

Walterboro City Council  
Regular Meeting  
October 10, 2006

### **MINUTES**

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, October 10, 2006 at 6:15 P.M., with Mayor Charles H. Sweat, Jr. presiding.

**PRESENT WERE:** Mayor Charles H. Sweat, Jr., Council Members: Charles Lucas, Bill Young, Franklin Smalls and Mary Anne Cannady. City Manager Tuck McConnell, City Clerk Betty Hudson and City Attorney George Cone were also present. Council Members Thompson and Parker were absent. There were approximately 100 persons in attendance at the meeting consisting of students, teachers and parents from the Hendersonville School, and members of the Boy Scout Troops 678 and 686, with their Scout Masters Cranny Boensch, L. Colson and Chris Cook. The room was filled to capacity with standing room only.

There being a quorum present, the Mayor 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.

Next, the Mayor rearranged the agenda to allow the reading of the proclamation designating October 23-27 as Red Ribbon Week by the students from Hendersonville Elementary School as the first item on the agenda. Ms. Kim Gadson, teacher from Hendersonville School, announced that the students would read the proclamation and the school's cheer squad would lead in a "drug free" cheer. Their theme is "make a difference, live drug free." A "drug-free theme gift" was also given out to each Council Member by the students at Hendersonville School.

A motion adopting the proclamation was made by Council Member Cannady, seconded by Council Member Young and passed unanimously. Council Members Thompson and Parker were absent and did not vote. A copy of said proclamation is attached as part of these minutes.

Next, the Mayor welcomed to the meeting Boy Scout Troops 678 and 686, who were attending the meeting as part of earning their merit badges. Also, present with the troops were Mr. Lane Colson, Mr. Cranny Beonsch and Mr. Chris Cook, the Scout Masters. Boy Scout Jessie Franklin received two frayed American flags from the Mayor to be properly destroyed as part of earning his Eagle Scout Badge. Scout Franklin thanked the City for donating the flags and invited everyone to the flag retirement ceremony on October 15, at 3:30 P.M. at the waterfall.

The Minutes of the September 26, 2006 Public Hearing and Regular Meeting were APPROVED as submitted on a motion by Council Member Lucas, seconded by Council Member Cannady and passed unanimously. Council Members Thompson and Parker were absent and did not vote.

There was no Old Business before Council.

Under New Business, Ordinance # 2006-23 was given First Reading Approval on the motion of Council Member Cannady, seconded by Council Member Lucas, and passed unanimously, being: AN ORDINANCE TO CHANGE THE RETURNED CHECK AND CUTOFF POLICY FOR WATER AND SEWER ACCOUNTS. In discussing the motion, City Manager

McConnell noted that the intention of the ordinance was to make it more customer-friendly; changing the number of returned checks a customer can write before the city will no longer accept checks. Mr. McConnell reminded Council of the water customer complaints received at previous meetings. The customers complained that were required to pay their previous bills, all penalties and the current month's bill before water was restored. The proposed ordinance would allow the collection of the past due bills and all penalties, with no charges assessed for the current month's bill until it is actually due. This would reduce the size of some customers' bills and would allow service to resume more quickly.

Next, a motion by Council Member Young, seconded by Council Member Smalls, to approve a request made by Mr. Ken Sloan of the Recreation Commission, to close the intersection of Klein and Washington Street, for the Great Swamp Sanctuary 12K Road Race on November 18 from 7:30 to 10:30 A.M. The motion passed unanimously. Council Members Thompson and Parker were absent and did not vote. The Mayor announced that this road race will include a 12K run, a 5K run and a 5K walk.

Next, Mr. Jimmy Powers appeared before Council regarding the removal of pine trees at 200 Lakeside Drive. Permission to remove the trees was previously granted by the Tree Committee with mitigation. He asked Council if he needed to replace the trees. Most of the trees are within 10 feet of his house, and are ruining the foundation. It is already costing him nearly \$5,000 to remove them, and he asked for relief in replacing the trees. Council Member Cannady stated he did not have to replace the trees in his yard. She suggested that the Great Swamp Sanctuary would be a great place to plant them. The trees would be free and all he needs to do is plant the trees. It was pointed out that the trees would need to be of a certain size to do this. Council Member Young stated that what bothers him about this is under the current ordinance, if you have a 2-acre lot and you cut down 100 pines and you sell them, you don't have to ask permission from anyone. You can cut them down and you don't have to mitigate. Mr. Young pointed out that if the tree were an oak, magnolia, etc., he might feel different, but he could not see this on pine trees. He said, as much as I want to protect the trees, I certainly want us to be fair to the homeowners too.

A motion was then made by Council Member Young, seconded by Council Member Cannady, to disallow the mitigation on the cutting of the trees by Mr. Powers. The trees would not have to be replaced. The motion passed with all members voting in favor. Council Members Thompson and Parker were absent and did not vote.

Next, Finance Director Jeff Lord reviewed three bids received for the Great Swamp Sanctuary Boardwalk Construction. The highest bid was for \$74,900 from Henley's Construction of Cheraw, SC. There was one non responsive bid received. The lowest bid received was for \$41,941 from Brightwell Engineering of Walterboro. A motion was then made by Council Member Lucas to hire the lowest bidder, Brightwell Engineering and Contracting, Inc. Council Member Smalls seconded the motion that passed unanimously. Council Members Thompson and Parker were absent and did not vote.

Next, a list of funding requests and recommendations for approval were submitted by the A-Tax Committee as follows:

<b>Requestor</b>	<b>Amount Requested</b>	<b>Amount Approved</b>	<b>Note</b>
Walterboro Area Tourism Council	\$80,000	\$64,000	Amt. prorated for fiscal yr-Quarterly disbursement
Walterboro Welcome Center	\$20,000	\$20,000	Amt. not transferred until needed.
Lowcountry & Resort Island Tourism Commission	\$13,800	\$8,000	Quarterly disbursement
Edisto Tourism Marketing	\$30,167	\$0	
DWDC	\$11,000	\$1,000	
City of Walterboro Promotional Website	\$10,000	\$0	
SC Artisans Center	\$21,400	\$13,300	Quarterly disbursement
<b>TOTALS</b>	<b>\$186,367</b>	<b>\$106,300</b>	

A motion to approve the funding requests as recommended by the Accommodations Tax Committee was made by Council Member Cannady. Council Member Young seconded the motion.

A lengthy discussion was then held. The City Manager gave a brief description of each funding request. He stated that the Walterboro Tourism Council is a joint effort between the City and the Chamber of Commerce to take care of the tourism needs and promotions for this area. It includes the operation of the Welcome Center, the Red Rocker Program and billboards. 30% of our accommodations tax funds have to be used by a nonprofit organization. Council has designated the Chamber of Commerce for this purpose. After negotiations, the Chamber of Commerce has agreed to put their \$51,000 along with the amount requested from the accommodations tax board and with about \$6,500 or \$6,700 from the Rice Festival, toward the operation of the Welcome Center, promotional matters, billboards, as well as the training of employees at our various hotels and restaurants.

Mr. McConnell gave the following highlights:

- 1) The Walterboro Area Tourism Council grew out of the old Chamber of Commerce Tourism Council. It has about 18 members on the committee. Five of the members have been designated as the Executive Committee. Those five members are the Mayor of Walterboro or his designee, the Chairman of the Walterboro Chamber of Commerce or his designee, a city designee, a Chamber designee and a Rice Festival designee. As it stands now, the committee members are Mayor Sweat, Eric Campbell, Jeff Lord, David Smalls and Cindy Westbury. The Executive Committee has the responsibility and authority to hire, fire and direct the Tourism Director. Whoever is hired as the Tourism Director will report to the Executive Committee.

- 2) It was important to have an active and viable Chamber of Commerce and be able to form a partnership where the Chamber contributed \$51,000 and the Rice Festival contributed around \$6,700.
- 3) The Tourism Coordinator will also handle any special events, such as the Rice Festival or any other special events, running advertisements and will run the Welcome Center. This is a very responsible job that will require a special person.

Council Member Young asked if the Executive Committee had composed a list of qualifications or experience required for the position. He asked if Council could see this list.

Council Member Young asked how the Executive Committee came into existence and how was this decided? City Manager McConnell responded that this was through several months of negotiations and confirmed that Council did not have a voice in this. He explained that the Mayor, the President of the Chambers, Jeff Lord, the City Manager and another member of the Chamber keep meeting trying to find a common ground that will better fit both organizations. This is what came out of those negotiations.

Council Member Cannady felt it was best to see what their game plan is before voting and giving money to an Executive Board that we do not have a contract or agreement with.

City Manager McConnell stated that Executive Board would hire a Tourism Director to run the Welcome Center, take care of our coordinated advertising program, run the Red Rocker Program and to handle special events that might occur in the City of Walterboro. There is a job description that the Executive Committee has composed.

On a question raised by Council Member Young, Mr. McConnell explained that this situation evolved over a number of months. There was no one particular place to start. He felt that this is the point now to properly represent this to Council. It would have been difficult to present it to you in an incomplete format.

Council Member Cannady asked what would happen if Council is not happy with the way things are run? City Manager McConnell explained that Council's option would be to pull out of the agreement. He also responded that no agreement has been written yet, but if Council decides to pull out, then it would have to make up the monetary difference if the City wanted to run the program.

Council Member Cannady stated she had no problem with spending the money, but did have a problem giving the money to people over there and this Council has no control over it. She asked if the agreement would be for 6 months, a year, 5 years, 10 years. How long an agreement would we have, and if we wanted to get out, what are our options? She stated she would like to see something in black and white to see what our options are.

Council Member Young stated he would like to have known about this when it was going on.

Further discussion was held. David Smalls, President of the Chamber of Commerce, stated that in the past the County received the A-tax funds and disbursed them on a yearly basis. Now the city receives those funds. At the end of each year, the Chamber was required to make a report on how the monies were spent. If they decided that they did not like how the monies were spent, then they could decide not to fund it. Mr. Smalls explained that in this situation, the Chamber is trying to consolidate its efforts and work with the City to make a comprehensive plan to advertise and promote the city in its tourism efforts. At the end of the year in June 2007, the Chamber will give an end of the year report and make a

request for funding for the following year. If Council decides the monies were not spent in a good manner, then it could give it to another agency to do the same thing.

Council Member Cannady expressed concern that the City is giving \$64,000 and do not know where it's being spent. She stated that all she is asking for is accountability. City Manager McConnell noted that Finance Director Jeff Lord had already completed a budget, which was presented to the A-Tax Committee.

Council Member Cannady then asked if the Rice Festival was a 501C3, a nonprofit organization. She felt that the City should not have monies going to an organization that is not a 501C3 organization.

At this point the Mayor requested that Finance Director Jeff Lord provide to Council a copy of the budget and the qualifications for the Tourism Director. Mr. David Smalls stated that this director will be a Chamber employee and would not come under the city. City Manager McConnell clarified that the Rice Festival, as you know it now, will cease to exist and will be covered by the Chamber's 501C3 status.

Further discussion was held, after which Council Member Cannady amended her motion, with the approval of the second, as follows:

**"and to make sure that Council has the opportunity to see the contract and that Council is kept abreast of what's going on."**

**The motion passed with all members voting in favor.** Council Members Thompson and Parker were absent and did not vote.

Council Member Lucas then spoke in reference to a letter received from the Rice Festival Committee concerning the request by merchants to relocate the festival from the downtown area. He stated he would like to see an exploratory committee (composed of 3 downtown merchants and 3 people from the Rice Festival Committee) get together to start exploring possibilities for future Rice Festivals. He felt this group should work on whether the Festival relocates or just make modifications downtown.

There being no further business to consider, a motion to adjourn was made by Council Member Lucas seconded by Council Member Smalls and passed unanimously. The Mayor adjourned the meeting at 7:30 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

**APPROVED October 24, 2006**