

Telephone: 843-549-2545

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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  
October 26, 2010  
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 # 2010-12**, An Ordinance to Amend Ordinance # 2010-09, So As to Set the Millage and Local Option Sales Tax Credit Factor in the Fiscal Year 2010-2011 Budget.

**IV. Presentation:**

1. Manager's Report on Council's Review of Youth Advisory Commission Recommendations.

**V. Approval of Minutes:**

1. Minutes of the October 12, 2010 Regular Meeting (Minutes attached).

**VI. Old Business:**

1. **Ordinance # 2010-12**, An Ordinance to Amend Ordinance # 2010-09, So As to Set the Millage and Local Option Budget Sales Tax Credit Factor in the Fiscal Year 2010-2011 Budget, **Second Reading and Adoption** (Ordinance attached).

**VII. New Business:**

1. **Resolution # 2010-R-11**, A Resolution by Walterboro City Council to Accept and Adopt the Lowcountry Region Natural Hazard Mitigation Plan Update, as Required by the Federal Emergency Management Agency (FEMA) (Resolution attached).

**VIII. Committee Reports:**

**IX. Executive Session:**

1. Discussion of negotiations incident to proposed contractual arrangements regarding the development of security personnel.

**X. ADJOURNMENT.**

## **The Press and Standard**

Friday, October 8, 2010

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### **PUBLIC HEARING NOTICE**

Walterboro City Council will hold a public hearing on Tuesday, October 26, 2010 at 6:15 P.M. in Council Chambers at City Hall, 242 Hampton Street, to receive public comments on the following proposed ordinance:

**ORDINANCE # 2010-12, An Ordinance to Amend Ordinance # 2010-09, So As to Set the Millage and Local Option Sales Tax Credit Factor in the Fiscal Year 2010-2011 Budget.**

A copy of the proposed ordinance is available in the City Manager's Office at City Hall, 242 Hampton Street, Walterboro, SC. 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 (549-2545) for additional information or for disabled persons needing auxiliary aids. Please give at least 24 hours notice if auxiliary aids are required.

ORDINANCE # 2010-12

AN ORDINANCE TO AMEND ORDINANCE #2010-09, SO AS TO SET THE MILLAGE AND LOCAL OPTION SALES TAX CREDIT FACTOR IN THE FISCAL YEAR 2010-2011 BUDGET.

**WHEREAS**, the fiscal year 2010-2011 budget was adopted with the passage of Ordinance #2010-09 on June 8, 2010; and,

**WHEREAS**, in the year in which a reassessment is implemented, the rollback millage must be used in lieu of the previous year's millage rate; and

**WHEREAS**, rollback millage is calculated by dividing the prior year property tax revenues by the adjusted total assessed value applicable in the year the values derived from a countywide reassessment. This amount of assessed value must be adjusted by deducting assessments added for property or improvements not previously taxed, for new construction, and for renovation of existing structures; and

**WHEREAS**, City Council has determined that a need exists to amend said budget to set the millage and local option sales tax credit factor for the fiscal year 2010-2011 budget.

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

1. The property tax rate shall be set at Seventy-seven (77) mills.
3. The local option sales tax credit factor shall be .001393 to provide the rollback required by State law.

**DONE**, this 26<sup>th</sup> day of October, 2010.

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

ATTEST:

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

First Reading: October 12, 2010  
Public Hearing: October 26, 2010  
Second Reading: \_\_\_\_\_

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## RESOLUTION NO. 2010-R-11

### A RESOLUTION BY WALTERBORO CITY COUNCIL TO ACCEPT AND ADOPT THE LOWCOUNTRY REGION NATURAL HAZARD MITIGATION PLAN UPDATE, AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

#### WHEREAS:

- (1) The Federal Emergency Management Agency (FEMA) may provide funding to mitigate natural disaster hazards; and
- (2) FEMA requires that a mitigation plan be developed and formally adopted by all jurisdictions included in the plan before any funding requests will be considered, and further requires updates to the Plan be developed and adopted at least every five years; and
- (3) Adoption of the Plan also provides certain special credits for Colleton County and ensures the preservation of its current ISO Flood Insurance Rating of 7, which impacts flood insurance rates; and
- (4) The original Plan was adopted on October 5, 2004; and
- (5) The Plan has been updated as required, and staff recommends approval of this updated Lowcountry Region Natural Hazard Mitigation Plan.

#### NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL, DULY ASSEMBLED, THAT:

Walterboro City Council hereby officially accepts and adopts the Lowcountry Region Natural Hazard Mitigation Plan dated November 11, 2009 and requests that LCOG seek to obtain FEMA funds for mitigation projects as applicable.

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William T. Young, Jr.  
Mayor

ATTEST:

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Betty J. Hudson  
Municipal Clerk

## DRAFT

Walterboro City Council  
Regular Meeting  
October 12, 2010

### MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, October 12, 2010, 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. Attorney Ashley Amundson was absent. There were approximately 24 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 Peters to lead the pledge of allegiance to our flag.

Mayor Young acknowledged the present of a number of the Council Members' wives who were present at the meeting tonight.

#### **PUBLIC INPUT ON AGENDA ITEMS:**

No public comments were made on the agenda items.

#### **APPROVAL OF THE MINUTES:**

A **MOTION** to approve the Minutes of the September 28, 2010 Regular Meeting were approved as submitted on the motion of Council Member Lucas, seconded by Council Member Parker and passed with all members voting in favor.

#### **PROCLAMATIONS AND RESOLUTIONS:**

1. A **Proclamation** designating October 23-31, 2010 as Red Ribbon Week to bring awareness of alcohol and drug abuse in the community and recognizing Colleton County Drug Free Schools was adopted. The motion for adoption was made by Council Member Peters, seconded by Council Member Lucas and passed unanimously.

Mr. Willie Davis, Ms. Beverly Haynes (Guidance Counselor) and Danielle Grooms (student) were present on behalf of Colleton Middle School to support the proclamation. Mayor Young announced that Mr. Willie Davis is also a distinguished member of Dorchester County Council. Ms. Danielle Grooms read the proclamation in its entirety. A copy of this proclamation is attached as part of these minutes.

2. **Resolution No. 2010-R-10**, A Resolution Honoring Mrs. Marilyn Peters, on her retirement from the Clemson Extension Service, was approved on the motion of Council Member Lucas, seconded by Council Member Smalls and passed unanimously. Mrs. Peters, wife of Council Member Randy Peters, was recognized for her distinguished service to the community at the Clemson Extension Service for more than 28 years in Charleston, Dorchester, Berkeley, Jasper, Hampton and Colleton Counties. Mrs. Peters retired as Lead County Agent on September 15, 2010. The Mayor read the resolution in its entirety into the records. A copy of said resolution is attached and made a part of these minutes.

#### **OLD BUSINESS:**

There was no old Business before Council.

#### **NEW BUSINESS:**

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1. **Ordinance # 2010-12**, An Ordinance to Amend Ordinance # 2010-09, So As to Set the Millage and Local Option Sales Tax Credit Factor in the Fiscal Year 2010-2011 Budget, First Reading.

City Manager Lord explained that Ordinance # 2010-09 is the budget ordinance for this fiscal year, and normally the millage rate is set in that budget ordinance. Since this is a reassessment year, staff did not have enough data to include it, because in a reassessment the millage has to be rollback to equalize what the city would be getting through property tax. Recently, we received the information from the county, we recalculated it and the millage will be going from 83 mills to 77 mills. Through reassessment, the county has increased the value of property in the city, and therefore the city has to correspondently reduce the millage rate.

A **MOTION** was made by Council Member Parker, seconded by Council Member Smalls giving First Reading Approval to Ordinance # 2010-12, being: An Ordinance to Amend Ordinance # 2010-09, So As to Set the Millage and Local Option Sales Tax Credit Factor in the Fiscal Year 2010-2011 Budget. In discussing the motion, Council Member Buckner asked the City Manager what does this ordinance mean for the taxpayers of the City of Walterboro? Will they (the taxpayers) see an increase or decrease in their tax bills? City Manager Lord responded that this depends on how the taxpayer's property was assessed in this last reassessment. He further explained that if a taxpayer's property increased in value per average, it will be flat. If the taxpayer's property increased in value greater than the average, there will be a slight increase in their tax bills even though we are reducing the millage. If the property's value dropped as a result of the reassessment, then there will be a decrease in the property tax bill.

**The motion then passed will all members voting in favor.**

2. **Recommendation to Award Professional Engineering Services Contract (\$25,000) to B. P. Barber for Preparation of Preliminary Engineering Report, Including Financial Analysis and Environmental Report, for Submittal to U.S. Department of Agriculture's Rural Utilities Services for Water System Improvements**

City Manger Lord informed Council that this action is in conjunction with water line improvements which are in the budgets for us to apply for USDA or US money, which is a 45% grant. We need the engineers to do the PER and the Environmental Assessment so that we submit the application. This is budgeted as improvements.

A **MOTION** was made by Council Member Lucas to award the contract for \$25,000 to B. P. Barber. Council Member Smalls seconded the motion that passed unanimously.

3. **Recommendation to Purchase a Compact Pickup Truck for the Water Department**

City Manager Lord informed Council that staff had received bids for a contract pickup truck for the Water Department, which is a budgeted item. The City received three (3) bids as follows: Walterboro Motor Sales \$18,252.00; Rizer Chevrolet \$17,050 and Herndon Chevrolet (state contract price) \$16,174. Mr. Lord recommended the acceptance of the low bid by Herndon Chevrolet, which is the state contract price.

At this point, Council Member Peters **MOVED** to purchase the pickup truck locally and to accept the bid of \$17,050 from Rizer Chevrolet, which is about \$876 difference between the local bid price and the state bid price. Council Member Parker seconded the motion that passed with all members voting in favor.

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**4. Consideration of a Requirement for the City Manager to Present to Council a Strategic Plan for Community Safety on or Before January 11, 2011**

A **MOTION** was made by Council Member Buckner for the City Manager to prepare a Strategic Plan for the community's safety on or before January 11, 2011. Council Member Lucas seconded the motion.

In discussing the motion, the following comments were made:

**Council Member Buckner** stated, I just wanted to give everyone the background on how this proposed consideration came about to have a strategic plan done for community safety, which I think is something that we need here in the City of Walterboro. About four weeks ago, I was in the park with my son and the City Manager came and informed me that a rape had just occurred in the city earlier that day, which happened on a Sunday. I went home and thought about what I could have done or what we could have done as a Council to prevent that from happening. To have such a heinous crime committed right in the City of Walterboro, bothered me tremendously. I just wanted to figure out what we could do about it and I prayed and the answer I got was that we needed a plan to address crime in the City of Walterboro. Just like what we did after the drive-by shooting, this Council came together and proposed a 10-point plan to address crime in the City of Walterboro. I want to thank the Mayor for his leadership during that time period, because I can honestly say that things have gotten better in the City as it relates to this. But as a result of the rape, I asked what can we do now. We already have a plan, but we need a more comprehensive plan, a more strategic plan, looking at the entire department. This plan is about the future of the Police Department - where are we going to be three years from now as a department and as a community. Mr. Buckner further noted that he was informed by the City Manager that the city did not have such a plan packaged together. Mr. Buckner stated, my hope is that this plan, if passed tonight, will address the following things:

1. We need to decide how, we as a police department, are going to work with other law enforcement agencies in the City, such as the Sheriff's Department and SLED. This plan will address better collaboration with other law enforcement entities.
2. Increasing the overall professionalism of the Police Department. How are we going to provide opportunities for our officers to get further training in order to better their service to the community?
3. We need to look at technology. Where do we want to be as a department three years from now as it relates to technology? How are we going to incorporate that into our overall service as a Police Department?
4. We definitely need to look at the juvenile delinquency question, because we have that issue in the city. Proposals for curfews or truancy are things that should be addressed in the plan.
5. Lastly, but most important, how would we reduce overall violent crimes that are occurring in the City, so that we are a more proactive police force than a more reactive police force?

Council Member Buckner concluded by stating that this strategic comprehensive plan if passed tonight will address all those issues. It would be packaged and put together,

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hopefully published and placed in the local newspapers so that the community would know exactly what we are planning to do to address the issue of crime in the City of Walterboro. He urged his fellow Council Members to pass this consideration to have this plan done.

**Council Member Lohr** said he did not have any objections to what Mr. Buckner has proposed. He stated, the only thing I would like to see us do is to take a look at the 10-point plan that we have already in effect, and perhaps flesh that out some, rather than ignoring it or setting it aside. Probably, the only difference I might have is that sometimes it's very difficult to look down the road far enough to anticipate things. We certainly did not anticipate shootings, which we had regrettably. We certainly did not anticipate the rape. We don't know what else may occur. Again, it's more of a philosophical difference that I have, in terms of, let's take what we discussed thoroughly in January, where we took a lot of time, and basically the number one that came out was "Safety for the people of Walterboro." Our Police Chief was involved in that. I would suspect and have confidence in Mr. Buckner's recommendation that it would involve the City Manager, the Police Chief and staff. Again, I just don't want to see us come up with something that I have a nagging feeling might be something that is so lengthy and bureaucratic. Council Member Lohr noted that the Strategic Plan of the Winston Salem Police Department is a good publication. He said, this town is about 20 miles from where I grew up, so I know a little about Winston Salem. It has been an All-American City back in the 50's and 60's and I am sure they still do a good job, but it is probably in excess of 200,000 in population. They probably have a lot of people that can assist or perhaps even do the real detail plan they have for the City Manager. My contention is that I want our police force out there doing what I think they are doing now. Again, they can't anticipate all these things that go on. But I want them out there anticipating, charting where these things occurred and trying to strategically place people in those areas, and do what they can to be proactive. I believe if we burden them with a lot of "we need to do this by such- and-such date to this level," that they will be so sidetracked looking at that, rather than doing the foot work. I would again make an appeal to take a look at developing a plan based on what we have already begun.

Concerning Council Member's Buckner suggested items to be covered in the plan, **Police Chief Otis Rhodes** responded as follows:

1. With regard to the Colleton County's Sheriff's office and SLED, Chief Rhodes stated, I think everyone saw last November after the drive-by shootings, I made a phone call to SLED, based on my personal relationship with SLED and Sheriff Malone. You probably saw Charleston City, Charleston County, Hampton and various other organizations here also. That's why it came about the way it did, because of the relationships we have.
2. Professional training - We do that on a daily basis.
3. Technology - We passed several budget requests in the last several years, so we could move ahead on that.
4. I am a juvenile mentor, along with several officers and staff. So, we work closely with the Department of Juvenile Justice.
5. Reduce violent crime. That's why I do what I have done for the last 19 years - hopefully reduce violent crime. A lot of things happen that we don't see. My wish is that we wouldn't have any violence crimes. I will be glad to sit down with any member of Council to explain what we do and how we do it. Every Friday evening I meet with the City Manager to tell him my plans for the weekend. I ride bikes at night along with my men. A lot of things you don't see us do, because we don't want the bad guys to know that we are doing it. Some things you need to know about



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### MINUTES/Page V

and some things people don't need to know about, so we can keep our guards up, and the criminals will let their guards down. A lot of things are happening. We have a drug team and we are working on some things in the neighborhoods. We are working closely with the communities in the crime watch areas. We started a new crime watch at Forest Hills this week. We have one established in the Hampton Street area and we will start another one in the Black Street area.

Chief Rhodes further stated, there are a lot of things that go on that we do not want to be published, but I will be glad to sit down with any member of staff or Council to discuss what we are doing. The only problem I have with strategic planning is that it is going to take away from a lot of things we have already started. It takes so much to do the 10-point plan. If we get away from the 10-point plan and start doing something else - like this time of the year, it is the shopping season, the armed robberies, burglaries and everything else go up - it is going to take us away from what we are actually doing out there. That's my objection to it.

**Council Member Smalls** then stated, I think Councilman Buckner has a very good plan that he has presented, but I have a couple of issues with it. First, as the Chief has said, we are in the 10-point plan now. We need time to implement that. I'm just not in favor of presenting something to say we have it, if we are not going to implement it. I think Council needs to have a special meeting just to discuss what Mr. Buckner has presented. Then we can tell the City Manager to give us written guidelines to go by. We can then approve it or disapprove it. I see where Mr. Buckner is coming from, but I am not in favor of just passing something to say we have it if we are not going to implement it. Because no matter what we do, if we approve it tonight, we are going to have to take some things from our 10-point plan. So, we need to sit down as a Council and discuss what it is that we want in the strategic plan and what we want to take out of the 10-point plan system. I think the 10-point plan system is working, and we probably need a little more time.

**City Manager Lord** pointed out that staff is working right now to implement the 10-point plan and it's been successful as a gradient, so far for being able to completely stop crime or slow it down. But I think you can judge it as being successful in our implementation. My concern would be in drawing the resources from the implementation and changing the direction of our officers who have been so good at taking this up this last year. We have had a realignment in the way we have done things, with the community policing program. They have been very responsive to that. At this point, while I am generally for comprehensive plans and doing studies, I just think that this might not be the right time.

**Council Member Lucas** then stated, no doubt we all want to reduce crime and do what we can, but we surely don't want to get in the way of the police officers in the performance of their jobs. If this plan were to be implemented sometime in January, and we have our retreat in February, then I would suggest we look at the 10-point plan during our retreat and make any minor changes or additions at that time, and give it time to continue to work.

Council Member Parker then called for the "previous question." Council Member Peters seconded the motion. The Mayor then stated, what we are voting on now is not the motion, but whether or not to *end discussion* on the motion. He said, a "yes" vote here means that we will stop discussing the motion. Before taking the vote, Council Member Buckner then called for "a point of order." Councilman Buckner stated that there should have been a discussion of the motion after the second by Council Member Peters. Mayor Young disagreed and stated that there is no debate on

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a call for the question. Council Member Buckner then withdrew his "point of order." The vote to end discussion passed unanimously.

Next, the Mayor called for the vote on the original motion 'to require the City Manager to present to Council a Strategic plan for community safety before January 11, 2011". The motion was **defeated** with a vote of 1/6 with Council Member Buckner voting in favor and Council Members Peters, Lucas, Smalls, Parker, Lohr and Mayor Young opposing the motion.

5. **Street Closing Request by Boy Scouts Troop 678 for Annual Cubmobile Race on November 6, 2010 - Mr. Chris Cook**

Mr. Chris Cook, leader of Troop 678, was not in attendance at the meeting. Based on the letter received from Mr. Cook, Council Member Peters **MOVED** to approve the Street Closing Request for the Cubmobile Race on November 6 as requested. Council Member Parker seconded the motion that passed unanimously.

#### **COMMITTEE REPORT:**

There were no committee reports given.

At this point, the Mayor thanked everyone for being here tonight. He said, thank you for the privilege of serving you. We have a lot of work to do. We don't always agree on how to get it done, but we are working toward a better Walterboro and with your help, we will continue and we are going to be successful in that. He also thanked Council for their work.

There being no further business to consider, a **MOTION** to adjourn was made by Council Member Parker, seconded by Council Member Lucas and passed unanimously. The Mayor adjourned the meeting at 6:49 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