

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, June 22, 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. There were approximately 12 persons present in the audience.

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

The Mayor welcomed everyone to the meeting and announced one change to the agenda - Removal of item number 4, under New Business, entitled "Request to Use the Gruber Street Park for Summer Feed Program - Karen Wilson". He stated that Ms. Wilson had withdrawn her request and this item would be removed from the agenda.

PUBLIC INPUT ON AGENDA ITEMS:

The Mayor asked for public comments on agenda items. He stated, we are going to start asking tonight that each person keep their comments to 3 minutes.

No public comments were given on agenda items.

APPROVAL OF THE MINUTES:

The Minutes of the June 8, 2010 Public Hearing and Regular Meeting were approved on the motion of Council Member Peters, seconded by Council Member Lucas, and passed unanimously.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. Resolution No. 2010-R-06

The following resolution was before Council: Resolution # 2010-R-06, A Resolution to Amend All Prior Resolutions of the City of Walterboro, Inconsistent with this Resolution, to the Extent of the Inconsistency, Including, Without Limiting the Generality of the Foregoing, Resolution No. 2001-10, as Amended by Resolution No. 2006-R-05 - A Resolution to Authorize the City of Walterboro to Participate in the South Carolina Local Government Assurance Group's (SCLGAG) Retiree Plan, So As to Provide That the City Will Not Provide Health, Life, Dental and Other Insurance Coverage as a Retirement Benefit to Any Employee Who Was Not Retired from the City on June 30, 2010 or Who Is Not an Active Employee of the City on June 30, 2010, and So As to Further Provide for Changes in Retirement Eligibility for City Employees with Less than Ten Years of Employment with the City, and Matters Related Thereto.

A motion was made by Council Member Peters to approve Resolution # 2010-R-06. Council Member Lucas seconded the motion.

The Mayor then asked Council Member Lucas, chairman of the Budget Committee, if he had comments on this item. Council Member Lucas stated that when

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the committee was doing the budget process for 2010 - 2011, the committee came up with some recommendations for changes to the retirement system because of the escalating costs and to save money for the City in the long run, and we wanted to be fair to those who are already employees with the City. So, we came up with a recommendation to Council which is (Resolution # 2010-R-06). This means that the retirement plan would be changed for any new hires after June 30, 2010. They will not have their retiree health insurance covered by the city. Those employees as of June 30, with less than 10 years, will still get their insurance paid, but it will not take effect until their 60th birthday. Those employees with more than 10 years service, their retirement would not be affected at all.

In further discussion, Council Member Buckner asked City Attorney Cone for a further explanation of this resolution from a legal standpoint. He asked him to explain the resolution in plain laymen's language.

Attorney Cone stated that "new hires on or after July 1, 2010 upon retirement will not have insurance benefits provided by the City". He further explained that, "employees with less than 10 years of service will have to wait until their retirement age or age 60 whichever is later to have the City provide retirement insurance benefits".

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

2. Consideration of Bids Received for the Demolition and Cleanup of Condemned Properties within the City Limits

Mr. Lord told Council that the City has notified these property owners, through the proper process using certified letters and posting the properties requiring the owners to abate their nuisances which could be overgrown properties or unsafe structures. These have not been abated, so the City sent out a bid request for removing the unsafe structures or removal of vegetation from overgrown properties. All of the condemned properties were bid together to get the lowest price possible. There was a total of 12 condemned properties submitted on the bid list.

Mr. Lord recommended approval of the lowest bid of \$43,000 submitted by Woodland Enterprises of Yemassee, SC. A motion was made by Council Member Peters, seconded by Council Member Lohr, to accept the low bid from Woodland Enterprises of \$43,000 for demolition and cleanup of condemned properties within the City. This motion passed unanimously.

In discussing the motion, Council Member Lucas asked if any of the properties were occupied buildings. Mr. Lord responded "no".

Council Member Smalls asked if the present owner would still own the property after the work is done? Mr. Lord responded, yes, we will put a lien on the property for the value of the cleanup and then they (the owner) will have an opportunity to pay us back. Should they not pay us, then on the sale of the property, because of our lien, we will be able to recoup our cost and refund the abatement fund. Council Member Smalls asked what would be the length of time on the lien for the owner to redeem his property. City Attorney Cone explained that the lien, itself, will be good for ten years. Until we go to foreclose it, which will take 6 to 9 months, they could redeem it any time during the process, but we wouldn't have to begin the foreclosure of the liens right away. It depends on what City Council's and the City Manager's pleasure is as far as instituting procedures to foreclose the liens. The liens will be good once they are filed for ten years. Any time during that process, we can foreclose.

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Council Member Smalls asked how will that affect the owner's property tax when taxes are due after the lien is placed on it? Attorney Cone responded that this will not affect the property taxes at all.

Council Member Buckner asked if the lien would be more than the actually cost to cleanup or demolish the property. City Manager Lord responded that there may be a \$250 administrative fee added to the liens.

Council Member Parker asked what would be the time frame to start the demolition of the properties and how long would this take. Mr. David Dodd responded that hopefully the work will start within a short period of time. He stated, I think it would start within 90 days.

Council Member Lucas asked if there were a way to work with the owners, to offer them a 5 year plan to pay off the lien with their taxes, if they were interested in doing that. City Attorney Cone responded, if they are willing to pay it, the lien is good for ten years. The City can work out anything they want as far as a payment schedule. If the city wants to work out a payment plan with people who can pay, I suggest you do it on a case-by-case basis.

Council Member Lucas felt that the city should offer a payment plan to some of the owners who owe \$1,200, or \$2,000 or \$4,000. They might not be able to come up with this amount at one time, but as long as they pay their taxes and pay on the lien, we could keep from foreclosing.

Finance Director Bill Floyd stated, for the most part, these are absentee owners who are virtually out of contact with us and they are non-responsive.

3. Request to Use the City Parking Lot for Walterboro Shag Dance on August 6 and 7 by Gene Varn of the Lowcountry Sertoma Club

A motion was made by Council Member Parker granting this request as submitted. Council Member Lucas seconded the motion which passed with all members voting in favor.

There were no Committee Reports given.

A motion to enter an executive session for a discussion of matters relating to proposed provision of services encouraging the location or expansion of industry or other businesses in the area of negotiations incident to proposed contractual arrangements was made by Council Member Lucas, seconded by Council Member Parker and passed unanimously. 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 6:51 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: July 13, 2010