordinance to Provide for the Issuance and Sale of a Not Exceeding Two Million Dollar (\$2,000,000) General Obligation Bond, Series 2011, of the City of Walterboro, South Carolina, to Prescribe the Purposes for Which the Proceeds Shall Be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto. **No public comments were received.**

OLD BUSINESS:

1. Ordinance # 2011-06, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2011-2012 and Matters Relating Thereto, Second Reading and Adoption.

A motion was made by Council Member Lucas, seconded by Council Member Peters giving Second Reading and Adoption to Ordinance # 2011-06 as submitted. The motion passed with all members voting in favor.

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2. Ordinance # 2011-07, An Ordinance Adopting the City Budget for Fiscal Year 2011-2012 and Matters Relating Thereto, Second Reading and Adoption.

A motion was made by Council Member Lucas giving Second Reading and Adoption to Ordinance # 2011-07 as submitted. Council Member Buckner seconded the motion that passed unanimously.

3. Ordinance # 2011-08, An Ordinance of the City of Walterboro, South Carolina, Adopting a Comprehensive Fee Schedule for Administration, Building and Codes Department; Finance Department; Public Safety Department; Sanitation Department and Utility Support Department, Second Reading and Adoption.

A motion was made by Council Member Parker giving Second Reading and Adoption to Ordinance # 2011-08 as submitted. Council Member Lucas seconded the motion.

Council Member Buckner asked the City Manager to explain any new increases in the budget. Mr. Lord responded that there was a 5% increase in water/sewer, usage fees and tap fees and a new recycling fee to be billed at \$2.00 per cycle.

The motion then passed unanimously.

4. Ordinance # 2011-09, An Ordinance to Provide for the Issuance and Sale of a Not Exceeding Two Million Dollar (\$2,000,000) General Obligation Bond, Series 2011, of the City of Walterboro, South Carolina, to Prescribe the Purposes for Which the Proceeds Shall Be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto, Second Reading and Adoption.

A motion was made by Council Member Peters giving Second Reading and Adoption to Ordinance # 2011-09 as submitted. Council Member Lucas seconded the motion.

In discussing the motion, Council Member Buckner stated, I think at the last meeting we were trying to determine the value of the City's assets, so that we would be able to apply for this bond. Do you have that amount yet? Ms. Margaret Pope, the city's bond attorney, noted that she and the Finance Director have been working on this. We did have a certificate that states that your assessed value is not less than something over \$25,000,000. That is the number that will be used to calculate the value of a mil. We do not believe that is the final number, as we know there are some values that are not in that number that comes from the Department of Revenue. We are still working to get those numbers. We had to have, of course, a value not less than \$25,000,000 to come up with, in order to issue the 2,000,000 debt. We have that, we are certain of that, and we have copies of that. But, we are continuing to work to get what we believe is the correct value for all of the taxable properties in Walterboro. The county auditor is, unfortunately, sick. We have been calling him but there has not been anybody there who could actually talk with us. We will get it. We know the value is in excess of \$25,000,000. We would not have progressed to Second Reading had we not been certain that we had the value that we would have to have. How much it will differ, I cannot tell you. It could be as much as \$500,000 to \$1,000,000.

The motion then passed with all members voting in favor.

NEW BUSINESS:

1. Proclamation # 2011-04

Proclamation # 2011-04, A Proclamation Designating the Month of July as Independent Retailers Month in the City of Walterboro, was before Council. Mayor Young read the proclamation in its entirety into the records.

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A motion to adopt Proclamation # 2011-04 as submitted was made by Council Member Peters, seconded by Council Member Lucas and passed unanimously. A copy of said proclamation is attached as part of these minutes.

2. Resolution # 2011-R-09

Resolution # 2011-R-09, A Resolution of the City of Walterboro, South Carolina Authorizing the Refinancing of Outstanding Lease/Purchase Obligations of the City, Paid for by Local Hospitality Tax Revenues, was before Council.

Finance Director Dennis Averkin explained that because interest rates are low now, the city could realize a savings of \$78,400 if it were to refinance its lease purchase debt. In 2006 Council entered into a Project Lease Agreement for about \$1.56 million as part of a plan of financing the payment of a portion of the amounts owed by Colleton County to BB&T Bank for the new VA Nursing Home. He further stated that this resolution would authorize staff to obtain quote sheets and letters from banks that would participate, to get the best possible rate. This authorization will authorize us to come back and you would then have to pass a resolution, because this issue is secured by your local hospitality tax revenue.

A motion was made by Council Member Lucas to adopt Resolution # 2011-R-09 as submitted. Council Member Parker seconded the motion. Council Member Buckner asked which bank currently holds the Lease Purchase Agreement. Finance Director Averkin responded that the issue is currently held at BB&T Bank.

When asked by Council Member Buckner, if staff is recommending Regions Bank, Mr. Averkin responded, at this point and time, no, I'll have to go back out and solicit new term sheets because those rates have changed.

Councilman Parker asked Mr. Averkin, do you think that rate is going to be lower than that. Mr. Averkin responded, we think so, it is very possible.

Further discussion was held on how the city took over a portion of the debt from the County for the VA Nursing facility.

The motion passed with all members voting in favor, except Mayor Young recused himself from voting due to a conflict of interest because of his relationship with BB&T Bank.

3. Funding Recommendations from the Accommodations Tax Advisory Board

Next, Finance Director Dennis Averkin briefed Council on this agenda item. The following funding recommendations from the A-Tax Board were submitted for approval:

<u>Requests for 30% Tourism fund</u>	<u>Requested</u>	<u>Approved</u>
Walterboro Tourism Commission	<u>\$53,000</u>	<u>\$53,000</u>
Total 30% Requests	\$53,000	\$53,000
 <u>Requests for 65% Tourism Fund</u>		
Walterboro Tourism Commission-		
Walterboro Rocks	\$53,000	\$32,000
City of Walterboro Billboard Campaign	\$20,000	\$20,000
Downtown Walterboro Criterium 2012	\$21,000	\$18,000
S.C. Artisans Center - Marketing & Promotion	\$15,000	\$15,000
Colleton County Rice Festival	\$15,000	\$10,000
Colleton County Historical Preservation Society	\$ 9,450	\$ 4,000
Colleton Museum & Farmer's Market	<u>\$ 1,500</u>	<u>\$ 1,500</u>
Total 65% Requests	\$134,950	\$100,500

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Mr. Averkin noted that should the requests be approved, the projected balance available in grants for 2011-2012 is \$45,793.

A motion was made by Council Member Peters, seconded by Council Member Lucas, to approve the funding requests as submitted by the A-Tax Board. In discussing the motion, Mr. Buckner asked Mr. Averkin to explain more about the Walterboro Tourism Commission. Mr. Averkin responded, it's new and has not had any funding or operation until possibly tonight. I believe, it has four members, three of the four are city employees - the Mayor, City Manager and Tourism Director, and one individual to be designated by the city.

Council Member Buckner then asked, so this is the first funding for them. He then asked if the organization has its 501(c)6 status. Mr. Averkin affirmed that the group does have its 501(c)6 status, and it's filing zeros because it has been approved, but it is a registered nonprofit in the State of South Carolina. It has an IRS nonprofit designation.

Council Member Buckner then pointed out that the Colleton Co. Historical Society had requested \$9,450, but had only been approved for \$4,000. He stated, I think they have been around for a while. Could you explain why they didn't get the total funding that they asked for? Mr. Averkin responded, I think the feedback from the committee is that they felt that this was not enough draw from outside the area to warrant a request. So, the committee granted funds that were actually consistent with what we issued last year.

Council Member Buckner stated that he would vote against this request for the simple fact that I can't see the Historical getting a small amount. I see them really trying to get more events and things for the community and I would like them to get what they requested, \$9,450, because the Tourism Commission is a new group. He pointed out not only are they (Tourism Commission) getting \$32,000, but they are also getting \$53,000 from the 30% Tourism Fund. So, that brand new organization is getting \$85,000. Mr. Averkin pointed out that the \$32,000 is really for billboards, so granting less would mean fewer billboards than the Chamber had previously agreed. So, there is some tension there for us losing billboards and advertising space.

Mr. Alta Mae Marvin, Chairman of the A-Tax Board, then addressed Council on this item. She stated, we all recognize the value of the Colleton County Historical Society. They had a very quantitative program with a limited number of tickets available which were 200. So, we felt \$9,450 is an excessive amount when you are attracting only 200 visitors, and the fact they are going to be doing a plantation tour, so they don't have the same opportunity to make cash register receipts, like some of the other events.

The motion to approve the recommendations from the A-Tax Advisory Board was then approved on a vote of 6/1 with Mayor Young, Council Members Peters, Lucas, Parker, Smalls and Lohr voting in favor and Council Member Buckner voting against the motion for adoption.

4. Council Internal/External Committee Appointments by the Mayor

Mayor Young then made the following Council Internal/External Committee appointments:

Airport & Finance - Randy Peters, and Dwayne Buckner (The Mayor serves on the Airport Commission by statute).

Budget - Charles Lucas - Chairman, Bill Young and Tom Lohr.

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Firemen Insurance Fund Board of Trustees - Tom Lohr

Great Swamp Sanctuary Commission - Dwayne Buckner

LCOG - Bill Young

Joint Railroad Right-of-Way Committee - Charles Lucas and Randy Peters

Economic Development Commission - Randy Peters

City Appearance Board - Bobby Bonds

North Lemacks St. Revitalization Committee - Paul Siegel

Tourism Commission - Charles Lucas

Youth Advisory Commission - Tom Lohr

COMMITTEE REPORTS:

No committee reports were given.

The Mayor then entertained a motion to enter into an Executive Session. Council Member Lucas so moved to enter an Executive Session. Council Member Parker seconded the motion. The Mayor announced that the meeting would enter an Executive Session for a discussion of appointments and receipt of legal advice.

The meeting then convened into an Executive Session.

The meeting returned to Open Session, and there being no further business, a motion to adjourn was made by Council Member Parker, seconded by Council Member Smalls and passed unanimously. The Mayor adjourned the meeting at 7:33 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

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Walterboro City Council
Regular Meeting
July 12, 2011

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, July 12, 2011 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 and Bobby Bonds. 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 32 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and welcomed everybody to the meeting. He commented that it was good to see such a good crowd and family and friends present on behalf of our new Council Members and the new Public Safety Officers who were also present. The Mayor then gave the invocation, and Council Member Peters led the pledge of allegiance to our flag.

Mayor Young thanked all city employees and staff for all the hard work that they do. He stated, we don't always take the time to say, thank you, but we do appreciate all that you do and we appreciate what you do for the citizens of Walterboro.

The Mayor also recognized City Manager Jeff Lord who has recently received the Credentialed Manager designation by the International City/County Managers Association. To have this designation, a person needs significant experience as a senior management executive in local government, to have earned a degree in public administration or related field and demonstrated commitment to high standards of integrity and lifelong learning in professional development. He is one of only 19 people in South Carolina to receive this certification. Jeff has also been appointed to the ICMA Graduate Education Advisory Board.

SWEARING-IN OF NEWLY ELECTED COUNCIL MEMBERS:

Next, reelected Council Member Randy Peters and newly elected Council Members Bobby Bonds and Paul Siegel were sworn into office by the City Attorney George Cone.

Council Members Peters, Bonds and Siegel were then seated on Council and congratulated by the Mayor and Council.

PUBLIC INPUT ON AGENDA ITEMS:

No public comments on agenda items were given.

PRESENTATION:

1. New Public Safety Officers Introductions

Chief Otis Rhodes then recognized and introduced newly hired Public Safety Officers Jacob O'Quinn, Kenyatta Jenkins, Brian Ackerman and Brandon Craven.

REQUEST FOR APPEARANCE:

1. Gary W. Pollard - Combining Walterboro Police Department with Colleton County Sheriff's Office

Mr. Gary Pollard appeared before Council asking Council to consider combining the Walterboro Police Department with the Colleton County Sheriff's office. Mr. Pollard stated that he felt the Walterboro Police Department does not have adequate resources to effectively handle the large amount of crime that exists in our town. In my opinion, he said, we need a bigger, more effective police agency. So, my suggestion comes in three parts.

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1. Showing that excessive crime exists. As the owner of GWP Auto Sales, located at 232 S. Jefferies Blvd. in Walterboro, Mr. Pollard gave examples of his own recent experiences of thefts and burglaries at his store, which were:

- May \$18,000 in uninsured losses from 3 burglaries.
- April \$7,800 in uninsured losses from 2 burglaries.
- March- 3 losses

These losses would bankrupt most businesses. I am not the only business suffering from burglary losses. My latest burglary was on Friday, so we have a tremendous burglary and theft problem in Walterboro.

2. Giving examples of what happens when small city police departments merge with Sheriff's offices. Mr. Pollard moved to Walterboro 4 years ago from Broward County, Florida. He said, in 1980 there were 13 cities and 13 police departments in Broward County. Today, there are two police departments in Broward County. The other 11 cities have contracted and merged with the Broward Sheriff's Office. It was Mr. Pollard's opinion that not one city has regretted this merger. He said that every city has found an improved level of service, faster response times and reduced costs. Every one of these cities that merged with the Broward County Sheriff's Office is still being served by this office. Not one has chosen to go back and rehire or reform a police department. So, I don't see any reason not to expect a similar success if you consider merging with the Colleton County Sheriff's Office.

3. Specific issues with the Walterboro Police Department and Colleton County Sheriff's Office Merger

Mr. Pollard stated that potential gains of this merger are: 1) an immediate increase in the number of officers and detectives on duty all times; 2) a significant elimination of duplicate costs, and 3) a better response time. The elimination of duplicate costs allows the dollars to hire even more officers to join an even larger and more effective police agency.

Concluding his presentation, Mr. Pollard asked Council to objectively and without personal prejudice to consider this opportunity to reduce our excess crime problem. He said, we have a huge crime problem in the South Jefferies Blvd. area. My business is like a magnet for every crack head that needs to steal something. I have a used car business and I seem to attract quite a low class of people there.

Mayor Young then entertained a motion to accept Mr. Pollard's comments as information. Said motion was made by Council Member Lucas, seconded by Council Member Peters and passed unanimously, except Council Member Lohr was absent and did not vote.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. Nomination of Mayor Pro-Tem

Council Member Peters nominated Council Member Lucas as Mayor Pro-Tem. Council Member Siegel seconded the motion. Council Member Buckner then nominated Council Member Peters as Mayor Pro-Tem. No second was received and the motion died for lack of a second. Council Member Lucas then moved that the nominations be closed. Council Member Peters seconded the motion. Council approved unanimously to close the nominations and to elect Council Member Charles Lucas as Mayor Pro-Tem. Council Member Lohr was absent and did not vote.

2. Ordinance # 2011-10 (First Reading)

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The Mayor then recognized Finance Director Dennis Averkin and Bond Attorney Margaret Pope to introduce and explain the refinancing of the bonds.

Mr. Averkin passed out a detailed summary sheet showing all proposed outstanding debt to be refunded by bond refinancing. Based on his discussions with some of the banks, Mr. Averkin reported that the City has a potential to obtain a lower interest rate by refinancing some of its current revenue bonds and general obligation bond. Ms. Pope told Council that each of the ordinances provides that we would not sell the refunding bonds unless we believe there is sufficient savings. This, in no way, increases your obligation. We will not do this unless your annual payment is less, and this is after you pay for the cost of refinancing the bonds. We don't know what the rates are going to be. Ms. Pope also gave a brief explanation on how the bond refinancing would be handled.

A motion was made by Council Member Lucas, seconded by Council Member Peters, giving First Reading Approval to Ordinance # 2011-10, being:

An Ordinance Providing for the Issuance and Sale of a Tax Increment Refunding Revenue Bond, Series 2011, of the City of Walterboro, South Carolina, and Other Matters Relating Thereto.

In discussing the motion, Council Member Buckner asked Ms. Pope to explain the term "refunding" means verses the term "refinancing." Ms. Pope responded that this really means the same thing. In bond terms, we use more of the word "refunding." Refinancing is exactly the same thing. Council Member Buckner then asked what was the average interest rate of all the bond issues for the City. Mr. Averkin responded that they ranged between 4% and 4.1%. Based on conversations we had with the banks this Friday past, the rates are about 3.1%. So we are looking at saving about .7 of 1%. Based upon that information, we would save about \$150,000 over the life of the loans.

Council Member Siegel asked, do you have any opinion as to the actual tipping point right now, in your opinion, as to when it would be worth the trouble to refinance? It sounds like there is about a 3% expense to do the deal. Ms. Pope felt that her fees could be done fairly cheaply. She stated that the banks sometimes charge a loan origination fee. What we will do is to take all of that in account, issue by issue. There's got to be a sufficient savings after you pay those fees for this to work.

Council Member Siegel asked if Council would have an opportunity before Seconding Reading of the ordinances to analyze the figures on the savings expected. Dennis Averkin noted that the plans are to return to Council with calculated tables showing the savings for refinancing the bonds. On a question raised by Council Member Peters, Mr. Averkin and Ms. Pope noted that the terms of the bonds would not be extended. Ms. Pope said, we will be looking at two things; 1) not extending the term dates and 2) looking at the savings, the net of what it costs.

The motion for First Reading Approval of Ordinance # 2011-10, then passed with all members voting in favor, except Council Member Lohr was absent and did not vote.

3. Ordinance # 2011-11 (First Reading)

A motion was made by Council Member Peters, seconded by Council Member Lucas, giving First Reading Approval to Ordinance # 2011-11, being:

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An Ordinance Providing for the Issuance and Sale of a Waterworks and Sewer System Refunding Revenue Bond, Series 2011, of the City of Walterboro, South Carolina, and Other Matters Relating Thereto.

In discussing the motion, Council Member Buckner asked if there were any prepayment penalties with the refinancing or refunding. Ms. Pope noted there was a 1% penalty on the outstanding principal on the G.O. bonds, which are held by a bank. If we refund with that bank, we will ask them to waive the penalty.

The motion to approve Ordinance # 2011-11 then passed with all members voting in favor, except Council Member Lohr was absent and did not vote.

4. Ordinance # 2011-12 (First Reading)

A motion was made by Council Member Lucas, seconded by Council Member Peters, giving First Reading Approval to Ordinance # 2011-12, being:

An Ordinance Providing for the Issuance and Sale of a Hospitality Tax Revenue Bond, Series 2011, of the City of Walterboro, South Carolina, and Other Matters Relating Thereto.

On a question raised by Council Member Buckner, Finance Director Averkin and Attorney Margaret Pope briefly explained how the hospitality tax revenue will be used as security for this bond.

Council Member Siegel asked if this refinancing impacts the City's bonding capacity. Ms. Pope noted that none of these would impact the city's bonding capacity. These do not count against your 8% general obligation debt limit. However, with the G.O. bonds, you are pretty much at your G.O. debt limit. Council Member Siegel then asked whether undoing the lease purchase would in fact, put it in the general obligation debt limit. Ms. Pope affirmed that this would not be counted under the general debt obligation limit. She affirmed that the only thing pledged here is the hospitality tax.

The motion giving First Reading Approval to Ordinance # 2011-12 then passed with all members voting in favor, except Council Member Lohr was absent and did not vote.

5. Consideration of Establishing an Annual City of Walterboro Citizen of the Year Award with the Recipient Receiving a Red Rocking Chair, Courtesy of the City

A motion was made by Council Member Buckner to establish the City of Walterboro Annual Citizen of the Year Award with the Recipient Receiving a Red Rocking Chair, Courtesy of the City.

Mayor Young asked is it also your intent to also devise the means by which that person will be selected. Mr. Buckner then agreed to add to this motion . . . "that the City Manager, his staff or City Council would come up with a way to determine how the recipient would be selected." Council Member Siegel seconded the motion.

Further discussion was held. Council Member Buckner explained that he had requested that this be placed on the agenda after going to the last municipal conference. There was a feeling in that conference that we as a municipality should highlight and recognize our citizens for the work that they do in the community. I thought that this would be a good idea for the city to recognize once a year a citizen

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that lives in the city that has worked hard and put forward an effort and should be honored for their service to the City of Walterboro. Council Member Siegel then asked, do we have any present situation or way to recognize those people. How do we do it, because I don't know?

Mr. Buckner responded, my thought was just to establish the award and we could figure out the details later. I had an idea that each commission or board that we have in the city could come up with a name for recognition.

In answer to Mr. Siegel's question, Council Member Peters pointed out that Council presents a lot of proclamations to citizens who are being recognized in the city for their accomplishments.

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

There being no further business, a motion to adjourn was made by Council Member Lucas, seconded by Council Member Peters and passed unanimously. The Mayor adjourned the meeting at 7:04 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