

R E S O L U T I O N

WHEREAS, The Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on December 16, 1982 for the construction of a twelve (12) inch water main, for which the plans and specifications have been approved by the South Carolina Department of Health and Environmental Control, and

WHEREAS, the low responsible bid for this work was submitted by RWE, Inc. of Florence, South Carolina in the amount of \$141,754.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted, and

BE IT FURTHER RESOLVED that Ted M. Johnson, Jr., Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

PASSED THIS 4th day of January A.D., 1983.

E. O. Ponderakis
Mayor
W. Beattie Selley
Sara H. Reynolds
Henry G. Morrison
William S. McCann
Members of Council

ATTEST:

James S. Brown
City Clerk and Treasurer

R E S O L U T I O N

WHEREAS, The Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on December 16, 1982 for improvements to the Water Plant by installing a High Rate Filter System to Filters 7 and 8, for which the plans and specifications have been approved by the South Carolina Department of Health and Environmental Control, and

WHEREAS, the low responsible bid for this work was submitted by Republic Contracting Corporation of Columbia, South Carolina in the amount of \$84,000.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted, and

BE IT FURTHER RESOLVED THAT Ted M. Johnson, Jr., Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

PASSED THIS 4th day of January A.D., 1983.

E. O. Pendergrass
Mayor
W. Everett Selley
Sam F. Alexander
Henry B. Johnson
William F. King
Members of Council

ATTEST:

James M. ...
City Clerk and Treasurer

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RESOLUTION

BE IT RESOLVED By the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of same,

That the Rates of the Department of Public Utilities of the City of Orangeburg pertaining to Wastewater Rates, be, and the same is hereby repealed, and in lieu thereof, the Wastewater Rates hereto attached, be, and they are hereby declared effective on February 16, 1983.

PASSED By the City Council, in Council assembled at Orangeburg, South Carolina, this 18th day of January A.D., 1983.

E. O. Rendani's

Mayor
W. Beretta Selbo

Sam H. Almond

Samuel S. Johnson

William J. Allard

Members of Council

ATTEST:

Shamp S. Hemmick

City Clerk and Treasurer

CITY OF ORANGEBURG, S.C.
 CITY COUNCIL MINUTES
 JANUARY 4, 1983

City Council held its regular meeting on January 4, 1983, Mayor Pendarvis presiding.

PRESENT: E.O. Pendarvis, Mayor
 W. Everette Salley, Mayor Pro Tem
 Sara H. Alexander, Member of Council
 William S. McCain, Jr., Member of Council
 Henry F. Frierson, Member of Council

The minutes of the regular December 21, 1982, City Council Meeting were read and approved.

Under Old Business, a motion by Mrs. Alexander, seconded by Mayor Pro Tem Salley, unanimously approved second reading of An Ordinance to Impose and Regulate Licenses in the City of Orangeburg, South Carolina, For the Year 1983 and Thereafter Until Amended or Repealed by the City Council.

The first item under New Business was the first reading of An Ordinance to Amend the Code of Ordinances of the City of Orangeburg by Amending Chapter 22½ Entitled SOLID WASTE MANAGEMENT. Mayor Pendarvis made a motion to approve first reading, Mayor Pro Tem Salley seconded, and the motion carried unanimously.

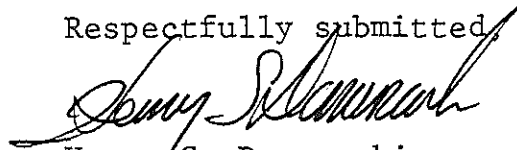
Mr. Ted Johnson, Manger of the Department of Public Utilities, brought several matters before City Council for consideration.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Salley, unanimously approved a Resolution to accept the low bid of RWF, Inc. of Florence, South Carolina, in the amount of \$141,754 for the construction of a twelve inch water main.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved a Resolution accepting the low bid of Republic Contracting Corporation of Columbia, South Carolina in the amount of \$84,000 for improvements to the Water Plant by installing a High Rate Filter System to Filters Seven and Eight.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
 Finance Director/City Clerk

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CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
JANUARY 18, 1983

City Council held its regular meeting on January 18, 1983, Mayor Pendarvis presiding.

PRESENT: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular January 4, 1983, City Council Meeting were read and approved.

Under old business, a motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved third and final reading of An Ordinance to Impose and Regulate Licenses in the City of Orangeburg, South Carolina, For the Year 1983 and Thereafter Until Amended or Repealed by the City Council.

The first item under new business was the consideration of Police Car Bids for five full size units. Mr. Tipton, City Administrator, informed City Council that the City had received five bids ranging from \$47,996 to \$42,921.55 according to requested specifications, four from local automobile dealers and one from State Purchasing. State Purchasing submitted the low bid of \$42,921.55 which was \$328.45 under the 1982-1983 budget allotment. A motion by Mayor Pro Tem Salley, seconded by Councilmember McCain, unanimously approved the low bid.

City Administrator Tipton presented three engineering proposals for Council's consideration for construction of a City Maintenance Complex, recommending McCall-Thomas Engineering Company as the preferred proposal. Mayor Pendarvis postponed this issue for further consideration by Council.

Mr. Lanny Herron, Chamber of Commerce President, addressed City Council regarding the Chamber's plans for the upcoming year, and requested a resolution by City Council recognizing January 17-21, 1983, as the Greater Orangeburg Chamber of Commerce Week. A motion by Mayor Pendarvis seconded by Mayor Pro Tem Salley, unanimously approved the resolution.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved Harold J. Biggers as the new Orangeburg City/County Airport Fixed Base Operator effective February 1, 1983.

Mr. Ted Johnson, Department of Public Utilities Manager, presented a resolution for increasing the wastewater rates (See Resolution attached and made a part of these minutes) to become effective on February 16, 1983. A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved this resolution.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
Finance Director/City Clerk

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
FEBRUARY 1, 1983

City Council held its regular meeting on February 1, 1983, Mayor Pendarvis presiding.

PRESENT: E.O. PENDARVIS, MAYOR
W. EVERETTE SALLEY, MAYOR PRO TEM
SARA H. ALEXANDER, MEMBER OF COUNCIL
HENRY F. FRIERSON, MEMBER OF COUNCIL

ABSENT: WILLIAM S. McCAIN, JR., MEMBER OF COUNCIL

The minutes of the regular January 18, 1983 City Council Meeting were read and approved.

The only item under old business was a presentation by Marion Davis, City Horticulturist, who explained to Council the City's responsibilities as "All American Rose Test Garden." Mr. Davis also updated Council on rose garden projects which were currently underway.

The first item under new business was the appointment of Marion Davis to the Orangeburg County Beautification and Community Improvement Committee. A motion by Mayor Pendarvis, seconded by Mrs. Alexander, unanimously approved this appointment.

A motion by Dr. Frierson, seconded by Dr. Salley, unanimously approved a resolution for Bankers Trust of South Carolina authorizing Mr. Henry S. Domeracki, City Finance Director, to enter into an Insured Investment Account Agreement on behalf of the City.

A motion by Dr. Salley, seconded by Mrs. Alexander, unanimously approved entering into an executive session for the purpose of an administrative briefing as requested by Mr. Tipton.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

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CITY OF ORANGEBURG, SC
CITY COUNCIL MINUTES
FEBRUARY 15, 1983

City Council held its regular meeting on February 15, 1983, Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular February 1, 1983 City Council Meeting were read and approved.

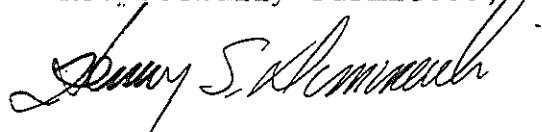
The only item under old business was the second reading of An Ordinance to Amend the Code of Ordinances of the City of Orangeburg by Amending Chapter 22½ Entitled SOLID WASTE MANAGEMENT. A motion by Mrs. Alexander, seconded by Mr. McCain, unanimously approved second reading.

Under new business, City Administrator Tipton presented first reading of an ordinance regulating garage sales. Tipton explained to Council that the approval of this ordinance would regulate the proliferation of garage sales held in the City. He emphasized that passage of this ordinance would not affect City residents who held a garage sale once or twice a year to rid themselves of unwanted household or personal items, but that it would prohibit those buying merchandise for resale. Dr. Frierson made a motion, Dr. Salley seconded, for approval of first reading. The motion carried with Councilmembers Frierson, McCain, Pendarvis and Salley voting in favor of the motion while Mrs. Alexander voted against it.

A motion by Dr. Salley, seconded by Mr. McCain, unanimously approved entering into an executive session for an administrative briefing and discussion of personnel as requested by City Administrator Tipton.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk



as secretary of City of Orangeburg
a corporation duly organized and existing under the laws of the State of South Carolina hereby certify to Bankers Trust of South Carolina, that a meeting of the Board of Directors of said corporation was duly called and held at its office in the City of Orangeburg, and State of South Carolina on the First day of Feb, 1983, that at said meeting a quorum was present and voting throughout, and that the following resolutions on motion duly made and seconded were unanimously adopted and are now in full force and effect:

INSURED
INVESTMENT
ACCOUNT

Deposits and Withdrawals

RESOLVED, that the Bankers Trust of South Carolina, (hereinafter referred to as the "Bank") be and hereby is designated as a depository of this corporation and that the officers and agents of this corporation be and hereby are, and each of them hereby is, authorized to deposit any of the funds of this corporation in the Bank either at its head office or at any of its branches.

RESOLVED, that, until the further order of this Board of Directors, any funds of this corporation deposited in the Bank be subject to withdrawal or charge at any time and from time to time upon checks, notes, drafts, bill of exchange, acceptances, undertakings, or other instruments or orders for the payment of money when made, signed, drawn, accepted or indorsed on behalf of this corporation by any one of the following officers or employees of this corporation:

Name Henry S. Domeracki Title Finance Director Signature [Signature]

RESOLVED, that the Bank is hereby authorized to pay any such instrument or make any such charge and also to receive the same from the payee or any other holder without inquiry as to the circumstances of issue ~~or the disposition of the proceeds even if drawn to the individual order of any signing person, or payable to the Bank or others for his account, or tendered in payment of his individual obligation,~~ and whether drawn against an account in the name of this corporation or in the name of any officer or agent of this corporation as such, and, at the option of the Bank, even if the account shall not be in credit to the full amount of such instrument charge.

Loans, Credits and Security

RESOLVED, that _____ of the following officers or employees of this corporation:

Name Henry S. Domeracki Title Finance Director Signature [Signature]

are hereby authorized on behalf of this corporation:

- ~~1. To borrow money and to obtain credit for this corporation from the Bank on any terms and to make and deliver notes, drafts, acceptances, instruments of guaranty, agreements and any other obligation of this corporation in form satisfactory to the Bank.~~
- ~~2. To grant security interest in and/or pledge or assign and deliver, as security for money borrowed or credit obtained, stocks, bonds, instruments, bills receivable, accounts, mortgages, merchandise, bills of lading, warehouse receipts and other documents, insurance policies, certificates, and any other property now or hereafter held by or belonging to this corporation, with full authority to endorse, assign or guarantee any of the same in the name of this corporation.~~
- ~~3. To discount any bills receivable or any paper held by this corporation with full authority to endorse the same in the name of this corporation.~~
4. To withdraw from the Bank and give receipt for, or to authorize the Bank to deliver to bearer or to one or more designated persons, all or any documents and securities or other property held by it, whether held as collateral security or for safekeeping or for any other purpose.
5. To authorize and request the Bank to purchase or sell for account of this corporation stocks, bonds and other securities.
- ~~6. To execute and deliver all security and other agreements, financing statements and other papers required by the Bank in connection with any of the foregoing matters and affix thereto the seal of this corporation.~~
7. To negotiate Letters of Credit, both export & import, irrevocable and revocable.

RESOLVED, that the Secretary or any other officer of this Corporation be, and hereby is, authorized to certify to this Bank the names of the present officers of this corporation and other persons authorized to sign for it and the offices respectively held by them, together with specimens of their signatures, and in case of any change of any holder of any such office or holders of any such offices, the fact of such change and the names of any new officers and the offices respectively held by them, together with specimens of their signatures; and the Bank be, and hereby is, authorized to honor any instrument signed by any new officer or officers in respect of whom it has received any such certificate or certificates with the same force and effect as if said officer or officers were named in the foregoing resolutions in the place of any person or persons with the same title or titles.

is Deposit

SOLVED, that any _____ of the following, namely:

and they hereby are authorized to have access from time to time to the safe deposit compartment(s) in the vaults of BANKERS TRUST OF SOUTH CAROLINA, rented in the name of this corporation, subject to the rules and regulations of said BANKERS TRUST OF SOUTH CAROLINA, and be it

FURTHER RESOLVED, that said BANKERS TRUST OF SOUTH CAROLINA, is hereby authorized and requested to grant access from time to time to said safe deposit compartment(s) in accordance with the foregoing resolution until the authority thereby granted has been revoked and written notice of such revocation signed by an officer of this Corporation has been received by said BANKERS TRUST OF SOUTH CAROLINA, at the office or branch where said compartment(s) is/are located, and be it

FURTHER RESOLVED, that the Secretary or any other officer of this corporation be, and hereby is authorized to certify to BANKERS TRUST OF SOUTH CAROLINA, the names of the officers of this corporation authorized as aforesaid and the offices respectively held by them and the names of any other persons authorized to have access on behalf of this corporation, together with specimens of their signatures; and BANKERS TRUST OF SOUTH CAROLINA, be, and hereby is, authorized to permit access to, and to honor any instrument signed by, and such officer or officers or other persons in respect of whom it has received any such certificate or certificates.

RESOLVED, that the Bank be promptly notified in writing by the Secretary or any other officer of this corporation of any change in these resolutions, such notice to be given to each office of the Bank in which any account of this corporation may be maintained, and that until it has actually received such notice in writing it is authorized to act in pursuance of these resolutions, and that until it has actually so received such notice it shall be indemnified and saved harmless from any loss suffered or liability incurred by it in continuing to act in pursuances of these resolutions, even though these resolutions may have been changed."

I FURTHER CERTIFY that there is no provision in the Charter or By-Laws of the said corporation limiting the power of the Board of Directors to pass the foregoing resolutions, and that the same are in conformity with the provisions of said Charter and By-Laws.

IN WITNESS WHEREOF, I have hereunto set my hand as Secretary of said corporation and affixed the corporate seal this First day of February 19 83

Henry S. Domeracki

As Secretary of the said corporation

L. Gary Tipton

Other Officer

City Administrator

Title

(Corporate Seal)

*Note: In case the Secretary or other recording officer is authorized to sign checks, notes, etc., by the above resolutions this certificate must also be signed by a second officer of the corporation.

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
MARCH 1, 1983

City Council held its regular meeting in the Council Chambers of City Hall on March 1, 1983 at 7:00 p.m., Mayor Pendarvis presiding.

Present: E.O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tempore
Sara H. Alexander, Member of Council
William S. McCain, Jr., Member of Council

Absent: Henry F. Frierson, Member of Council

The minutes of the regular February 15, 1983 City Council Meeting were read and approved.

Mr. Jim Cherry, Executive Director of the Greater Orangeburg Chamber of Commerce, presented Council with an itemized accounting of the expenses incurred during the Chamber renovation. Cherry emphasized that the entire renovating expenditures totaling \$51,309.62 amounted to \$8,690.38 less than the original \$60,000 authorized by City Council. Cherry attributed the approximate \$8,000 to \$9,000 savings to the expertise of a local contractor, Herman Robinson, and the City employees.

A motion by Dr. Salley, seconded by Mr. McCain, unanimously approved third and final reading of an ordinance to amend the Code of Ordinance of the City of Orangeburg by amending chapter 22½ entitled SOLID WASTE MANAGEMENT.

Mr. Tipton, City Administrator, offered, for second reading, an ordinance regulating garage sales. After a brief discussion among Councilmembers, the following amendments were made:

- (a) Under Section Permit Required, a motion by Mr. McCain, seconded by Mrs. Alexander, unanimously approved amending said section by changing "\$5 per each sale day" to \$1 per permit.
- (b) Under Section New Merchandise Prohibited, a motion by Dr. Salley, seconded by Mr. McCain, unanimously approved amending this section by substituting the words "No new or used merchandise shall be purchased or brought for resale onto the premises for the sale permitted under this ordinance" with "No new or used merchandise shall be purchased for resale on the premises for the sale permitted under this ordinance.
- (c) Under Section Signs, a motion by Dr. Salley, seconded by Mrs. Alexander, unanimously approved amending the Signs Section by adding the following: Permission for placement of signs on the highway right-of-way must be given by the City Administrator. Such permission may be granted at the time the permit is applied for.

A motion by Dr. Salley, seconded by Mr. McCain, unanimously approved second reading of the garage sale ordinance as amended.

City Administrator Tipton presented to Council for consideration the City's Swimming Program at the Edisto River. Tipton pointed out that due to the high bacteria (fecal) count as documented by the Department of Health and Environmental Control (DHEC), operation of the swimming program during the past three years had only been permissible 40 percent of the time. In summation Tipton said that continuation of such

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a program would be promoting, or at least condoning, a health hazard; therefore, he recommended that City Council not give the Parks and Recreation Department authorization to conduct the swimming program this year. A motion by Mr. Pendarvis, seconded by Mr. McCain, unanimously denied such authorization, with instructions for the Parks and Recreation Director to place adequate signs warning swimmers of the dangerous fecal contamination and, with the same motion, also approving future reconsideration of the swimming program should water conditions become safe.

A motion by Dr. Salley, seconded by Mrs. Alexander, unanimously approved a resolution giving the South Carolina Highway Department authorization to widen that portion of 21/178 By-Pass located inside the City Limits of Orangeburg.

A motion by Dr. Salley, seconded by Mr. McCain, unanimously approved pavement of Margot Street by the State Highway Department.

A motion by Dr. Salley, seconded by Mrs. Alexander, unanimously approved Dr. Salley's seeking assistance from Senator Marshall B. Williams of the Orangeburg County Delegation, toward getting the remainder of paved streets, which is approximately two miles, in the City entered into the State system for pavement and upkeep.

A motion by Dr. Salley, seconded by Mr. McCain, unanimously approved entering into an executive session as requested by both Tipton and Johnson.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

CITY OF ORANGEBURG, S. C.
 CITY COUNCIL MINUTES
 MARCH 15, 1983

City Council held its regular meeting on March 15, 1983 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
 W. Everette Salley, Mayor Pro Tempore
 Sara H. Alexander, Member of Council
 Henry F. Frierson, Member of Council
 William S. McCain, Jr., Member of Council

The minutes of the regular March 1, 1983 City Council Meeting were read and approved.

Under old business, City Administrator Tipton presented the ordinance regulating garage sales for third and final reading. Mr. Pendarvis made a motion, which was seconded by Dr. Salley, to amend Section _____ Hours of Sale, by deleting "The sale shall be limited to the hours between 8:00 a.m. and 7:00 p.m. on each day of the sale" to each sale day shall be limited to daylight hours only. The motion carried unanimously.

A motion by Dr. Salley, seconded by Dr. Frierson, unanimously approved third and final reading of the garage sale ordinance as amended.

City Administrator Tipton presented to Council for consideration a resolution authorizing the South Carolina Highway Department to proceed with the improvements to Meeting and Wiles Streets. A motion by Mr. Pendarvis, seconded by Dr. Salley, unanimously approved the resolution.

Under new business, a motion by Mr. Pendarvis, seconded by Dr. Frierson, unanimously approved a resolution giving SCE&G authorization to inject a deodorant chemical into the sewer system.

A motion by Dr. Frierson, seconded by Dr. Salley, unanimously approved a resolution authorizing the relocation of a sewer easement at the proposed mall site at the owner's expense.

A motion by Dr. Salley, seconded by Dr. Frierson, unanimously approved entering into an executive session as requested by City Administrator Tipton.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
 City Clerk

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CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
APRIL 5, 1983

City Council held its regular meeting on April 5, 1983 in the Council Chambers of City Hall at 7:00 p.m., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

Absent: W. Everette Salley, Mayor Pro Tempore

The first item under old business was the 1983 Rose Festival Budget Presentation detailing the proposed expenses, revenues, and also the scheduled activities for the 1983 Festival which Council received as information.

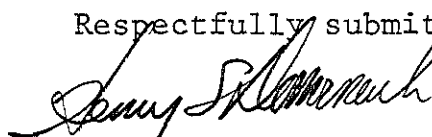
Under new business, City Administrator Tipton presented first reading of an ordinance for regulating conduct in public parks. Mr. Josh Collins, City Parks and Recreation Director, explained to Council that the purpose of this ordinance was to eliminate some of the problems the Park employees were currently experiencing in the gardens area and, at the same time, make it a more pleasant area for family enjoyment. Chief Royston informed Council that without passage of the ordinance the Police Department was limited in controlling park conduct because they could not arrest those creating the problems unless they were actually violating a law. A motion by Mr. Pendarvis, seconded by Mr. McCain, unanimously approved first reading.

Mr. Tipton presented to Council for consideration insurance proposals for liability and comprehensive coverage on the City and Department of Public Utilities vehicle fleet. Tipton informed Council that out of the 16 requested proposals, only five were received and that after a thorough analysis by he and Mr. Johnson, they recommended the low bidder, R. F. Bryant & Sons, Inc. A motion by Mrs. Alexander, seconded by Dr. Frierson, unanimously approved the low bid.

Mr. Tipton requested an executive session for an administrative briefing and discussion of personnel. A motion by Dr. Frierson, seconded by Mrs. Alexander, unanimously approved Mr. Tipton's request.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk



SOUTH CAROLINA

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

P.O. BOX 191
COLUMBIA, S.C. 29202

June 30, 1983

File 38.829 - Roads S-1810 and S-1811 - Orangeburg County
Project C-829

Mr. Henry S. Domeracki
Clerk, City of Orangeburg
Orangeburg, South Carolina

Dear Mr. Domeracki:

I am enclosing one copy of the Municipal-State Highway Project Agreement executed by the City of Orangeburg on March 15, 1983, for the above project.

This copy is for your records.

Yours very truly,

A handwritten signature in cursive script, appearing to read "S. O. Holstein, Jr.".

S. O. Holstein, Jr.
Director, Rights of Way

MUNICIPAL-STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)

COUNTY OF ORANGEBURG)

FILE NO. 38.829)

F. A. PROJECT NO. C-829)

~~ROUTE~~ OR ROAD NO. S-1810, S-1811)

RESOLUTION

WHEREAS, In accordance with Chapter 5, Title 57, Code of Laws of South Carolina, 1976, and amendments thereto, the South Carolina Department of Highways and Public Transportation in cooperation with the Municipality of Orangeburg, proposes to construct, reconstruct, alter, or improve a certain street, or streets, on duly constituted routes in the State Highway System, within the corporate limits of said Municipality, according to plans prepared by the South Carolina Department of Highways and Public Transportation, identified as follows:

Project No.

C-829

Route or Road No.

Road S-1810: Along Wiles Street from Middleton Street (S-211) to Doyle Street (S-924).

Road S-1811: Along Meeting Street from Wiles Street to Calhoun Drive (Rt. 301/601).

NOW THEREFORE, Be it resolved that the Municipality of Orangeburg does hereby consent to the construction or improvements of the aforesaid Municipal street, or streets, in accordance with the aforesaid plans, thereby evidencing compliance by the South Carolina Department of Highways and Public Transportation with the provisions of Section 57-5-820, Code of Laws of South Carolina, 1976; and further the Municipality, having reviewed the plans for said construction, does hereby approve said plans, as heretofore identified, as provided for in Section 57-5-830, of the 1976 Code, it being understood that the South Carolina Department of Highways and Public Transportation shall not be liable for damages to property or injuries to persons, as otherwise provided for in Section 57-5-1810, of the 1976 Code, as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality.

BE IT FURTHER RESOLVED, That the Municipality will legally protect the right of way as shown by the plans prepared by the South Carolina Department of Highways and Public Transportation and as established for this street, or streets, from future encroachment along any or all parts of the improvement covered by this agreement, and that all water, sewer and gas pipes, manholes, or fire hydrants and all power, light, telegraph, or telephone poles will be moved, relocated or rearranged, or caused to be moved, relocated or rearranged by the Municipality, in accordance with plans prepared by the South Carolina Department of Highways and Public Transportation and/or by respective utility companies showing their present and proposed location, and made

a part hereof, with provision that pole lines and hydrants be located back of the sidewalk, and all necessary rights of way for drainage ditches or pipes will be secured to conform to the plans for the proposed improvement and that all of the above will be done without any expense or cost to the South Carolina Department of Highways and Public Transportation except for those items which are shown on the construction plans for this project to be adjusted as items in the construction contract or contracts to be awarded by the South Carolina Department of Highways and Public Transportation.

BE IT FURTHER RESOLVED, That the Municipality will furnish the South Carolina Department of Highways and Public Transportation with evidence satisfactory to the Department that the utilities are operating within the Municipality by franchise or other written permission with provision that all necessary relocations of such utilities to accommodate street improvements will be made at no cost to the South Carolina Department of Highways and Public Transportation; that the presence of the utilities over, along or under the street will in no way interfere with construction, maintenance, and safe operations of the street; and that no additional utility installations within the limits of the street improvement from the date of the execution of this agreement will be permitted without approval of the South Carolina Department of Highways and Public Transportation, and that the relocation activities will be coordinated so as to minimize interference with contractor operations.

BE IT FURTHER RESOLVED, That the Municipality hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Highways and Public Transportation as required in Section 56-5-930 of the 1976 Code, nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, This Resolution is hereby adopted and made a part of the Municipal records this 15th day of March, 19 83 and the original of this Resolution will be filed with the South Carolina Department of Highways and Public Transportation at Columbia.

City of Orangeburg, S. C.

Municipality

By E. O. Fordham's
Mayor
W. Beattie Selby
Sam H. ...
Henry B. ...
William S. McCant

ATTEST:

Henry S. ...
Clerk

R E S O L U T I O N

WHEREAS, South Carolina Electric & Gas Company provides natural gas service to the City of Orangeburg under the terms of a contract for municipal firm gas service ("Contract") executed May 4, 1976, amended under dates of June 1, 1978, and July 1, 1981; and

WHEREAS, South Carolina Electric & Gas Company desires to amend said contract respecting the odorization of natural gas, effective as of March 8, 1983, all of which will more fully appear by reference to Exhibit A attached hereto entitled "Amendment To South Carolina Electric & Gas Company Contract For Municipal Firm Gas Service And The City Of Orangeburg, A Municipal Corporation", the terms of which are incorporated herein and made a part of this Resolution by reference,

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Councilmen of the City of Orangeburg, State of South Carolina, in council assembled, and by authority of the same, that Ted M. Johnson, Jr., Manager of the Department of Public Utilities, is hereby authorized and directed to execute and deliver on behalf of the City of Orangeburg an amendment to the aforesaid Contract in the manner and form as set forth on said Exhibit A attached hereto.

Passed by City Council of the City of Orangeburg, State of South Carolina, this 15TH day of March, 1983.

E. C. Roush
Mayor

W. Beattie Selby

Sam H. Anderson

Sammy Anderson

William S. Clary

Council Members

ATTEST: Henry S. Henderson
City Clerk

AMENDMENT TO SOUTH CAROLINA ELECTRIC & GAS COMPANY
CONTRACT FOR MUNICIPAL FIRM GAS SERVICE AND
THE CITY OF ORANGEBURG A MUNICIPAL CORPORATION

South Carolina Electric & Gas Company ("Seller") provides natural gas service to the City of Orangeburg ("Buyer"), a municipal corporation, under the terms of the Contract for Municipal Firm Gas Service ("Contract") executed May 4, 1976, and effective June 1, 1976. The Contract has been amended twice prior to this Amendment. The effective dates of those Amendments were June 1, 1978, and July 1, 1981.

Seller and Buyer agree to amend the Contract to incorporate into the Contract the following:

Effective March 8, 1983, Seller will begin odorizing the natural gas entering its natural gas pipeline system near Aiken, South Carolina. Thereafter, the natural gas delivered to Buyer by Seller will contain odorant. Odorization by Seller shall not be construed as interfering with the merchantability of the gas delivered to the Buyer. Seller will make every effort to maintain odorant levels in accordance with accepted industry practices. Buyer presently has odorizing facilities in place on its distribution system which it will maintain on a standby basis and will monitor its distribution system once each month as required by the South Carolina Public Service Commission to make periodic determinations that satisfactory odorant levels are maintained. Should such periodic inspections reveal a deficiency, the Buyer will as a temporary measure supplement odorant as necessary and promptly call such deficiency to the attention of the Seller, if such appears to be of a continuing nature. In the event of failure of Seller's equipment, Seller

shall make every effort to notify Buyer as soon as such an event is known to Seller in order that Buyer may take appropriate action. All terms of the Contract as previously amended remain unchanged and in full force and effect.

SOUTH CAROLINA ELECTRIC & GAS CO.

CITY OF ORANGEBURG

[Signature]
Executive Vice President - Operations

Date

3/11/83

[Signature]

Date

3-16-73

Witness

[Signature]

Witness

[Signature]

R E S O L U T I O N

WHEREAS, the City of Orangeburg is the owner of a certain easement for utility purposes as will appear by reference to that certain right-of-way agreement recorded in the office of the Clerk of Court for Orangeburg County, S. C., in Deed Book 403 at page 397, and,

WHEREAS, the Department of Public Utilities has been requested to consider relocating said utility easement, and,

WHEREAS, it has been made to appear that any relocation of said easement will be on the same tract of land affected thereby and that such relocation will be without expense or disadvantage to the City of Orangeburg,

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Councilmen of the City of Orangeburg, State of South Carolina, in council assembled, and by authority of the same, that Ted M. Johnson, Jr., Manager of the Department of Public Utilities, is hereby authorized to enter into an appropriate agreement for the relocation of said utility easement upon such terms, provisions and requirements as may be necessary and proper in the judgment of the said Ted M. Johnson, Jr., Manager.

Passed by City Council of the City of Orangeburg, State of South Carolina, this 15th day of March, 1983.

E. O. Anderson
Mayor

W. Beattie Selley

Sam J. Anderson

Samuel Johnson

William J. McCarty
Council Members

ATTEST: Henry S. Hancock
City Clerk

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
APRIL 19, 1933

City Council held its regular meeting on April 19, 1983 in the Council Chamber of City Hall at 7:00 p.m., Mayor Pendarvis presiding.

PRESENT: E.O. PENDARVIS, MAYOR
W. EVERETTE SALLEY, MAYOR PRO TEM
SARA H. ALEXANDER, MEMBER OF COUNCIL
HENRY F. FRIERSON, MEMBER OF COUNCIL
WILLIAM S. MCCAIN, JR., MEMBER OF COUNCIL

The first item under old business was the second reading of an ordinance regulating conduct in public parks in the City. A motion by Councilmember Alexander, seconded by Councilmember Salley, unanimously approved second reading.

Josh Collins, Parks and Recreation Director, gave a short presentation on the status of the Rose Test Gardens. Collins informed Council that Mr. Rudy Groomes, who is presently serving as President of the Edisto Rose Society, had been appointed as Orangeburg's Assistant Judge In-Training for rose judging purposes. He pointed out that the Test Gardens presently held 150 rose plants in 46 varieties, but they were actually capable of accommodating 800 to 900 hundred. In conclusion, Collins stated that he was working toward getting more people in the community involved with what was being done in the gardens area by his department.

The first item under new business was a resolution which was presented to Mr. Cecil Hadwin, by Mayor Pendarvis, commemorating him on his retirement after thirty-eight years of faithful service to the City, the Community, and the Orangeburg Airport (see resolution attached to and made a part of these minutes).

City Administrator Tipton presented Council with a resolution recognizing the week of April 24-30 as Rape Awareness Week. A motion by Councilmember Alexander, seconded by Mayor Pendarvis, unanimously approved this resolution.

A motion by Councilmember McCain, seconded by Mayor Pendarvis, unanimously approved first reading of an ordinance authorizing the placement of the building official under the supervision and direction of the inspection division of the City Fire Department.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, approved first reading of an ordinance to amend the present budget ordinance for the fiscal year ending September 30, 1983.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved entering into an executive session for an administrative briefing as requested by City Administrator Tipton.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

ABB132

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
MAY 3, 1983

City Council held its regular meeting on May 3, 1983 in the Council Chambers of City Hall at 7:00 p.m., Mayor Pendarvis presiding.

PRESENT: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the April 19 regular City Council meeting were read and approved.

A resolution was presented by Mayor Pendarvis to Dr. Clemmie Webber commemorating her for having won the 1983 National Mother of The Year Award.

The first item under old business was third and final reading of an ordinance regulating conduct in public parks. A motion by Councilmember McCain, seconded by Mayor Pro Tem Salley, unanimously approved third reading.

A motion by Councilmember Alexander, seconded by Councilmember McCain, unanimously approved second reading of an ordinance authorizing the transfer of the Building Official from the Community Planning and Development Department to the Fire Department.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved second reading of an ordinance to amend the present budget ordinance.

Under new business, Susan Kirby, with Southern Bell, presented a study on the feasibility of a 911 Emergency System for Orangeburg County. Southern Bell's findings indicated that it would only be feasible to implement the system in the metropolitan area at this time because of the number of independent telephone companies operating in the County.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved a resolution authorizing a transfer of property at the intersection of Eutaw, NE and U.S. Highway 21/178, for right-of-way purposes, to the South Carolina Highway Department.

A motion by Councilmember Alexander, seconded by Councilmember McCain, unanimously approved a resolution recognizing May 6 as Nation Nurses Day.

Macon Shepperd of Orangeburg Cable TV presented plans for implementing and upgrading the present cable TV system and a proposed rate increase, and modification of the present franchise agreement. City Council received Mr. Shepperd's presentation as information with a promise to review the situation and make a decision as soon as practical.

City Council unanimously decided to revoke the gas fitter's license issued by the City of Orangeburg to Joe B. Myers.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

RESOLUTION

WHEREAS, The City of Orangeburg desires to express its appreciation to

MR. T. CECIL HADWIN

For his thirty-eight (38) years of faithful service to the City, the Community and the Orangeburg Airport; and

WHEREAS, Mr. Hadwin served as the Manager of Hawthorne Aviation at the Orangeburg Airport from 1945 through 1947, at which time Orangeburg Air Service was created; and

WHEREAS, Mr. Hadwin has served continuously as the Manager of Orangeburg Air Service from 1947 through 1983; and

WHEREAS, he submitted his resignation to the City Administrator, City of Orangeburg, effective March 31, 1983; and

WHEREAS, the City of Orangeburg is indebted to him for his fine performance of duty throughout the years he was affiliated with the Orangeburg Airport; and

WHEREAS, he, through his diligent and excellent work, has brought much credit and acclaim to the City and the Orangeburg Airport.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of Council, in Council Assembled, to officially take cognizance of the faithful and distinguished service rendered to the City of Orangeburg by T. Cecil Hadwin in the capacities in which he served the City, especially for his untiring efforts with the Orangeburg Airport, and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution be kept in the permanent records of the City of Orangeburg and be distributed through appropriate agencies throughout the City in order that acknowledgement of his work might be properly appreciated.

PASSED by the Mayor and Council of the City of Orangeburg, South Carolina, this the nineteenth day of April, A.D., 1983.

MAYOR

MEMBERS OF COUNCIL

ATTEST:

CITY CLERK

RESOLUTION

WHEREAS, in South Carolina a total of 1,244 rapes were reported in 1982 reflecting an 8.7 percent increase over those reported in 1981 and,

WHEREAS, rapes accounted for 5.4 percent of all violent crimes and,

WHEREAS, according to the FBI, one rape attack occurs every six minutes in the United States and,

WHEREAS, child sexual assault is an area which has been neglected and even ignored in the past and,

WHEREAS, researchers estimate that one out of ten youngsters is sexually abused each year and,

WHEREAS, studies indicate that knowledge and awareness of sexual assault in its many forms are instrumental factors in preventing its occurrence,

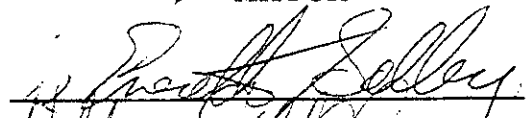
THEREFORE, BE IT RESOLVED, that City Council hereby proclaims the week of April 24-30 as **Rape Awareness Week**.


BE IT FURTHER RESOLVED, that City Council applauds Tri-County CASA in its attempts to increase the awareness level of the Orangeburg community regarding the complex problem of sexual assault.

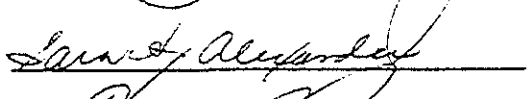
PASSED this the 19th day of April, 1983.




MAYOR










MEMBERS OF COUNCIL

ATTEST:



CITY CLERK

RESOLUTION

WHEREAS, Dr. Clemmie E. Webber has always been a positive and productive force in her family, her profession as a life long educator, and her home community of Orangeburg; and,

WHEREAS, through these dedicated efforts and achievements, Dr. Webber has brought much credit and acclaim to herself, her family, the field of education, and the Orangeburg Community; and,

WHEREAS, this lifetime of dedicated effort to family, service, and community has culminated in Dr. Webber being named not only the *South Carolina Mother of the Year*, but the **NATIONAL MOTHER OF THE YEAR FOR 1983 by the American Mothers Committee;**

NOW THEREFORE BE IT RESOLVED, that the City of Orangeburg City Council, on behalf of the entire community, does hereby take cognizance of and congratulate Dr. Clemmie E. Webber as the recipient of the **NATIONAL MOTHER OF THE YEAR AWARD FOR 1983.**

PASSED BY THE City Council of the City of Orangeburg in Council Assembled, this the Third Day of May, 1983 A.D.


MAYOR

MEMBERS OF COUNCIL

ATTEST:

CITY CLERK

RESOLUTION

WHEREAS, The South Carolina Department of Highways and Public Transportation is planning a street improvements project for U.S. Highway 21/178 through Orangeburg; and,

WHEREAS, right-of-way for turning radii for additional safety and convenience would better facilitate this project; and,

WHEREAS, the City of Orangeburg, South Carolina owns property on both sides of Eutaw, N.E. at the intersection of Eutaw and U.S. Highway 21/178;

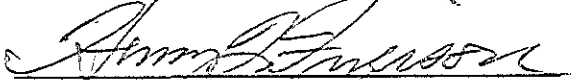
NOW THEREFORE BE IT RESOLVED, that the City of Orangeburg City Council does hereby authorize a transfer of the Title to a ten foot (10') by twenty foot (20') triangle on the northwest side of the Eutaw, N.E. and U.S. Highway 21/178 intersection, and a fifteen foot (15') by twenty foot (20') triangle on the southeast side of Eutaw, N.E. and U.S. Highway 21/178 intersection (more particularly described on the attached sketch and Title to Real Estate) from the City of Orangeburg, South Carolina to the South Carolina Department of Highways and Public Transportation.

PASSED by the City of Orangeburg City Council in Council Assembled this third day of May 1983 A.D.


MAYOR








MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

RESOLUTION

WHEREAS, nurses today are assuming increasing responsibility and accountability for this community's health care needs, and


WHEREAS, nurses have forcefully demonstrated their professionalism by continually striving to upgrade standards of care and improve services, and

WHEREAS, nurses in our community are committed to providing quality health care to all citizens, and


WHEREAS, the American Nurses' Association, (State Nurses' Association) and other organizations have declared May 6 **NATIONAL NURSES' DAY,**

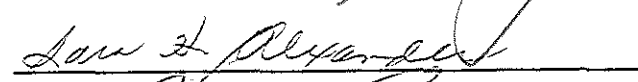
NOW THEREFORE, BE IT RESOLVED that all residents of this community are urged to join in this observance and participate in a demonstration of recognition and support of nurses, the nation's largest group of health professionals.

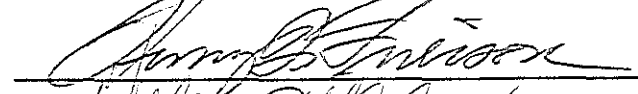
PASSED by the City Council of the City of Orangeburg in Council Assembled, this Third Day of May, 1983 A.D.




MAYOR









MEMBERS OF COUNCIL

ATTEST:



CITY CLERK

STATE OF SOUTH CAROLINA,
CITY OF ORANGEBURG.

In Re:

Matter of suspension
or revocation of gas
fitter's license
issued by City of
Orangeburg to Joe B.
Myers.

Pursuant to the provisions of Section 9-9(b) of the Code of Ordinances of the City of Orangeburg, the above matter was heard before City Council at its regularly scheduled meeting held at City Hall in the City of Orangeburg, S. C. on Tuesday, April 19, 1983. At the request of the licensee, Mr. Joe B. Myers, the matter was heard in executive session. Mr. Thomas B. Fairey, Gas Inspector for the Department of Public Utilities for the City of Orangeburg, advised that a hearing on the matter was held at his offices at the City Department of Public Utilities on April 4, 1983 after due notice to Mr. Myers who did not appear. The minutes of that meeting were taken before a certified court reporter and have been transcribed. Mr. Fairey presented his recommendation that the gas fitter's license of Mr. Joe B. Myers be revoked forthwith. Mr. Joe B. Myers was present and heard. He did not deny the charges resulting in the recommendation made by the City Gas Inspector but expressed his view that a suspension or revocation would adversely affect his income and would be harsh. After due and full consideration of the matter Council concluded that the recommendation of the Gas Inspector that the license be revoked should be accepted and, accordingly, it is the determination of this body that

the gas fitter's license of Joe B. Myers be and the same is hereby revoked.

Done in executive session on the 19th day of April, 1983 and ratified in open session this 3rd day of May, 1983.

E.O. Lundquist
Mayor

W. Keith Selby
Sanitation

James Johnson

William W. Clay
Members of Council


ATTEST:

Lenny S. Stenmark
City Clerk


RESOLUTION


NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Orangeburg, South Carolina, in Council Assembled, does hereby adopt the attached organizational chart and explanatory notes for the City of Orangeburg and the Department of Public Utilities.

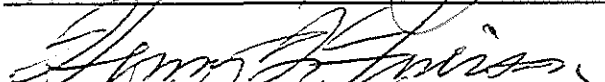
PASSED this the 17th day of May, 1983.




MAYOR









MEMBERS OF COUNCIL

ATTEST:



CITY CLERK

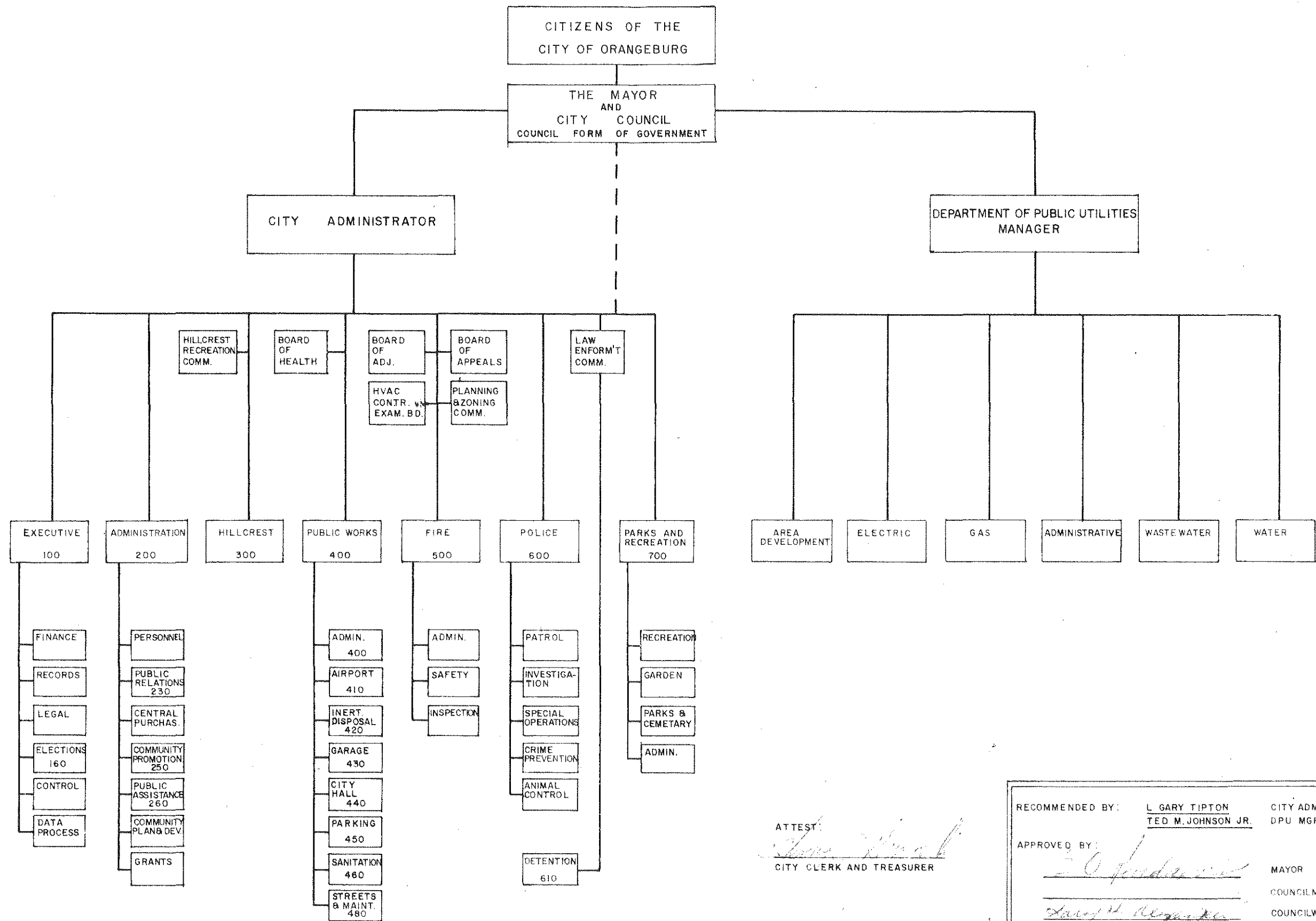
ORGANIZATIONAL CHART FOR THE CITY OF ORANGEBURG

MANAGEMENT LEVEL

ADVISORY LEVEL

DEPARTMENT LEVEL

DIVISION LEVEL



ATTEST:
[Signature]
 CITY CLERK AND TREASURER

RECOMMENDED BY:	L. GARY TIPTON TED M. JOHNSON JR.	CITY ADMIN. DPU MGR.
APPROVED BY:	<i>[Signature]</i>	MAYOR
	<i>[Signature]</i>	COUNCILMAN
	<i>[Signature]</i>	COUNCILWOMAN
	<i>[Signature]</i>	COUNCILMAN
	<i>[Signature]</i>	COUNCILMAN
	DATE: 4-19-83	

R E S O L U T I O N

BE IT RESOLVED By the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of same,

That the "RULES AND REGULATIONS" of the Department of Public Utilities of the City of Orangeburg, South Carolina, as heretofore adopted on March 16, 1982, be, and the same is hereby repealed, and in lieu thereof, the "GENERAL TERMS AND CONDITIONS" hereto attached, be, and they are hereby declared effective on May 17, 1983.

PASSED By the City Council, in Council assembled at Orangeburg, South Carolina, this 17th day of May A.D., 1983.

E. O. Pondanis
Mayor
L. Herbert Selley
Lain H. Newberry
George B. Johnson
William S. McClain
Members of Council

ATTEST:
Tommy S. Newberry
City Clerk and Treasurer

GENERAL TERMS AND CONDITIONS

Department of Public Utilities
Orangeburg, South Carolina

GENERAL TERMS AND CONDITIONS

I. GENERAL

A. Foreword

In contemplation of the mutual protection of both Department of Public Utilities of the City of Orangeburg and its customers, and for the purpose of rendering an impartial and more satisfactory service, the General Terms and Conditions of the Department of Public Utilities of the City of Orangeburg are hereby set forth, the same being incorporated by reference in each contract or agreement for service.

Department of Public Utilities of the City of Orangeburg is referred to herein as "Department", and the user or prospective user is referred to as "Customer".

B. Application

Provisions of these Terms and Conditions apply to all persons, partnerships, corporations or others designated as Customers who are lawfully receiving electric, gas, water and wastewater service from the Department under the prescribed Rate Schedules or Contracts. No service will be installed until a Customer's contract, clearly stating rates, discounts, charges, etc., has been entered into.

No contracts may be transferred without the written consent of the Department.

C. Term of Service

The rates as prescribed by the Department are based upon the supply of service to each individual Customer for a period of not less than one year, except as otherwise specifically provided under the terms of the particular Rate Schedule or Contract covering such service.

D. Terms and Conditions

The Terms and Conditions contained herein are a part of every contract for service entered into by the Department and govern all classes of service where applicable unless specifically modified as a provision or provisions contained in a particular Rate Schedule or Contract.

E. Statements by Agents

No representative of the Department has authority to modify any rule of the Department, provisions of Rate Schedules, or to bind the Department by any promise or representation contrary thereto.

II. DEFINITIONS

Except where the context otherwise indicates another or different meaning or intent, the following terms are intended and used and shall

be construed to have meanings as follows:

- A. "Day" shall mean a period of twenty-four (24) consecutive hours beginning at 8:00 a.m. or at such other hour as may be designated.
- B. "Month" shall mean the period between any two (2) regular readings of the Department's meters which shall be not less than twenty-eight (28) days or not more than thirty-four (34) days.
- C. "Year" shall mean a period of 365 days commencing with the day of first delivery of service hereunder, and each 365 days thereafter except that in a year having a date of February 29, such year shall consist of 366 days.
- D. "BTU" shall mean a British Thermal Unit; the amount of heat required to raise the temperature of one (1) pound of water 1° Fahrenheit at 60° Fahrenheit.
- E. "Therm" shall mean the quantity of heat energy which is 100,000 British Thermal Units.
- F. "Dekatherm" (dt) shall mean the quantity of heat energy which is 1,000,000 British Thermal Units.
- G. "CCF" shall mean one hundred (100) cubic feet of gas.
- H. "MCF" shall mean one thousand (1,000) cubic feet of gas.
- I. "Natural Gas" or "Gas" shall mean natural gas, processed or unprocessed, vaporized liquid natural gas, synthetic gas, propane-air mixture or any mixture of these gases.
- J. "Premises" shall mean home, apartment, dwelling unit, shop, factory, business location (including signs and water and sewage pumps), Church, or other building or structure which shelters the Customer for his individual or collective occupancy where all services may be taken from a single connection.
- K. "Service Point" or "Point of Interconnection" shall mean the point at which the Department's and Customer's conductors are connected.
- L. "Standard Service" means a single service per premises from one electrical source and from overhead facilities unless the service is an underground district.
- M. "Cross-connection" means any actual or potential connection or structural arrangement between a public water supply and any other source or system through which it is possible to introduce into any part of the potable system any used water, water of questionable quality, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices through which or because of which backflow can or may occur are considered to be cross-connections.

III. CONDITIONS OF SERVICE

A. General

The Customer shall consult with and furnish to the Department such information as the Department may require to determine the availability of the Department's service at a particular location before proceeding with plans for any new or additional electric, gas, water or wastewater loads. No new or additional loads will be serviced if it is determined that such service will jeopardize service to existing Customers by increasing the total system's firm load requirements above available supplies or capacities.

B. Access to Customer's Premises

The Department agrees to exercise due care and caution in the erection, excavation, installing, etc. of service wires, poles, pipes and other pertinent equipment on the Customer's premises. The Customer agrees that employees of the Department, and its agents, shall have the right to enter the Customers premises for the purpose of making all necessary installations, inspections, repairs, readings and for any other reason for administering their service. Any such installation made by the Department will be subject to removal or change only by the Department, its agent, or successors.

C. Right-of-Way

The Department shall not be required to extend its distribution and service facilities, for the purpose of rendering service to the Customer until satisfactory rights-of-way, easements or permits have been obtained from government agencies and property owners to permit the installation, operation and maintenance of the Department's lines and facilities. The Customer, in requesting or accepting service, thereby grants the Department, without charge, necessary rights-of-way and trimming and clearing privileges for its facilities along, across and under property controlled by the Customer to the extent that such rights-of-way and trimmings are required or necessary to enable the Department to supply service to the Customer. The Customer also grants the Department the right to continue or extend the Department's facilities on, across, or under the Customers property with necessary trimming and clearing rights to serve other Customers.

D. Heating Value

The heating value of the gas supplied will vary from time to time due to changes in the composition of the Department's sendout. The composition of gas sendout will consist of natural gas, processed or unprocessed, vaporized liquid natural gas, synthetic gas, propane-air mixture in varying proportions depending upon the gas supply situation at any given time. The normal range of heating value will be not less than 950 nor more than 1400 BTU per cubic foot of gas.

E. Character of Service

Electric energy supplied by the Department shall be standard alternating current at a frequency of approximately 60 hertz and shall be delivered only at voltages and phases as specified by the Department.

F. Use of Service

The electric, gas, water and/or wastewater service to be delivered hereunder to the Customer is to be delivered for the purpose of its being used by the Customer for operating his machinery, apparatus and appliances in and upon the Customer's plant and/or premises hereinbefore mentioned, and for those purposes only, and the Customer shall not use and hereby agrees not to use or apply or permit to be used or applied any said services at any place or in any manner or for any purpose, other than as provided for in this contract, and said Customer shall not have the right and hereby agrees not to transfer or assign this contract, nor to sell or dispose of to others, the whole or any part of the said service delivered hereunder.

G. Department's Installation

1. Electric

The Department will install, at its own expense, the necessary wires, etc., to conduct electricity to the premises of the parties using power, provided that the power supplied is not used in a seasonal, temporary, short term or other manner which would cause undue expense to the Department. In which case, cost of construction shall be at the expense of the Customer. Should forms of construction other than that provided by the Department be required, it will be furnished and installed at the expense of the Customer.

2. Gas

A. Inside City Limits

1. The Department will make necessary extensions of the gas system at its own expense, provided the extension will be technically feasible under the Department's engineering criteria. All natural gas extensions shall be made at the discretion of the Department.

B. Outside City Limits

1. All gas extensions shall be made at the discretion of the Department. The Department will make extensions to the gas system contingent upon the following conditions:
 - a. The proposed extension will be technically feasible under the Department's engineering criteria.
 - b. The proposed extension will conform to the Department's overall long range gas system development plans.
2. The cost of the extension, when requested by the Customer and prior to the Department's planned extension, shall be distributed as follows:
 - a. The Customer will pay for all materials required. The cost of the materials shall

be computed by the Department based on current prices and quoted to the Customer as a price per linear foot.

- b. The cost of labor and equipment shall be paid by the Department.

3. Water

A. Inside City Limits

- 1. The Department will make necessary extensions of the water system at its own expense, provided the extension will be technically feasible under the Department's engineering criteria. All water extensions shall be made at the discretion of the Department.

B. Outside City Limits

- 1. All water extensions shall be made at the discretion of the Department. The Department will make extensions to the water distribution system contingent upon the following conditions:
 - a. The proposed extension will be technically feasible under the Department's engineering criteria.
 - b. The proposed extension will conform to the Department's overall long range water system development plans.
- 2. The cost of the extension, when requested by the Customer and prior to the Department's planned extension, shall be distributed as follows:
 - a. The Customer will pay for all materials required. The cost of the materials shall be computed by the Department based on current prices and quoted to the Customer as a price per linear foot.
 - b. The cost of labor and equipment shall be paid by the Department.

4. Wastewater

A. Inside City Limits

- 1. The Department will make necessary extensions of the wastewater collection system at its own expense, provided the extension will be a gravity system and be technically feasible under the Department's engineering criteria. All wastewater extensions shall be made at the discretion of the Department.

B. Outside City Limits

- 1. All wastewater extensions shall be made at the discretion of the Department. The Department will make extensions

to the wastewater collection system contingent upon the following conditions:

- a. The proposed extension will be a gravity system and be technically feasible under the Department's engineering criteria.
 - b. The proposed extension will conform to the Department's overall long range wastewater system development plans.
2. The cost of the extension, when requested by the Customer and prior to the Department's planned extension, shall be distributed as follows:
- a. The Customer will pay for all materials required. The cost of the materials shall be computed by the Department based on current prices and quoted to the Customer as a price per linear foot.
 - b. The cost of labor and equipment shall be paid by the Department.

H. Customer's Installation

1. Electric

- a. The Customer's service installations shall be made in accordance with these General Terms and Conditions, Department's wiring rules and regulations and existing provisions of the National Electric Code as adopted by the City of Orangeburg. Customer's wiring and equipment must be installed and maintained in accordance with the requirements of the Department, State and Federal authorities. The Customer shall keep in good and safe repair and condition such wiring and equipment on Customer's side of the service point exclusive of the Department's metering facilities and equipment.
- b. The Customer's service entrance requirements shall be as stipulated in the wiring rules and regulations and other manuals published by the Department.
- c. The Customer will normally install his service entrance at the nearest accessible point of connection with the Department's service line; however, in every case, the Customer must have obtained the Department's approval before such installation is made. No new service or reworked service will be connected without proper release from the inspecting authority having jurisdiction.
- d. The Customer shall furnish at his sole expense any special facilities necessary to meet his particular requirements for service at other than the standard conditions specified under the provisions of the applicable rate

schedule. The Customer shall also provide a suitable place, foundation and housing where, in the judgment of the Department, it is deemed necessary to install transformers, regulators, control or protective equipment on the Customer's premises. All equipment supplied by the Department shall remain its exclusive property and the Department shall have the right to remove the same from the premises of Customer at any time after termination of service for any cause.

- e. The Customer shall be responsible for the protection and safekeeping of the equipment and facilities of the Department while on the Customer's premises and shall not permit access thereto except by duly authorized representatives of the Department.

2. Gas

- a. Equipment which will operate in one locality may not function properly in another due to a difference in gas pressure or content; therefore, before piping a premises or purchasing equipment, the Customer shall give the Department notice and shall ascertain from the Department the character of service available at such premises. The Department may specify the content and pressure of the gas to be furnished, the location of the meter, and the point at which the service connection shall be made.
- b. All gas piping and gas equipment installations on the Customer's premises from the load side of the Department's meter shall be done at the Customer's expense and subject to the approval of the Department, and shall comply with requirements as set forth in the Gas Code as adopted by the City of Orangeburg, South Carolina, and the Customer shall keep in good and safe repair and condition all such piping and equipment from the point of connection at the meter assembly with the facilities of the Department.

3. Water

- a. All water service lines will be stubbed out to the property line, to a point designated by the Department. The stub out will be done at the Customer's expense by the Customer's plumber. The Department will connect to the Customer's stub-out provided the required tap fee has been paid by the Customer. Inside the city limits, the plumber must be a plumber licensed by the City of Orangeburg. Outside the city limits, the plumbing may be done by the owner after securing a plumbing card from the Department. All water meters will be installed in the public right-of-ways or in utility easements designated by the Department.
- b. Inside the city limits, all plumbing must be installed in accordance with the Standard Plumbing Code and must be inspected by the Department.

- c. In the event it is determined that an unprotected cross-connection exist, the service may be disconnected until corrective measures have been taken.

4. Wastewater

- a. All wastewater service lines will be stubbed out to the property line to a point designated by the Department. The stub-out will be done at the Customer's expense by the Customer's plumber. The Department will connect to the Customer's stub-out provided the required tap fee has been paid by the Customer. Inside the city limits, the plumber must be a plumber licensed by the City of Orangeburg. Outside the city limits, the plumbing may be done by anyone after first securing a plumbing card from the Department.
- b. Inside the city limits, all plumbing must be installed in accordance with the Standard Plumbing Code and must be inspected by the Department.
- c. The construction of all wastewater service lines and the quality of the materials discharged into the wastewater connections shall conform with the appropriate City Ordinances.

I. Special Equipment

Where a separate transformer or other additional electrical utility standard equipment or capacity is to be used to eliminate fluctuations or other effects detrimental to the quality of service to other Customers (due to welding or x-ray equipment), etc., the Department may make a reasonable charge for the additional equipment and/or line capacity required. Transformers installed for isolation of computers or other electric equipment abnormally affected by usual line disturbances shall be installed at the Customers expense. In lieu of the above, the Department may require the Customer to either discontinue operating such equipment or install the necessary motor generator set or other apparatus, to eliminate the disturbances detrimental to the service of other Customers.

J. Continuance of Service and Liability Therefore

1. The Department does not guarantee continuous service. The Department shall use reasonable diligence at all times to provide uninterrupted service, but shall not be liable for any loss or damage to a Customer or Customers resulting from such failure, interruption, reduction or suspension of service which is due to any accident or other cause beyond its reasonable control. The supply of service is subject to any orders of all duly constituted governmental authorities establishing any priority or limitation to service. The Department reserves the right to curtail or temporarily interrupt Customer's service when it shall become necessary in order that repairs, replacements or changes may be made in the Department's facilities and equipment, either on or off Customer's premises.

2. The Department may impose reasonable restrictions on the use of service during periods of excessive demand or other difficulty which jeopardizes the supply of service to any group of Customers. The Department may waive any minimum charge or guaranteed payments for service upon written notice from, and at the request of a Customer during such time as the Customer's plant may be completely closed down as a result of strike, lockout, government order, fire, flood, or other acts of God; provided however, that the Customer specifically agrees that the term of the service contract shall be extended for a period equal to the period of the enforced shutdown.

K. Denial or Discontinuance of Service

The Department may refuse or discontinue service and remove the property of the Department without liability to the Customer, or tenants or occupants of the premises serviced, for any loss, cost, damage, or expense occasioned by such refusal, discontinuance or removal, including but not limited to, any of the following reasons:

1. In the event of a condition determined by the Department to be hazardous, dangerous or preventing accurate metering.
2. In the event the Customer's equipment is used in such a manner as to adversely affect the Department's service to others.
3. In the event of unauthorized or fraudulent use of the Department's services.
4. Unauthorized adjustment of or tampering with Department's equipment.
5. Customer's failure to fulfill his contractual obligations.
6. For failure of the Customer to permit the Department reasonable access to its equipment.
7. For nonpayment of bill for service rendered as listed in Section IV, A-B.
8. For failure of the Customer to provide the Department with a deposit as deemed necessary by the Department as listed in Section IV-C, paragraph 1.
9. For failure of the Customer to furnish permits, certificates, and rights-of-way, as necessary in obtaining service, or in the event such permissions are withdrawn or terminated.
10. For failure of the Customer to comply with reasonable restrictions on the use of service.
11. The Department shall not furnish its services to any applicant, who at the time of such application, is indebted for service, previously furnished to such applicant or applicant's business.

12. The Department shall not furnish its services to any applicant where any member of his household is indebted for service, previously furnished such member or member's business.
13. The Department shall not furnish its services to any applicant where the owner of the premise is indebted for services previously furnished the owner.
14. The Department shall not continue to furnish its services to any Customer who is indebted for service, previously furnished to such applicant or applicant's business.
15. The Department shall not continue to furnish its services to any Customer where any member of his household is indebted for service, previously furnished such member or member's business, prior to the time of such Customer's application.
16. The Department may terminate a Customer's services should the Customer be in arrears on an account for service at another premises.
17. If the Customer's use of the Department's services conflicts with, or violates orders, ordinances or laws of the State of South Carolina of any subdivision thereof.
18. Failure of the Customer to provide the Department a signed contract or service agreement.

L. Safety Requirements

The Department is required under regulations of the Public Service Commission of South Carolina to lock gas meters in the off position whenever service to a Customer is discontinued. The requirement to lock a gas meter is applicable when gas service is turned off at the request of the Customer or when a gas meter is found by the Department which has been turned off by the Customer or other persons. Restoration of gas service under these conditions will require a service call to unlock the gas meter and restore gas service. The reconnection charge will be assessed for all such service calls.

M. Reconnection Charge

Where the Department has discontinued service for reasons listed in Section III, K-L, the Customer is subject to a reconnection charge of ten (\$10.00) dollars in addition to any other charges due and payable to the Department, including, but not limited to, a reasonable charge for an inspection (to insure proper operating conditions), and charges to compensate for any damage to the Department's facilities. A Customer's bill may be adjusted to reflect normal usage should any tampering reflect other than normal meter readings. In cases where electric, gas, water and wastewater services are reconnected at the same time on the same premises for the same Customer, only one charge will be made. Where a Customer interrupts or terminates service and subsequently requests reconnection of service at the same premises, the reconnection charges will apply.

N. Customer Overcharged Due to Human or Machine Error

If the Department has overcharged any Customer as a result of a misapplied schedule, an error in reading the meter, a skipped meter reading, or any other human or machine error, except as provided in Section IV-A, Paragraph 10, the Department shall refund the excess amount paid by that Customer as provided by the following:

1. If the interval during which the Customer was overcharged can be determined, then the Department shall refund the excess amount charged during that entire interval provided that the applicable statute of limitations shall not be exceeded.
2. If the interval during which the Customer was overcharged cannot be determined then the Department shall refund the excess amount charged during the 12-month period preceding the date when the billing error was discovered.
3. If the exact usage and/or demand incurred by the Customer during the billing periods subject to adjustment cannot be determined, then the refund shall be based on an appropriate estimated usage and/or demand.

O. Customer Undercharged Due to Human or Machine Error

If the Department has undercharged any Customer as a result of a misapplied schedule, an error in reading the meter, a skipped meter reading, or any human or machine error, except as provided in Section IV-A, Paragraph 10, then the Department shall recover the deficient amount as provided as follows:

1. If the interval during which a Customer was undercharged can be determined, then the Department may collect the deficient amount incurred during that entire interval up to a maximum period of 12 months.
2. If the full interval during which a Customer was undercharged cannot be determined, then the Department may collect only the deficient amount of that portion of the interval that can be determined up to a maximum period of 12 months.
3. The Customer shall be allowed to pay the deficient amount, in equal installments added to the regular monthly bills, over the same number of billing periods which occurred during the interval the Customer was subject to pay the deficient amount.
4. If the usage incurred by that Customer during the billing periods subject to adjustment cannot be determined, then the adjustment shall be based on an appropriate estimated usage.

P. Customer Undercharged Due to Willfully Misleading Department

If the Department has undercharged any Customer as a result of a fraudulent or willfully misleading action of that Customer, or any such action by any person (other than the employees or agents of the Department), such as tampering with, or bypassing the meter when it is evident that such tampering or bypassing occurred during the residency of that Customer, or if it is evident that a Customer has knowledge of being undercharged without notifying the Department as such, then the Department shall recover the deficient amount provided as follows:

1. If the interval during which the Customer was undercharged can be determined, then the Department shall collect the deficient amount incurred during that entire interval, provided that the applicable statute of limitations is not exceeded.
2. If the interval during which the Customer was undercharged cannot be determined, then the Department shall collect the deficient amount incurred during the 12-month period preceding the date when the billing error was discovered by the Department.
3. If the usage and/or demand incurred by that Customer during the billing periods subject to adjustment cannot be determined, then the adjustment shall be based on an appropriate estimated usage and/or demand.
4. If the metering equipment has been removed or damaged, then the Department shall collect the estimated cost of repairing and/or replacing such equipment.

Q. Metered Service

1. Each meter shall be considered as a separate service. If there is more than one meter at the same location, the consumption recorded by the meters will not be added to arrive at the rate.
2. Only one service will be installed for each meter.

IV. BILLING AND PAYMENT TERMS

A. General

1. Bills for electric, gas, water and/or wastewater services will be issued monthly by the Department, except as specifically stated to the contrary. The Department will make every reasonable effort to see that each Customer of the Department receives his bill, but no responsibility will be assumed for non-delivery when same has been mailed at the Post Office. All contracts shall be on a yearly basis except where specifically stated to the contrary.
2. The territory served by the Department is divided into two areas for billing purposes, namely area "A" and area "B". Area "A" bills will be dated on the 1st day of each calendar

month, and area "B" bills will be dated on the 16th day of each calendar month. In each instance, the bill rendered will cover service for a period of approximately one month prior to the billing date, except that any service cut on prior to the usual meter reading date will be billed on the appropriate schedule for the service rendered; but in no case less than the scheduled minimum.

3. Gross charges for electric, gas, water and/or wastewater service are due and payable at the office of the Department during office hours, on the 11th day of each month in which bill is dated for AREA "A" bills, and on the 26th day of each month in which bill is dated for AREA "B" bills, EXCEPT WHERE SPECIFICALLY STATED TO THE CONTRARY in these rules, regulations, and rates.
4. Gross bills for electric, gas, water and/or wastewater service will be subject to a discount of 10% if paid on or before the 10th day of the month in which the bill is dated for AREA "A" bills, and on or before the 25th day of the month in which the bill is dated for AREA "B" bills. The Customer making payment by mail is entitled to discount ONLY when the Post Office cancelled stamp evidences mailing on or before the 10th day of the month in which the bill is dated for AREA "A" bills, and on or before the 25th day of the month in which bill is dated for AREA "B" bills. If the 10th day of the month in which bill is dated for AREA "A" bills, and/or the 25th day of the month in which bill is dated for AREA "B" bills is a nonbusiness day, the Customer shall be entitled to the discount on the next business day.
5. The provisions of paragraph 6 and 7 apply unless payment is made at the office of the Department on or before the last day of the month in which the bill is dated for AREA "A" bills, and on or before the 15th day of the month following the month in which the bill is dated for AREA "B" bills.
6. When bills are not paid on or before the last day of the month in which bill is dated for AREA "A" bills, and on or before the 15th day of the month following the month in which the bill is dated for AREA "B" bills (or the following business day if the last day of the month or the 15th day of the month is a nonbusiness day), the bills shall be considered delinquent, and an extra charge of one (\$1.00) dollar per bill will be added to the gross bill. On the day the bill becomes delinquent, a delinquent notice shall be mailed to the Customer, to notify the Customer that if the delinquent bill is not paid within four (4) calendar days of the date of the delinquent notice, the service shall be subject to immediate discontinuance.
7. When service has been discontinued in accordance with paragraph 6 above, all charges for services to date may become immediately due and payable and service will not be reinstated until payment as prescribed by the Department has been made, including

the extra charges listed in paragraph 6 above, Section III-M, and any additional deposit as may be deemed necessary by the Department as listed in Section IV-C, paragraph 1. If the service is reinstated at the request of the Customer in other than normal working hours, an extra charge of \$10.00 will be added in addition to the above charges.

8. When a Customer desires to establish or reestablish a service at a new location during normal working hours on the workday of the application, and the Customer has notified the Department by 2:00 p.m. of the date requested, a service charge of five (\$5.00) dollars will be added to the bill and every effort shall be made to provide service during normal working hours of the workday requested. If the application is received after 2:00 p.m., every effort shall be made to provide service during normal working hours of the workday following the date of application and a service charge of five (\$5.00) dollars will be added to the bill. The Customer may pay a total service charge of fifteen (\$15.00) dollars to have the service worked in other than normal working hours. In cases where electric, gas, water and wastewater services are reconnected at the same time on the same premises for the same Customer, only one charge will be made. When a Customer desires to have his service terminated, he must notify the Department; such notification may be verbal or in writing. The Department shall be allowed a reasonable period of time after the receipt of such a notice to take a final reading of the meter and to discontinue service.
9. Where the Department has discontinued service on a temporary basis at the request of the Customer, in order that the Customer can make repairs or changes to his equipment, the Customer is subject to a reconnection charge of ten (\$10.00) dollars.
10. All electric, gas, and water services will be metered. Where electric and water meters fail to register, bills shall be arrived at by taking an average of the three most recent months. Where gas meters fail to register, bills shall be arrived at by comparison with the same month of the previous year. When at the request of the Customer, or otherwise, electric, gas and/or water meters have been tested by the Department, or any other party approved by the Department, and found to be more than 2% fast, previous bills reflecting such inaccuracy will be adjusted accordingly but in no case will the adjustment exceed six months prior billing. If a meter is tested at the Customer's request more than once in any six month's period, the Customer shall pay a service charge of \$10.00 for such service, but in the event the meter is found to be more than 2% fast, the Customer's bill will be adjusted as stated above and no service charge will be applied.

11. All wastewater Customers will be billed as follows:
 - a. Single unit dwellings or businesses will be billed a wastewater charge consisting of a service charge and a commodity charge in accordance with City Ordinance. The commodity charge will be based on the water consumption as determined by the water meter.
 - b. Multiple unit dwellings or businesses will be billed a wastewater charge consisting of a service charge and a commodity charge.
 1. Where a separate water meter for each unit exists, combined billing for both the service and commodity charges for the wastewater service will be shown on the utility bill for water.
 2. In units that are served through a common water meter, but have separate electric meters, the utility bill having the electric charges will also show the wastewater service charge for that unit. The commodity charge for the wastewater service will be shown on the utility bill for water.
 3. In units having common water and electric services, the wastewater charge will be made a part of the utility bill for water. The commodity charge will be based on the water consumption and the service charge will be computed by multiplying the number of units which have wastewater service, times the appropriate service charge. A unit having wastewater service is one which has plumbing connected to the wastewater system.
 - c. Where a Customer is supplied through a water system other than that of the Department of Public Utilities, the Customer will be billed a wastewater charge consisting of a service charge and a commodity charge. The commodity charge will be based on an estimate of the water consumption as determined by the Department of Public Utilities.
12. Any residential or commercial Customer desiring gas service to be discontinued during the off season period may do so by paying a service charge of ten (\$10.00) dollars to cut the service off and another ten (\$10.00) dollars to cut the service on.
13. Any residential or commercial Customer electing to postpone securing gas service at the time other services are rendered will be assessed a service charge of ten (\$10.00) dollars to cut the gas service on at a future date.

14. Surcharge

- a. Electric: For all kilowatt hours used by a Customer during the billing month as determined by the meter reading for that month, an estimated fuel adjustment charge will be added to both gross and net on all bills rendered by the Department. In the first billing month following the current billing month, the fuel adjustment rate will be corrected and the difference between the estimated rate and the correct rate will be applied to the preceding month's usage and added to both gross and net bills rendered by the Department. The amount of this charge will be as shown on the Customer's bill.
 - b. Gas: For all cubic feet used by a Customer during the billing month, as determined by the meter readings for that month, an estimated gas surcharge will be added to both gross and net on all bills rendered by the Department. In the first billing month following the current billing month, the surcharge rate will be corrected and the difference between the estimated rate and the correct rate will be applied to the preceding month's usage and added to both gross and net bills rendered by the Department. The amount of this charge will be as charged to the Department by its supplier and as shown on the Customer's bill plus an additional cost per cubic foot of manufactured gas supplied to the system.
15. In the event that the Department's suppliers of electricity or natural gas increase the cost of electric power or natural gas to the Department, the Department will at its option pass on to its Customers any such increase in costs.
 16. No claim or demand that the Customer may have against the City shall be considered as an offset against the payment for services furnished under these regulations.

B. Returned Checks

1. When a check is returned to the Department by a bank because of "insufficient funds", "account closed", "no account", etc., a service charge of five (\$5.00) dollars will be made by the Department for each such check. The Department, at its option for good cause, may refuse to accept a check tendered as payment on a Customer's account.

C. Deposit

1. A deposit equal to two month's probable service may be required from all users of the electric, gas, water and/or wastewater system, if any of the following conditions exist:
 - a. The Customer is establishing or re-establishing a new service.
 - b. The Customer's past payment record to the Department shows delinquent payment practice.
 - c. A Customer has no deposit and presently is delinquent in payments.
 - d. A Customer has had his service terminated for non-payment or fraudulent use.

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
MAY 17, 1983

City Council held its regular meeting on May 17, 1983 in the Council Chambers of City Hall at 7:00 p.m., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the May 3 regular City Council meeting were read and approved.

The first item under old business was the third reading of an ordinance authorizing the transfer of the Building Official from the Community Planning and Development Department to the Fire Department. A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved third and final reading.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved third and final reading of an ordinance to amend the present budget ordinance for the fiscal year ending September 30, 1983.

A motion by Councilmember Alexander, seconded by Councilmember McCain, unanimously approved a resolution ratifying the Orangeburg City Organizational Chart.

Under old business, City Administrator Tipton presented for first reading An Ordinance to Authorize the City of Orangeburg to Make an Exchange of Real Estate Respecting Two Lots of Land Located on Hampton Street in the City of Orangeburg. A motion by Councilmember Frierson, seconded by Councilmember McCain, unanimously approved first reading.

A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved accepting the Aetna insurance proposal as information pending further information from Aetna.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved a resolution revising the "Terms and Conditions" of the Department of Public Utilities, effective May 17, 1983.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved entering into an executive session for an administrative briefing and discussion of personnel as requested by City Administrator Tipton.

There being no further business, the meeting was adjourned.

After the executive session City Council reconvened, and upon a motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, voted 4-0 to purchase ten (10) acres of property from Orangeburg County at the Law Enforcement Complex. The Mayor had left the meeting.

Respectfully submitted,



Henry S. Domeracki
City Clerk

ABB132

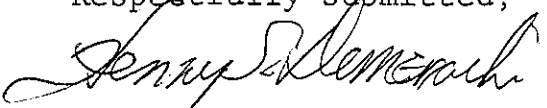
City of Orangeburg, S. C.
City Council Special Meeting
June 1, 1983

The Orangeburg City Council held a special meeting on Wednesday, June 1, 1983, at 6:00 p.m. in the Department of Public Utilities Conference Room. The purpose of the meeting was for a working briefing on matters pertaining to the Department of Public Utilities.

- Present: E. O. Pendarvis, Mayor
- W. Everette Salley, Mayor Pro Tem
- Sara H. Alexander, Member of Council
- Henry F. Frierson, Member of Council
- William S. McCain, Member of Council

Mayor Pendarvis Called the meeting to order. Dr. Salley moved that Council convene in Executive Session for an administrative briefing. Dr. Frierson seconded the motion, which passed unanimously.

Respectfully submitted,



Henry S. Domeracki
City Clerk

City of Orangeburg, S.C.
City Council Minutes
June 7, 1983

City Council held its regular meeting on June 7, 1983 in the Council Chambers of City Hall at 7:00 p.m., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council

Absent: William S. McCain, Jr.

The minutes of the regular May 17 City Council meeting were read and approved, as well as the minutes of the June 1 Special City Council meeting.

The first item under old business was second reading of An Ordinance to Authorize the City of Orangeburg to Make An Exchange of Real Estate Respecting Two Lots of Land Located on Hampton Street in the City of Orangeburg. A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved second reading.

A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved reappointment of Carol H. Riley to the Municipal Election Commission for a six year term to become effective immediately and expiring March 3, 1989.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously appointed Ronald Salley as municipal Judge with the understanding that the City Attorney, Mr. C. Walker Limehouse, would be responsible for conducting sixty hours of training for City Police Officers per year on case preparation, presentation, drawing up warrants, determining bonds, etc.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved an ordinance to amend the present budget ordinance to purchase ten acres of County property at the LEC for \$70,000 and three acres of SC Highway Department property on U.S. Route 21/178 Bypass for \$40,101.73 for construction of a new garage maintenance complex.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved first reading of an ordinance to amend the current business license ordinance.

A motion by Councilmember Alexander, seconded by Mayor Pro Tem Salley, unanimously approved a resolution authorizing the City to submit an application to the Economic Development Administration in the amount of \$700,000 for a grant to be used to assist the City of Orangeburg to construct a new vehicle maintenance and operations center.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved removal of Council Street and Garden Drive from the South Carolina Highway Department Maintenance System. City Council instructed City Administrator Tipton to request the State Highway Department to remove and haul away the asphalt.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved entering into an executive session for an administrative briefing as requested by City Administrator Tipton.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

ABB132

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
JUNE 21, 1983

City Council held its regular meeting on June 21, 1983 in the Council Chambers of City Hall at 6:00 p.m., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular June 7 City Council meeting were read and approved.

The first item under old business was third reading of An Ordinance to Authorize the City of Orangeburg to Make An Exchange of Real Estate Respecting Two Lots of Land Located on Hampton Street in the City of Orangeburg. A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved third and final reading.

A motion by Councilmember McCain, seconded by Councilmember Alexander, approved first reading of an ordinance to rezone a section of property on Chestnut Street. Mayor Pro Tem Salley abstained from voting due to a possible conflict of interest.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved second reading of an ordinance to amend the present budget ordinance.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved second reading of an ordinance to amend the current business license ordinance.

Under new business, City Council discussed the position of Supervisor of Registration for the upcoming Municipal Election. It was the general consensus of the Council to postpone appointment of this position until the July 5 meeting.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Salley, unanimously approved a resolution, which is a requirement of the State Highway Department, for paving and resurfacing several City streets (see resolution attached to and made a part of these minutes).

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved a resolution establishing purchasing procedures for the Department of Public Utilities.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved entering into an executive session as requested by City Administrator Tipton for the purpose of an administrative briefing.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

RESOLUTION

WHEREAS, the vehicle maintenance garage for all City of Orangeburg vehicles operates for the purpose of maintaining all City vehicles and equipment in a workable condition in order to provide City services to all City residents and,

WHEREAS, this maintenance garage for the City of Orangeburg has serious structural deficiencies which necessitate its replacement as soon as possible;

NOW, THEREFORE BE IT RESOLVED that E. O. Pendarvis, Mayor of the City of Orangeburg, South Carolina, be and is hereby authorized to sign and submit an application to the Economic Development Administration in the amount of \$700,000 for a grant to be used to assist the City of Orangeburg to construct a new vehicle maintenance and operations center.

Passed by the Mayor and Members of Council of the City of Orangeburg, South Carolina in Council assembled this 7th day of June, 1983.

E. O. Pendarvis
MAYOR

W. Heath Selley

Sam H. Alexander

Henry J. Simpson

William S. McClain
MEMBERS OF COUNCIL

ATTEST:

Henry J. Simpson
CITY CLERK



SOUTH CAROLINA

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

P.O. BOX 191
COLUMBIA, S.C. 29202

October 5, 1983

File 38.831 - Project C-831 - Orangeburg County
Roads S-22, S-911, S-1071, S-1147, S-1240,
S-1825, S-1826, S-1827, S-1828, S-1832

Mr. Henry S. Domeracki
Clerk, City of Orangeburg
P. O. Drawer 387
Orangeburg, South Carolina 29115

Dear Mr. Domeracki:

I am enclosing one copy of the Municipal-State Highway Project Agreement executed by the City of Orangeburg on May 17, 1983 for the above project.

This copy is for your records.

Yours very truly,

H. B. Link
Director, Rights of Way

MUNICIPAL-STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)

COUNTY OF Orangeburg)

FILE NO. 38. 831)

F. A. PROJECT NO. C-831)

~~ROUTE OR~~ ROAD NO. S-22, S-911, S-1071,)
S-1147, S-1240, S-1825, S-1826, S-1827,)
S-1828, S-1832)

RESOLUTION

WHEREAS, In accordance with Chapter 5, Title 57, Code of Laws of South Carolina, 1976, and amendments thereto, the South Carolina Department of Highways and Public Transportation in cooperation with the Municipality of Orangeburg, proposes to construct, reconstruct, alter, or improve a certain street, or streets, on duly constituted routes in the State Highway System, within the corporate limits of said Municipality, according to plans prepared by the South Carolina Department of Highways and Public Transportation, identified as follows:

Project No.

C-831

Route or Road No.

- Road S-22: Along Orange, SE & Whitman, SE Street from Doyle St. (S-924) to Boulevard Ave. (Rt. 21/601).
- Road S-911: Along Jasper, NE & Colleton, NE Street from George St. (S-849) to Sawyer St. (S-1013).
- Road S-1071: Along Edisto, NW from Scoville St. (S-1007) to Adden St. (S-243).
- Road S-1147: Along Evergreen, NE St. from Carolina Ave. (S-52) to Dantzler St. (S-897).
- Road S-1240: Along Webster, NE St. from Summers St. (S-131) to Wilson St. (S-215).
- Road S-1825: Along Raysor, NW, NE from Riverside St. (S-125) to Middleton St. (S-211).
- Road S-1826: Along Wannamaker, NE St. from Ellis Ave. (S-224) to Road S-1827.
- Road S-1827: Along Sifley, NE St. from Road S-1826 to Road S-25.
- Road S-1828: Along Stroman, NE St. from Wannamaker St. (S-1826) to Road S-25.
- Road S-1832: Along Elliott, SE from Sellers St. (S-923) to Russell St. (Rt. 33).

NOW THEREFORE, Be it resolved that the Municipality of Orangeburg does hereby consent to the construction or improvements of the aforesaid Municipal street, or streets, in accordance with the aforesaid plans, thereby evidencing compliance by the South Carolina Department of Highways and Public Transportation with the provisions of Section 57-5-820, Code of Laws of South Carolina, 1976; and further the Municipality, having reviewed the plans for said construction, does hereby approve said plans, as heretofore identified, as provided for in Section 57-5-830, of the 1976 Code, it being understood that the South Carolina Department of Highways and Public Transportation shall not be liable for damages to property or injuries to persons, as otherwise provided for in Section 57-5-1810, of the 1976 Code, as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality.

BE IT FURTHER RESOLVED, That the Municipality will legally protect the right of way as shown by the plans prepared by the South Carolina Department of Highways and Public Transportation and as established for this street, or streets, from future encroachment along any or all parts of the improvement covered by this agreement, and that all water, sewer and gas pipes, manholes, or fire hydrants and all power, light, telegraph, or telephone poles will be moved, relocated or rearranged, or caused to be moved, relocated or rearranged by the Municipality, in accordance with plans prepared by the South Carolina Department of Highways and Public Transportation and/or by respective utility companies showing their present and proposed location, and made

a part hereof, with provision that pole lines and hydrants be located back of the sidewalk, and all necessary rights of way for drainage ditches or pipes will be secured to conform to the plans for the proposed improvement and that all of the above will be done without any expense or cost to the South Carolina Department of Highways and Public Transportation except for those items which are shown on the construction plans for this project to be adjusted as items in the construction contract or contracts to be awarded by the South Carolina Department of Highways and Public Transportation.

BE IT FURTHER RESOLVED, That the Municipality will furnish the South Carolina Department of Highways and Public Transportation with evidence satisfactory to the Department that the utilities are operating within the Municipality by franchise or other written permission with provision that all necessary relocations of such utilities to accommodate street improvements will be made at no cost to the South Carolina Department of Highways and Public Transportation; that the presence of the utilities over, along or under the street will in no way interfere with construction, maintenance, and safe operations of the street; and that no additional utility installations within the limits of the street improvement from the date of the execution of this agreement will be permitted without approval of the South Carolina Department of Highways and Public Transportation, and that the relocation activities will be coordinated so as to minimize interference with contractor operations.

BE IT FURTHER RESOLVED, That the Municipality hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Highways and Public Transportation as required in Section 56-5-930 of the 1976 Code, nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, This Resolution is hereby adopted and made a part of the Municipal records this Seventeenth day of May, 19 83 and the original of this Resolution will be filed with the South Carolina Department of Highways and Public Transportation at Columbia.

City of Orangeburg, S. C.
Municipality

By E. O. Pordanis
Mayor
W. Everett Selby
Sam A. Alexander
James B. Johnson
William J. McCarty

ATTEST:

Sammy Hammock
Clerk

✓

R E S O L U T I O N

BE IT RESOLVED by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of same,

That the Purchasing Procedures of the Department of Public Utilities, City of Orangeburg, hereto attached, be, and they are declared effective on June 21, 1983.

PASSED By the City Council, in Council assembled at Orangeburg, South Carolina, this 21st day of June, A. D., 1983.

E. O. Pendarvis
Mayor
William S. McCamp
Lynn H. Anderson
W. Stewart Kelly
George B. Johnson
Members of Council

ATTEST:

James P. Murch
City Clerk and Treasurer

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
ORANGEBURG, SOUTH CAROLINA

PURCHASING PROCEDURES

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
ORANGEBURG, SOUTH CAROLINA

PURCHASING PROCEDURES

Department of Public Utilities
195 Russell S.W.
P. O. Box 1057
Orangenburg, South Carolina 29115
January 30, 1979

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FOREWORD

The Superintendents of the Divisions of the Department of Public Utilities are charged with the responsibility for locating, selecting, and purchasing or contracting for all materials, supplies and equipment (see "EXCLUSIONS", Section II) used by the Department of Public Utilities in the furtherance of its objectives. This manual has been prepared in an effort to set forth and make available to all, those pertinent procedures under which the Department of Public Utilities operates. This manual is furnished as information and guidance to all involved in the functions covered, as well as all who are concerned therewith; it is necessary that the Department of Public Utilities procedures, as herein delineated, be followed in order that the purchasing function may continue to be effectively and efficiently performed.

II

EXCLUSIONS

A. EXCLUSIONS

The authority to purchase or contract for the following will be the responsibility of the Manager:

1. Real Estate
2. Insurance
3. Rights-of-Way
4. Lease and Rental of Buildings and Real Estate
5. Advertising and Publicity
6. Utilities
7. Natural Gas and Electricity for Re-sale
8. Management Consultants or Professional Services

III

PURCHASING PROCEDURES

A. PROCEDURES GOVERNING PROCUREMENT METHODS

The Department of Public Utilities seeks to obtain the ultimate value for each dollar of expenditure. A buying judgment, based on all facts available, shall be made at the time of purchase in order to determine the best product available and the method of procurement

(bids, negotiation, or award), most desirable which will best serve our objectives. The procurement method selected in each instance shall be determined after careful analysis of several factors which must be analyzed and given personal weight and value.

Some of the factors which will be considered in the purchasing analysis are general market conditions, quality, quantity, and approximate cost of the item, number of available sources, delivery requirements, complexity of the equipment, whether or not engineering service is necessary, whether it is duplicate equipment or must match some existing design or equipment, whether it is a professional service or contract, and the capability and reliability of available suppliers. Based upon these considerations, the purchase shall be made either by competitive bidding, negotiation, direct purchase, or any combination of these.

In utilizing a flexible procedure the Department of Public Utilities can better adjust its buying function to changing business conditions while applying good purchasing principles and practices in procurement activities.

Every purchase, regardless of its category, shall be handled as outlined above. This procedure will best serve the interests of the Department of Public Utilities.

B. PUBLIC NOTICE

The extent and nature of public notice for proposed material procurements and of direct notice to prospective suppliers will vary, depending upon the method of procurement selected. In most instances purchasing and commitments will be made on a competitive basis. When

this method is used, an invitation to bid shall be extended to those suppliers on the qualified bidders list who sell the particular commodity or service being sought.

C. COMPETITION

The advantages of competition are well known, and while the number of bidders required will vary depending upon the judgment of the buyer, our policy is such as to encourage widespread competition.

The Department shall make full use of sales interviews, advertising, trade journals, directories, and the Department of Public Utilities purchasing library to seek new sources in order that competition shall be assured. The Department of Public Utilities, in recognizing the importance of local suppliers to the economy of its service area, has a policy that - "everything else being equal" - suppliers in our service area will be given preference.

D. METHOD OF QUALIFYING SUPPLIERS

In order to qualify as a supplier, the seller must be able to provide a reliable product which can meet our technical specifications. Other factors which may be considered include the supplier's organization and his ability to work harmoniously and efficiently with other people when a close working relationship is required. Past performance, present and future backlog of orders, and financial responsibility are factors which may affect the supplier's ability to fulfill its obligation and will be considered. Since reliability is a principle consideration, engineering "backup" ability to service and supply spare parts, supplier's quality

assurance program, and industry operating performance shall receive major consideration where service is dependent upon the material or ability to service.

E. BIDDERS LIST

New suppliers who desire to be placed on our bidders list shall be thoroughly and impartially investigated to determine whether or not they meet our supplier qualifications; and if so, they will be added.

Suppliers on our bidders list shall be removed when they fail to meet our qualifications, or when they indicate no further interest in our business.

F. DEPARTMENT OF PUBLIC UTILITIES PERSONNEL

The Department of Public Utilities maintains the following office for the purpose of its procurement function:

Department of Public Utilities
195 Russell S.W.
P. O. Box 1057
Orangeburg, South Carolina 29115

Information as to specific personnel that vendors should contact is available at this location.

G. BIDS, NEGOTIATIONS AND AWARDS

Sealed bids with public openings are seldom used because it is the Department of Public Utilities practice not to divulge prices or other competitive information except as required. Other bids received in response to requests for quotations are received by the authorized personnel handling the transaction. Bids are reviewed,

tabulated, and evaluated. Upon evaluation - all things being equal - price shall govern who is awarded the business. Negotiations with bidders and awards shall be conducted by experienced and qualified people whose assignment it is to see that the greatest possible value is obtained for each dollar of expenditure. No award shall be made until the purchaser is convinced that the award is in the best interest of the Department of Public Utilities and in keeping with its stated objectives. It is our belief that honest and fair dealing should govern all transactions. Therefore, it is the Department of Public Utilities practice not to enter negotiations or to solicit bids from those firms whom we do not consider to be potential suppliers.

H. TYPES OF CONTRACTS

A judgment shall be made at the time of purchase by experienced, qualified personnel handling the transaction to determine which type of contract best meets the Department of Public Utilities stated objectives.

I. NEGOTIATIONS WITHOUT COMPETITION

Circumstances may exist where negotiations will best serve the Department of Public Utilities objective, e.g., emergencies, necessity to obtain repair parts, matching existing equipment, when professional contracts or services are required, accessory and supplemental equipment, or architectural design. Other situations are where the price will not warrant the expense of seeking out several bids, or where the prices for duplicate items are established and the market is well known, or where there is only one source of supply. Further, there

may be some special circumstances warranting the consideration of a special price substantially below market wherein substantial savings may be realized.

Negotiations, except in cases where the cost is too small to warrant competitive bidding methods, will be entered into only after careful market research, proper planning and preparation so that the buyer has a good indication of the fair value of the commodity or service. The award will be made only after the buyer is convinced that the award is in the best interest of the Department of Public Utilities and is in keeping with its stated objectives.

J. SUBCONTRACTS

Normally, the Department of Public Utilities relies on the judgement and discretion of the major contractors to select subcontractors. When the Department of Public Utilities considers it necessary to exercise control over the subcontractors, the agreement shall so stipulate.

K. APPLICABLE LAWS AND AGREEMENTS

Contractors and suppliers are expected to comply with all laws, statutes, regulations, ordinances, rulings, or enactments of any governmental authority which may be applicable to the work, project, the service, material, or supplies.

L. CONFIDENTIAL INFORMATION

It is our practice not to divulge prices or any other competitive information except as required. Documents showing information of this type shall be treated as confidential by all who have access to them.

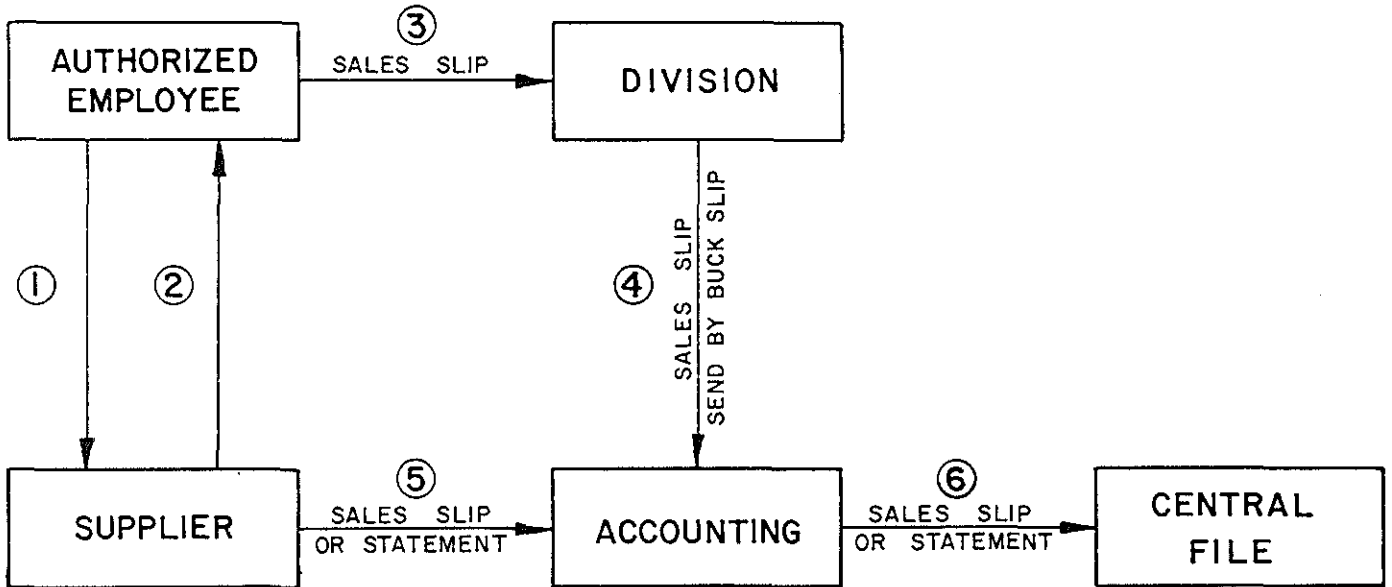
M. LOCAL PURCHASES

1. On local purchases where purchase orders have not been issued, an authorized employee of the Department of Public Utilities shall make a request to the vendor.
2. The sales slip given by the vendor to the authorized employee making the purchase shall be checked for accuracy. The received stamp shall be placed on the sales slip and completed by the authorized employee.
3. A sales slip then will be forwarded to the Superintendent of the Division responsible for the purchase.
4. The Division responsible for the purchase will examine the sales slip for correctness. Attention will be given as to whether the sales slip should have sales tax charged on it. If it should have sales tax and does not, the amount of sales tax to be paid shall be written on the face of the sales slip in the appropriate stamp. If the invoice is to be placed in line for payment, it shall be stamped approved and the account number to which it is to be charged shall be placed on the approval. The approval shall be signed by the Division Superintendent. The sales slip shall then be forwarded to the Accounting Section.
5. Upon receipt of the vendor's invoice by the Accounting Section, the approved sales slip shall be attached to it and the invoice shall be processed for payment.
6. If the vendor sends invoices in duplicate, the duplicate invoice shall be placed in the central file. If he does not send invoices in duplicate, a copy shall be made of the invoice and a copy shall be placed in the central file.

7. On local purchases where purchase orders have not been issued and the vendor does not issue invoices, but sends a statement at the end of the month, the sales slip given by the vendor to the employee making the purchase shall go to the division originating the purchase. The Division Superintendent shall execute the authorization.
8. The approved sales slip shall go to the Accounting Section.
9. The Accounting Section shall retain the approved sales slip until the Monthly Statement is received from the vendor at which time they will be compared with those accompanying the statement. If the approved sales slips and those accompanying the statement are in agreement, the approved slips shall be processed for payment. The duplicate sales slips and statement shall be placed in the central file by the accounting clerk.
10. In the Accounting Section, all invoices and sales slips shall be checked for mathematical correctness. Special attention shall be given to see that all discounts offered by the vendor have been taken.
11. In the Accounting Section, the invoices and sales slips shall be placed into alphabetical order with other invoices which are to be paid. Each invoice and sales slip shall be given a voucher number and shall be listed in a Vouchers Register. Invoices and sales slips shall then be posted to distribution cards (whether O & M or improvements, etc.) and to the vendors accounts payable cards. After having been posted, each invoice and sales slips shall be stamped "posted".
12. Invoices and sales slips shall be paid from the vendors accounts payable cards. Check totals, accounts payable cards, and sales slips and invoice totals must be in agreement. After having been paid, invoice and sales slips shall be stamped paid and the number of the check paying each invoice and sales slip shall be placed thereon.

13. After invoices and sales slips have been processed through the Accounting Section, personnel of that section shall type a listing of items paid for the Monthly Report.
14. Paid invoices and sales slips shall be filed in the Accounting Section.

FLOW CHART FOR LOCAL PURCHASES



N. PURCHASE ORDERS AND INVOICES

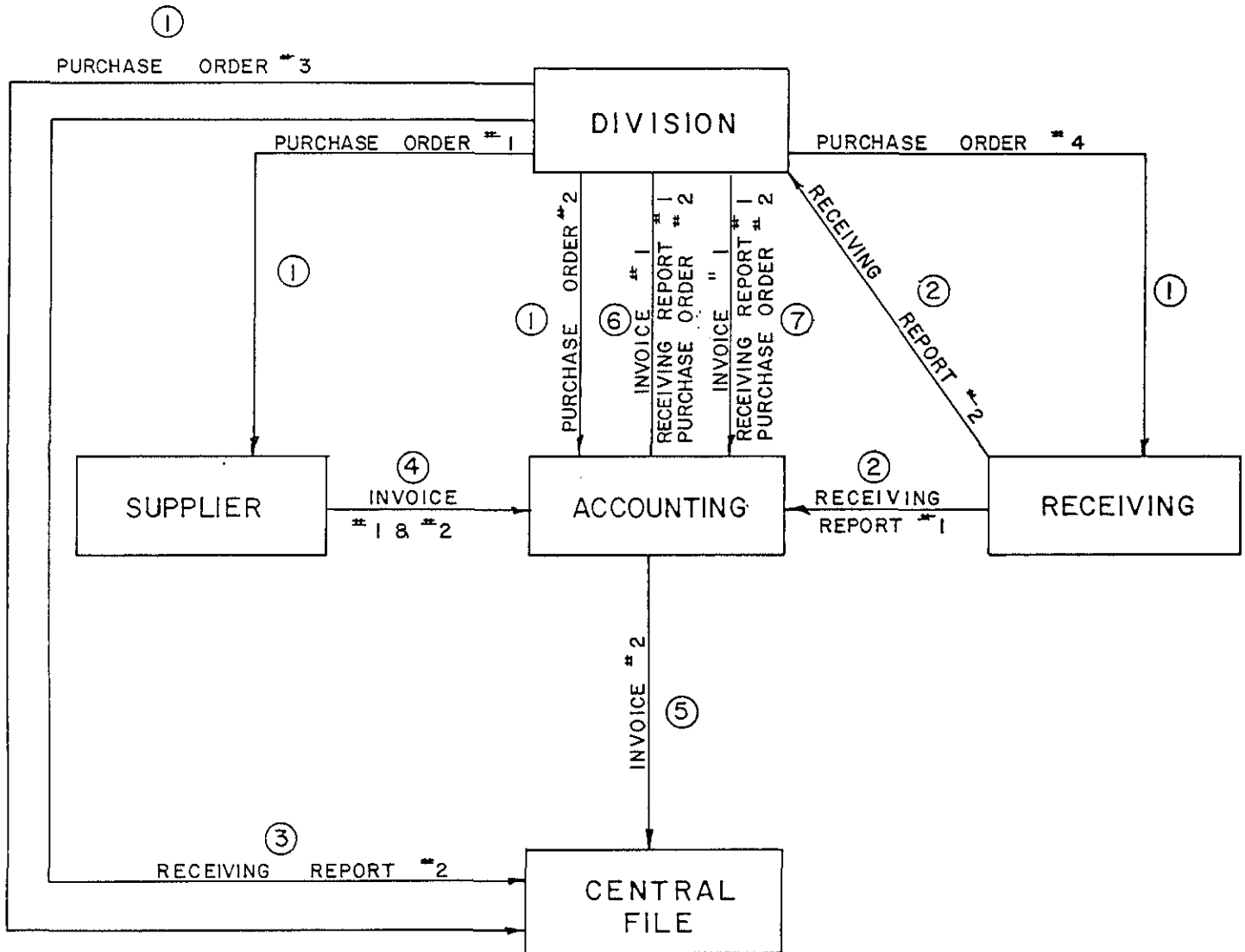
1. Purchase orders shall be prepared in four copies by the Division originating the purchase. One copy shall go to the Vendor. The Division originating the order shall place one copy in the Central File. One copy shall go to the Accounting Section, and one copy will go to the Warehouse. It shall be stressed that the Purchase Order Number must appear on all packages and papers relating to the order.
2. When the shipment is received, the receiving clerk shall prepare a receiving report in three copies. One copy shall be sent to the Accounting Section, one copy shall go to the Division originating the purchase order, and the receiving clerk shall retain one copy for his records.
3. The Division originating the purchase order shall examine the receiving report and shall place it in the Central File.
4. The invoices shall be received by the Accounting Section.
5. The duplicate copy of the invoice will be placed by the Accounting Section into the Central File where it shall be attached to the receiving report and purchase order. If the vendor does not send invoices in duplicate, a copy of the original shall be made and it shall be placed in the Central File and attached to the receiving report and the purchase order.
6. The original copy of the invoice with the receiving report and purchase order attached shall go to the Division originating the purchase.
7. The Division originating the purchase will examine the invoice for correctness. Attention will be given to whether the invoice should have sales tax charged on it. If it should have sales tax and does not, the amount of sales tax to be paid shall be written on the

face of the invoice in the appropriate stamp. If the invoice is to be placed in line for payment, it shall be stamped approved, and the account number to which it is to be charged shall be placed on the approval. The approval shall be signed by the Division Superintendent. The invoice with the receiving report and purchase order attached shall then be returned to the Accounting Section.

8. If the shipment is not complete, the purchase order will be detached from the invoice and receiving report and the fact that the shipment is not complete shall be noted on the invoice and purchase order. The purchase order will be attached to the invoice and receiving report which do complete the order.
9. In the Accounting Section all invoices shall be scanned to see whether any have been classified as a Bond Fund Expenditure. If any have been so classified, they shall be entered on a record of Bond Fund Expenditures.
10. In the Accounting Section, all invoices shall be checked for mathematical correctness. Special attention shall be given to see that all discounts offered by the Vendor have been taken.
11. In the Accounting Section, the invoices shall be placed into alphabetical order. Each invoice shall be given a voucher number and shall be listed in a Vouchers Register. Invoices shall then be posted to distribution cards (whether O & M, or improvements, etc.) and to the vendors accounts payable cards. After having been posted each invoice shall be stamped "posted".
12. Invoices shall be paid from the Vendors Accounts payable cards. Check totals, accounts payable cards, and invoice totals must be in agreement. After having been paid, invoices shall be stamped paid and the number of the check paying each invoice shall be placed on the invoice.

13. After invoices have been processed through the Accounting Section, personnel of that section shall type a listing of invoices paid for the Monthly Report.
14. Invoices with purchase order and receiving report attached shall be filed in the Accounting Section.

FLOW CHART FOR PURCHASE ORDERS



IV

BUYER-SELLER RELATIONSHIPS

The human element in purchasing is a valuable asset to any Company and can be cultivated through a good buyer-seller relationship.

The salesman, fundamentally, is an educator. Accordingly, buyers should be willing and anxious to listen to him.

- A. Suppliers will be received in the Superintendent's office during any normal working day.
- B. The Superintendent will make arrangements for sales, products meetings, and demonstrations when requested by the vendor. This includes notifying the appropriate departments with the Department of Public Utilities who are interested, coordinating the date and time for such presentations, and notifying the vendor of these arrangements. We recognize this means as a tool of education and for staying abreast of new products and changing conditions, however, sales personnel should be advised that we will evaluate the potential results for having a meeting prior to granting a request.
- C. Our procedure is not designed to limit the available working hours during which a salesman may be interviewed. Sales calls will be accepted in a courteous and prompt manner whenever possible. However, there may be some occasion, due to increased activity or other time limitations, which will result in the denial of an interview. Our open door procedure for necessary salesmen should not be used as a means for making unnecessary sales or social visits. A salesman should analyze his visit and determine the real purpose or benefits that may be derived from an interview. Our procedure is maintained through the buyer's and seller's mutual ability to respect each other's time.

D. All Purchasing personnel shall promote the Department of Public Utilities image for fairness, integrity, progressiveness, and service by:

1. Declining to take advantage of a seller's error.
2. Remaining truthful in all transactions.
3. Keeping competition open and fair.
4. Keeping Purchasing specifications fair and clear by avoiding impractical or unnecessary specifications.
5. Avoiding rejection and return of petty items, or rejecting items for petty reasons which are not of a recurring nature.
6. Visiting and inspecting selected sources of supply and by keeping informed of the seller's stability and methods of operation.
7. Determining the qualifications of a supplier prior to requesting a quotation.
8. Respecting the confidence of the salesman and his Company when dealing with quotations or other confidential information.
9. Keeping ourselves free from undue obligation to any seller.
10. Furnishing, if requested, any reasons for rejecting a seller's bid, or awarding our business elsewhere, without divulging confidential information.
11. Keeping an open mind regarding new manufacturing methods and products available and by making tests or trial use of those products that may be of value to the Department of Public Utilities.
12. Operating an order follow-up system and keeping the seller informed on material requiring delivery date changes.
13. Answering correspondence promptly.
14. Observing the Department of Public Utilities procedures and principles of purchasing at all times.

- E. The Department of Public Utilities does not expect the offer of and will not tolerate the acceptance or solicitation of immoderate entertainment, significant gifts or any loan from vendors or their representatives. A buyer shall not have any financial interest in a transaction with a vendor. Stock ownership of less than 100 shares in a vendor with stock listed on a National Stock Exchange is not considered a financial interest within the meaning of this section. All other financial interest in any vendor shall be reported in writing annually to the Manager. There are occasions when it is proper, in the interest of conserving time and building relations, to meet with vendors and their representatives outside of working hours. When it is proper for an employee of the Department of Public Utilities to assume a reasonable expense for such meetings, it will be approved by the Manager. Visits to manufacturer's plants are an acceptable practice when used as a means of education for the buyer, as well as a builder of business relations. Expenses incurred through plant visitations may be charged to the Department of Public Utilities, however, a form must be initiated by the buyer through the proper channels and approved, prior to his accepting an invitation.
- F. Our procedure requires all invoices which contain differences from the prices, terms, etc., shown on the purchase order to be routed to the person originating the order for correction. In cases where quick-pay discounts are involved, the discount will be taken after the correction has been made. It is the seller's responsibility to notify the buyer of any discrepancies prior to shipping and invoicing the goods. In cases of emergency requirements, where delivery is more essential than the time required in establishing

all the terms and conditions of sale, any adjustments that may be necessary will be made with the view of honesty and fairness to all interests concerned.

- G. Department of Public Utilities employees should not solicit donations from Companies with whom they deal or may deal, no matter how worthy the cause.

V

LEGAL

The object of all purchasing procedures is to establish a legally enforceable relationship between the buyer and the seller which is a contract.

It is important that the contract be clear and unambiguous so that the commitments under the contract can be relied upon both by the buyer and also the seller. To protect the Department of Public Utilities position, purchases should be made through the issuance of an official Company Purchase Order to the seller, who may either accept or reject the Purchase Order. When it is impracticable to issue a Purchase Order, as in the case where the Department of Public Utilities must solicit offers from the sellers before issuance of a Purchase Order, it is important that the solicitation of all offers state that the Department of Public Utilities will buy only according to its General Terms and Conditions as stated in its standard Purchasing Order.

In the making of a legally binding and valid contract between the Department of Public Utilities and the seller, the Department of Public Utilities Superintendent has the responsibility (1) to determine that the buyer and seller are acting in good faith, (2) that there is the obligation of the seller to transfer and deliver the goods according to the buyer's specifications, (3) that payment will be made in accordance with clearly

stated terms, and (4) that the contract does not contravene existing federal or state laws or regulations.

The Purchaser is responsible for all legal acts that it performs in the Department of Public Utilities name and within the scope of its employment and authority. However, it is the duty of the Purchaser to seek guidance on matters of legality, forms, and execution of documents, including the following cases: (1) where the seller attempts to vary the Company's general terms and conditions, (2) where legal matters which are ambiguous and could be subject to misunderstanding or misconstruction.

Once a valid contract has been made, the Purchaser then has a duty to obtain performance by the seller in accordance with the contract. Deliveries and conditions of material must be satisfactory to the Department of Public Utilities. Material actually delivered must meet purchase specifications and performance guarantees must be met.

VI

OTHER

This manual is for general information and guidance and shall be made available to interested personnel of the Department of Public Utilities and suppliers. It shall also be made available to the general public upon request.

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
JULY 5, 1983

City Council held its regular meeting on July 5, 1983 in the Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular June 21, 1983 City Council meeting were read and approved.

The first item under old business was second reading of an ordinance to rezone a section of property on Chestnut Street. A motion by Councilmember Alexander, seconded by Councilmember McCain, approved second reading. Mayor Pro Tem Salley abstained from voting due to a possible conflict of interest.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved third and final reading of an ordinance to amend the present budget ordinance.

A motion by Mayor Pro Tem Salley, seconded by Councilmember McCain, unanimously approved third and final reading of an ordinance to amend the current business license ordinance.

A motion by Mayor Pendarvis, seconded by Councilmember McCain, unanimously approved appointment of Viola Smith to serve as Supervisor of Registration for the upcoming Municipal Election.

City Administrator Tipton briefed Council on the 1983 Rose Festival expenditure and income status. The 1983 Rose Festival actually had a net loss of \$1,237.64, but ended with a balance of \$4,886.11 in its interest bearing checking account.

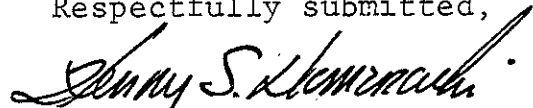
A motion by Councilmember Frierson, seconded by Councilmember McCain, unanimously approved a resolution establishing City purchasing procedures and designation of a purchasing agent position.

Resolutions were presented to B. O. Smoak, Jr., and T.L. Jennings commemorating them for their long years of service to the City.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved entering into an executive session for an administrative briefing as requested by City Administrator Tipton.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

ABB132

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
JULY 19, 1983

A Revenue Sharing Proposed Use Public Hearing was held immediately preceding the City Council meeting. Minutes of the Hearing are attached.

City Council held its regular meeting on July 19, 1983, in the Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular July 5, 1983, City Council meeting were read and approved.

The first item under old business was the third and final reading of an ordinance to rezone a section of property on Chestnut Street. A motion by Councilmember Alexander, seconded by Mayor Pendarvis, approved third and final reading. Mayor Pro Tem Salley abstained from voting due to a possible conflict of interest.

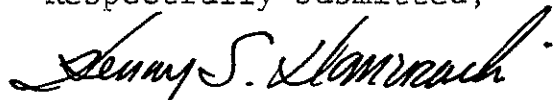
A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved ratification of Aetna's Group Insurance Proposal.

Macon Sheppard, President of Orangeburg Cable TV, Inc., addressed City Council requesting a decision on the Cable TV proposal. Mayor Pendarvis requested Mr. Sheppard to furnish the City Attorney, Mr. Walker Limehouse, with a letter outlining Orangeburg Cable TV's interpretation of its franchise with the City of Orangeburg, insofar as rates pertaining to pay TV, basic TV, rates inside and outside the City, its franchise fee and any other services that Cable TV renders but feels City Council has no jurisdiction at all or the jurisdiction has been lessened. Mr. Sheppard agreed to furnish the requested information. It was the general concensus of Council to accept Mr. Sheppard's presentation as information assuring him that Council would reach a decision in the very near future.

A motion by Mayor Pendarvis, seconded by Councilmember Alexander, unanimously approved a resolution authorizing an increase in the Department of Public Utility rates (see resolution attached to and made a part of these minutes).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

**RESOLUTION ESTABLISHING PURCHASING PROCEDURES
FOR THE CITY OF ORANGEBURG AND
DESIGNATING THE POSITION OF PURCHASING AGENT**

BE IT RESOLVED that the City Council of the City of Orangeburg in Council Assembled that the following purchasing procedures and designation of the position of Purchasing Agent be established:

Section 1. Purchasing Agent, specified duties.

The City Administrator, or an officer of the city designated by the City Administrator, shall be the Purchasing Agent for the City excepting, however, purchases or contracts respecting Department of Public Utilities whose Manager shall in such cases act as the Purchasing Agent therefore. He/She shall be responsible for:

- A. The purchase of supplies, materials and equipment and contractual services required by an office, department or agency of the city government, except the Department of Public Utilities.
- B. The storage and distribution of all supplies, materials and equipment required by any office, department or agency of the city government.
- C. Establishing written specifications, whenever practicable, for supplies, materials and equipment required by any office, department or agency of the city government. Such specifications shall be definite and shall permit competition.
- D. Maintaining, whenever practicable, a perpetual inventory record of all materials, supplies or equipment stored in store-rooms or warehouses.
- E. Soliciting and maintaining an up-to-date list of qualified suppliers who have requested their names to be added to a "bidders list." The purchasing agent shall have authority to remove temporarily the names of vendors who have defaulted on their quotation, attempted to defraud the city or who have failed to meet established specifications or delivery dates.
- F. Obtaining as full and open competition as possible on all purchases, contracts and sales.

Section 2. Formal contract procedures.

All supplies and contractual services, except as otherwise provided herein, when the estimated cost thereof shall exceed one thousand dollars, shall be purchased by formal, written contract from the lowest responsible bidder, after due notice inviting proposals. No contract or purchase shall be subdivided to avoid the requirements of this section. All sales of personal property which has become obsolete or unusable, shall be sold by formal written contract or at a public auction to the highest responsible bidder, after due notice inviting proposals and bidders.

Section 2.1 Bidding - Competitive, required exception.

Before any purchases or contracts for supplies, materials, equipment or services exceeding two hundred dollars are made, the purchasing agent shall give ample opportunity for competitive bidding. For purchases or contracts not exceeding one thousand dollars, oral bids may be accepted. All other bids shall be in writing. Competitive bidding shall be encouraged for all contracts, purchases or sales. However, in the event of an emergency affecting the public welfare, health or safety, the provisions of this section shall not apply. A full report of the circumstances of an emergency purchase shall be filled by the Department Head making the emergency purchase.

Section 2.2 Award to lowest bidder; advertising, when required

All contracts for city improvements, materials, equipment, or services costing more than one thousand dollars shall be awarded to the lowest responsible bidder after publication in a newspaper of general circulation in the city at least five days before the last day set for receipt of proposals; provided, however, that in case of professional services, this section shall not apply. The newspaper notice required herein shall include a general description of the articles or services to be purchased, shall state where specifications may be secured and the time and place for opening bids.

Section 2.3 Bid Deposits

When deemed necessary by the purchasing agent, bid deposits shall be prescribed in the public notices inviting bids. Upon entering into a contract, bidders shall be entitled to return of bid deposit where the purchasing agent has required such. A successful bidder shall forfeit any bid deposit required by the purchasing agent upon failure on his part to enter into a contract within ten days after the award; provided, however, that the City, in its uncontrolled discretion, may waive this forfeiture.

Section 2.4 Sealed Bid Procedures

Procedure for sealed bids shall be as follows:

- A. Sealing.** Bids shall be submitted to the purchasing agent securely sealed in an envelope, and shall be identified on the envelope in accordance with bid instructions.
- B. Opening.** Bids shall be opened in public at the time and place stated in the public notices.
- C. Tabulation.** A tabulation of all bids received shall be available for public inspection.
- D. Rejection of bids.** The purchasing agent shall have the authority to reject parts of all bids, or all bids for any one or more supplies or contractual services included in the proposed contract, when the public interest will be served thereby.
- E. Bidders in default to city.** The purchasing agent shall not accept the bid of a vendor or contractor who is delinquent in the payment of taxes, licenses, or other moneys due the city.
- F. Award of contract:**
 - 1. Authority of agent.** The purchasing agent shall have the authority to award contracts within the purview of this article and administrative regulations; provided, however, that contracts in excess of three thousand dollars shall not be awarded without prior approval of city council.
 - 2. Lowest responsible bidder.** Contracts shall be awarded to the lowest responsible bidder. In determining "lowest responsible bidder," in addition to price, the purchasing agent shall consider:
 - a. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
 - b. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - c. The character, integrity, reputation, judgement, experience and efficiency of the bidder;
 - d. The quality of performance of previous contracts or services;
 - e. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or services;

- f. *The sufficiency of the financial resources and ability of the bidder to perform the contract to provide the service;*
- g. *The quality, availability and adaptability of the supplies or contractual services to the particular use required;*
- h. *The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;*
- i. *The number and scope of conditions attached to the bid.*

G. Award to other than low bidder. *When the award is not given to the lowest bidder a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the purchasing agent and attached to the file relating to the transaction and held for a period of no less than 12 months.*

H. Performance bonds. *The purchasing agent shall have the authority to require a performance bond, before entering into a contract, in such form and amount as he shall find reasonably necessary to protect the best interests of the city.*

I. Payment Bond/Labor and Material Bond. *The purchasing agent may require a Payment Bond and a Labor and Material Bond, before entering into a contract, in such form and amount as he/she shall deem necessary to protect the best interests of the city.*

Section 2.5 Materials Testing

The purchasing agent shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the purchasing agent shall have the authority to make use of laboratory facilities of any agency of the city government or any outside laboratory.

Section 3. Financial interests of city officials and employees prohibited

No member of the city council or any officer or employee of the city shall have a financial interest in any contract or in the sale to the city or to a contractor supplying the city of any land or rights or interests in any land, material, supplies or services; except when a majority of the city council determines such exception in the best interests of the city, provided, that no councilmember whose interest is involved shall vote on the question. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the city found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge expressed or implied of the person or corporation contracting with the city shall render the contract voidable by the city administrator or the city council.

Section 4. Records of open market orders and bids

The purchasing agent shall keep a record of all open market orders and the bids submitted in competition thereon, and such records shall also be open to public inspection.

Section 7. Supplies unsuitable for public use, sale or exchange

The purchasing agent shall have the authority upon the approval of the city administrator to sell all supplies which have become unsuitable for public use, or to exchange the same for, or trade-in the same on, new supplies. Such sales shall be

made to the highest bidder, and in conformance with Section 2. All moneys received from such sales shall be paid into the appropriate Fund of the city.

Section 8. Gifts and Rebates

The purchasing agent and every officer and employee of the City are expressly prohibited from accepting, directly or indirectly, from any person, company, firm or corporation to which any purchase order or contract is, or might be awarded, any rebate, gift, money, or anything of value whatsoever, except where given for the use and benefit of the City.

Section 10. Purchasing Procedure

The purchasing agent, department heads, as well as all other city employees, will use the City of Orangeburg Purchasing Procedure as their guide and method of purchasing goods, materials and services.

Passed this the Fifth day of July, 1983 by City Council, in Council Assembled.

E.O. Funder's

MAYOR
W. Keith Selley

Sam H. Alexander

Henry B. Frierson

William S. O'Leary

MEMBERS OF COUNCIL

ATTEST:

Sam S. Amswachi

CITY CLERK

RESOLUTION

WHEREAS, the City of Orangeburg desires to express its appreciation to

BENJAMIN ODELL SMOAK, JR.

for his twenty-eight (28) years of faithful service to the City; and

WHEREAS, he has submitted his resignation to the Fire Chief of the City of Orangeburg, effective June 30, 1983; and

WHEREAS, the City of Orangeburg is indebted to him for his fine performance of duty throughout the years he was employed by the City; and

WHEREAS, he through his diligent and excellent work has brought much credit and acclaim to the City and its Fire Department.

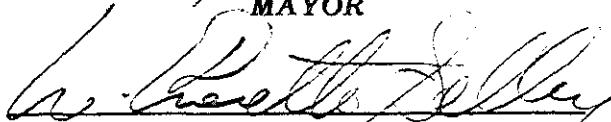
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of Council, in Council assembled, to officially take cognizance of the faithful and distinguished service rendered to the City of Orangeburg by Benjamin Odell Smoak, Jr. in the capacities in which he served the City, especially for his untiring efforts with the Fire Department, and commend him for a job well done.


BE IT FURTHER RESOLVED that a copy of this resolution be kept in the permanent records of the City of Orangeburg and be distributed through appropriate agencies throughout the City in order that acknowledgement of his work might be properly appreciated.

PASSED by the Mayor and Council of the City of Orangeburg, South Carolina this fifth day of July, 1983.



MAYOR










MEMBERS OF COUNCIL

ATTEST:



CITY CLERK

RESOLUTION

WHEREAS, the City of Orangeburg desires to express its appreciation to

THOMAS LINDO JENNINGS

for his twenty-six (26) years of faithful service to the City; and

WHEREAS, he has submitted his resignation to the Public Works Director of the City of Orangeburg, effective June 30, 1983; and

WHEREAS, the City of Orangeburg is indebted to him for his fine performance of duty throughout the years he was employed by the City; and

WHEREAS, he through his diligent and excellent work has brought much credit and acclaim to the City and its Public Works Department.

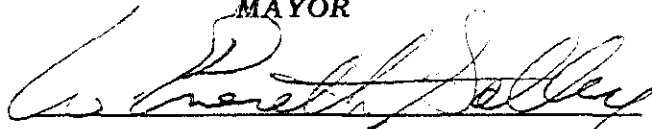
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of Council, in Council assembled, to officially take cognizance of the faithful and distinguished service rendered to the City of Orangeburg by Thomas Lindo Jennings in the capacities in which he served the City, especially for his untiring efforts with the Public Works Department, and commend him for a job well done.

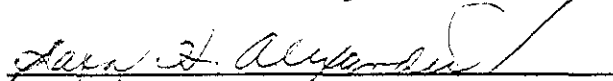
BE IT FURTHER RESOLVED that a copy of this resolution be kept in the permanent records of the City of Orangeburg and be distributed through appropriate agencies throughout the City in order that acknowledgement of his work might be properly appreciated.

PASSED by the Mayor and Council of the City of Orangeburg, South Carolina this fifth day of July, 1983.



MAYOR










MEMBERS OF COUNCIL

ATTEST:




CITY CLERK


RESOLUTION

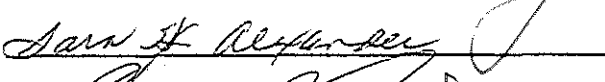
BE IT RESOLVED By the Mayor and Members of Council of the City of Orangeburg, in Council assembled, this nineteenth day of July A. D., 1983:


That the Rates of the Department of Public Utilities of the City of Orangeburg pertaining to Electricity, as heretofore adopted be, and the same are hereby repealed, and in lieu thereof, the Electric Rates of the Department of Public Utilities of the City of Orangeburg, hereto attached, be, and they are hereby, declared effective and in full force on August 1, 1983 billings.

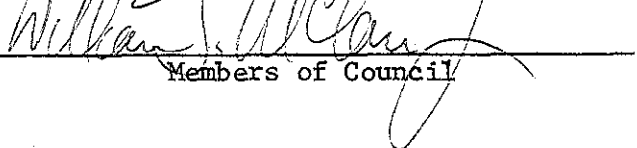
PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this nineteenth day of July A. D., 1983.




Mayor








Members of Council

ATTEST:


City Clerk and Treasurer

ELECTRIC RATE

NO. 1 - RESIDENTIAL SERVICE (Code 2A)

APPLICABLE: To a single-family dwelling unit supplied through one meter for domestic use. This schedule is not applicable to a residence which is used for commercial, professional, or any other enterprise unless the domestic use can be separately metered, in which case this schedule is applicable to the metered domestic portion of energy use only.

CHARACTER OF SERVICE: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

GROSS MONTHLY RATE: (See Article IV-A, Item number 4, "General Terms and Conditions" for discount)

Standard Rate

First 50 kwhr @ \$0.1365 per kwhr
Next 200 kwhr @ \$0.0759 per kwhr
All in excess of 250 kwhr @ \$0.0652 per kwhr

Minimum

\$6.38 per meter per month.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 1-A - RESIDENTIAL SERVICE - ALL ELECTRIC (Code 2B)

APPLICABLE: To a single-family private dwelling unit supplied through one meter for all domestic use, including water heating, space heating, and air conditioning, where electric service is the only source of energy for the dwelling unit, except energy provided by wood-burning fireplaces used primarily for aesthetic purposes. This schedule is not applicable to a residence which is used for commercial purposes. If the customer's wiring is so arranged that electric service for domestic and nondomestic purposes can be metered separately, this schedule is applicable to that portion used for domestic purposes only.

CHARACTER OF SERVICE: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

GROSS MONTHLY RATE: (See Article IV-A, Item number 4, "General Terms and Conditions" for discount)

Standard Rates

Summer Season

First 50 kwhr @ \$0.1365 per kwhr
Next 200 kwhr @ \$0.0759 per kwhr
All in excess of 250 kwhr @ \$0.0652 per kwhr

Winter Season

First 50 kwhr @ \$0.1365 per kwhr
Next 200 kwhr @ \$0.0759 per kwhr
Next 750 kwhr @ \$0.0652 per kwhr
All in excess of 1,000 kwhr @ \$0.0542 per kwhr

Minimum

\$6.38 per meter per month.

The winter season begins with bills dated December 1 for Area A and December 16 for Area B and ends with bills dated May 1 for Area A and May 16 for Area B. The summer season applies for all other bills rendered during the year.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 2 - GENERAL SERVICE (Code 2C)

APPLICABLE: To any nondomestic and/or commercial or industrial customer for all power and energy uses at any one location where service of a single character is taken through one meter at one point of delivery for which no specific schedule is provided. This schedule is not applicable to breakdown, standby, supplementary, resale or shared electric service. All temporary service will be billed under this schedule. This rate will not be available for any new account which has a demand in excess of 300 KW.

CHARACTER OF SERVICE: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

GROSS MONTHLY RATE: (See Article IV-A, Item number 4, "General Terms and Conditions" for discount)

Standard Rate

First	50 kwhr @ \$0.1353 per kwhr
Next	100 kwhr @ \$0.1243 per kwhr
Next	200 kwhr @ \$0.1013 per kwhr
Next	2,650 kwhr @ \$0.0779 per kwhr
All in excess of 3,000 kwhr	@ \$0.0690 per kwhr

Minimum

\$6.38 per meter per month.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 2-A - GENERAL SERVICE - ALL ELECTRIC (Code 2D)

APPLICABLE: To any nondomestic and/or commercial or industrial customer who would otherwise receive service under Rate No. 2 for all general power and energy uses including lighting, water heating, space heating and air conditioning, where electric service is the only source of energy. This rate will not be available for any account which has a demand in excess of 300 KW.

CHARACTER OF SERVICE: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

GROSS MONTHLY RATE: (See Article IV-A, Item number 4, "General Terms and Conditions" for discount)

Standard Rates

Summer Season

First	50 kwhr @ \$0.1353 per kwhr
Next	100 kwhr @ \$0.1243 per kwhr
Next	200 kwhr @ \$0.1013 per kwhr
Next	2,650 kwhr @ \$0.0779 per kwhr
All in excess of 3,000 kwhr	@ \$0.0690 per kwhr

Winter Season

First	50 kwhr @ \$0.1353 per kwhr
Next	100 kwhr @ \$0.1243 per kwhr
Next	200 kwhr @ \$0.1013 per kwhr
Next	650 kwhr @ \$0.0779 per kwhr
Next	2,000 kwhr @ \$0.0735 per kwhr
All in excess of 3,000 kwhr	@ \$0.0602 per kwhr

Minimum

\$16.90 per meter per month.

The winter season begins with bills dated December 1 for Area A and December 16 for Area B and ends with bills dated May 1 for Area A and May 16 for Area B. The summer season applies for all other bills rendered during the year.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 3 - MEDIUM GENERAL SERVICE (Code 2E)

APPLICABLE: To industrial or commercial customers for general power and energy purposes and having demands of 100 kw or over. This schedule is not applicable to breakdown, standby, supplementary, resale or shared electric service.

CHARACTER OF SERVICE: Alternating current, 60 cycle, three phase service. Voltage at the option of the Company.

GROSS MONTHLY RATE: (See Article IV-A, Item number 4, "General Terms and Conditions" for discount)

Demand Charge

First 100 kw @ \$1,033.00 of billing demand
All in excess of 100 kw @ \$10.33 per kw of billing demand

The billing demand (to the nearest whole KW) shall be the greatest of (1) the maximum integrated fifteen-minute demand measured during the current month, (2) eighty per cent (80%) of the highest demand occurring during the eleven preceding months, or (3) the contract demand, or (4) 100 KW.

Energy Charge

All kwhr @ \$0.03616 per kwhr

Minimum

The minimum monthly charge shall be the demand charge as determined above.

POWER FACTOR CORRECTION: The customer shall at all times maintain a power factor of not less than 85 per cent. The Department reserves the right to conduct tests to determine the power factor of the customer's installation during periods of maximum demand or by measurement of the average power factor for the monthly billing period. Should the power factor so determined fall below 85 per cent, the demand for billing purposes will be determined by multiplying the maximum kw demand by 85 per cent and dividing by the determined power factor. No credit shall be given for power factor greater than 85 per cent.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 7 - LARGE POWER AND INDUSTRIAL (Users having Connected Load of 41 kilowatts and over) (Code 2I)

Monthly Minimum Charge of \$3.00 per kw of Connected Load.

First	50 kwhr @ \$0.14177 per kwhr per month
Next	100 kwhr @ \$0.11992 per kwhr per month
Next	200 kwhr @ \$0.11081 per kwhr per month
Next	4,650 kwhr @ \$0.07454 per kwhr per month
All in excess of	5,000 kwhr @ \$0.06167 per kwhr per month

NOTE: THIS RATE NOT AVAILABLE AFTER OCTOBER 6, 1970.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 8 - LARGE GENERAL SERVICE (Code 2H & Code 2S)

APPLICABLE: To large industrial or commercial customers for general power and energy purposes and having demands of 1,000 kw or over. This schedule is not applicable to breakdown, standby, supplementary, re-sale or shared electric service.

CHARACTER OF SERVICE: Alternating current, 60 cycle, three phase service. Service will be metered at primary voltage.

GROSS MONTHLY RATE: (See Article IV-A, Item number 4, "General Terms and Conditions" for discount)

Demand Charge

First 1,000 kw @ \$10,330.00 of billing demand
All in excess of 1,000 kw @ \$9.83 per kw of billing demand

The billing demand (to the nearest whole KW) shall be the greatest of: (1) the maximum integrated fifteen-minute demand measured during the current month, (2) eighty per cent (80%) of the highest demand occurring during the eleven preceding months, (3) the contract demand, or (4) 1,000 KW.

Energy Charge

First 400,000 kwhr @ \$0.03616 per kwhr
All in excess of 400,000 kwhr @ \$0.03506 per kwhr

Minimum

The minimum monthly charge shall be the demand charge as determined above.

POWER FACTOR CORRECTION: The customer shall at all times maintain a power factor of not less than 85 per cent. The Department reserves the right to conduct tests to determine the power factor of the customer's installation during periods of maximum demand or by measurement of the average power factor for the monthly billing period. Should the power factor so determined fall below 85 per cent, the demand for billing purposes will be determined by multiplying the maximum kw demand by 85 per cent and dividing by the determined power factor. No credit shall be given for power factors greater than 85 per cent.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 9 - MERCURY VAPOR LIGHTS (Code 2K, 2L, & 2M)

The following is the rate schedule for Mercury Vapor Lights installed for customers for purposes of lighting other than street lighting.

175 Watts	\$ 6.17 per month
400 Watts	\$11.77 per month
1000 Watts	\$19.20 per month

Note: Add \$1.30 to above for each pole for which it is necessary to set.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above.

Effective: August 1, 1983 Billing.

ELECTRIC RATE

NO. 10 - STREET LIGHTS (Code 2J)

GROSS MONTHLY RATE: See Article IV-A, Item number 4, "General Terms and Conditions" for discount.

The following is the rate schedule for Mercury Vapor Lights installed for street lighting:

A. Unmetered Street Lights

175 Watts	\$ 6.17 per month
400 Watts	\$11.77 per month
1000 Watts	\$30.80 per month

B. Metered Street Lights:

\$0.08829 per KWH

Calculations Used to Record KWH used by Mercury Vapor Lights without meters:

175 Watts	70 KWH per month
400 Watts	140 KWH per month
1000 Watts	400 KWH per month

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item number 4, "General Terms and Conditions" for discount on above. CURRENT FUEL CHARGE WILL BE APPLIED TO THIS RATE SCHEDULE.

Effective: August 1, 1983 Billing.

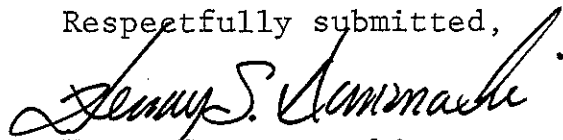
CITY OF ORANGEBURG, SOUTH CAROLINA
PROPOSED USE HEARING
REVENUE SHARING FUNDS
JULY 19, 1983
7:00 P.M.

City Council held a Proposed Use Hearing for Revenue Sharing Funds in the Council Chambers of City Hall on July 19, 1983, at 7:00 P.M. for the purpose of allowing citizen input as to how the City should use its 1983-84 Federal Revenue Sharing Funds totaling \$468,291.

Although City Administrator Tipton gave those attending the hearing an opportunity to express their opinion on the use of RS Funds, no comments were made. Tipton explained to those present that City Council would hold another hearing on August 16, 1983 for the purpose of informing the local citizens its decision for the use of 83-84 RS Funds.

There being no further business, the hearing was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

ABB132

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
AUGUST 2, 1983

Prior to the August 2, 1983, City Council meeting a Public Hearing was held for the purpose of hearing input from city residents as to the requested rate increase proposed by Orangeburg Cable TV, Inc. Mayor Pendarvis informed those present that Mr. Macon Sheppard, President of Orangeburg Cable TV, Inc., was present and would address any questions asked. Several citizens attending the hearing questioned Mr. Sheppard regarding the proposed rate increase. After further discussion among City Council members, the hearing was closed.

City Council held its regular meeting on August 2, 1983, in the Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

Absent: W. Everette Salley, Mayor Pro Tem

The minutes of the regular July 19, 1983, City Council meeting were read and approved.

Under old business, a motion by Mayor Pendarvis, seconded by Councilmember Alexander, unanimously denied a cable TV rate increase.

A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously approved authorization for City Attorney Limehouse, City Administrator Tipton, PDU Manager Johnson, and City Finance Director Domeracki to delineate and update our present Cable TV franchise agreement.

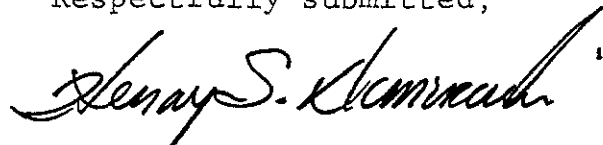
Under new business, a motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously approved first reading of an ordinance for rezoning the Holly Street property from "A-1 Residential" to "B-4 Neighborhood Commercial District."

A motion by Mayor Pendarvis, seconded by Councilmember Alexander, unanimously approved a resolution for establishment of a sewer line easement for upgrading inflow and infiltration.

A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved entering into an executive session for an administrative briefing as requested by Mr. Johnson.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

STATE OF SOUTH CAROLINA,
COUNTY OF ORANGEBURG.

0-21-83

Ex Parte:

DECLARATION AS TO
RIGHT-OF-WAY FOR SEWERAGE

City of Orangeburg.

WHEREAS, the City of Orangeburg is the owner of certain property located on the easterly side of Broughton Street, formerly known as the Armory property, the same having been conveyed to the City of Orangeburg by the State of South Carolina, and

WHEREAS, the City of Orangeburg has determined the necessity for establishing a right-of-way for sewerage respecting a portion of said property as will appear by reference to the plat hereto attached, and desires to make such right-of-way a matter of public record; now, therefore,

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the premises, the City of Orangeburg does hereby declare a right-of-way in, through, and over the aforesaid real estate, situate, lying and being in the said City and County of Orangeburg, in said State, for the purpose of a sanitary sewer line, which right-of-way is more particularly described as follows:

All that certain strip of land twenty (20') feet in width, situate, lying and being in or near the City of Orangeburg, Orangeburg County, South Carolina beginning at a point on the western property line at the northwestern corner and running in an easterly direction parallel with the northern property line a distance of one hundred thirty-seven (137') feet more or less to a point on the eastern property line, all of which will more fully appear by reference to the attached drawing thereof prepared for the Department of Public Utilities, City of Orangeburg, South Carolina, made by B. P. Barber and Associates, Inc., Engineers, dated June 13, 1983, which is incorporated herein and made a part of this description by records.

Also, an additional fifteen (15') foot temporary construction easement running parallel with the permanent twenty (20') foot easement being more

FILED FOR RECORD

'83 APR - 3 P.M.

fully set forth and shown on the attached drawing as a proposed construction easement, for the purpose of locating, laying, constructing, and building sewer pipes or mains and manholes. Said temporary construction easement to become null and void upon the completion of the construction and final acceptance of the sanitary sewer line by the Department of Public Utilities.

Together with all and singular the rights, members, and appurtenances to the said right-of-way hereby declared, belonging, incident, or appertaining and especially the right and privilege of entry upon said lands at all times for the purpose of locating, laying, repairing, maintaining, constructing and building its sewer pipes or mains and manholes, and for all other purposes whatsoever necessary and proper in and about the said sewerage system. Also, the right to cut trees, remove stumps and other debris from the right-of-way.

Said right-of-way, and the said appurtenances, rights, powers and privileges shall continue on behalf of the said City of Orangeburg, Department of Public Utilities, or its successors and assigns, so long as the said system of sewerage shall be continued, kept, operated and maintained by the said City of Orangeburg, Department of Public Utilities, its successors and assigns.

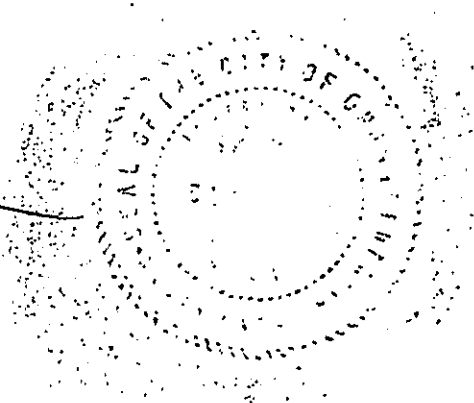
IN WITNESS WHEREOF, it has hereunto set its corporate hand and seal this 22 day of August 1983.

E. C. Pendergrass
Mayor

ATTEST: Henry S. ...
City Clerk

IN THE PRESENCE OF:

Hazel C. ...
B. W. ...



STATE OF SOUTH CAROLINA,
COUNTY OF ORANGEBURG.

PERSONALLY appeared before me Hazel C. Lane
_____ and made oath that he saw the within named City
of Orangeburg by E. O. Pendarvis, Mayor, and Henry J.
Jamerson, City Clerk, sign, seal and as its act and deed,
deliver the within written Declaration as to Right-of-Way for
Sewerage and that he with B. W. [Signature] witnessed
the execution thereof.

SWORN to before me this 2nd _____
day of August 1983. Hazel C. Lane

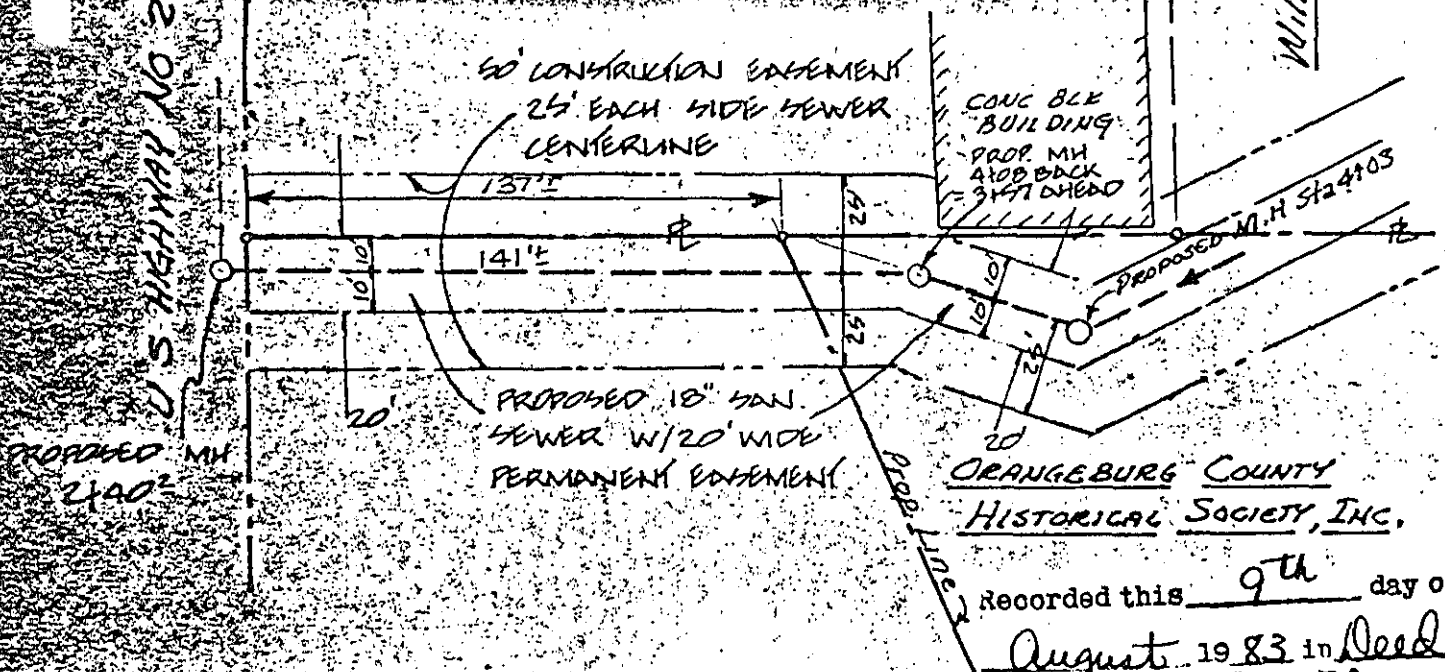
B. W. [Signature] (U.S.)
Notary Public for South Carolina
My commission expires: 8-29-90



U.S. HIGHWAY NO. 21 N. Broughton Street
Highway Right of Way

EVANS CONSTRUCTION Co.

William S. McCain, Jr. - Trustee



ORANGEBURG COUNTY HISTORICAL SOCIETY, INC.

Recorded this 9th day of

August 19 83 in Deed

BOOK 488 PAGE 51

W. C. Muddaugh
CLERK OF COURT
ORANGEBURG CO., S. C.

MAP WAS COMPILED FROM:
PLAT SHOWING LAND OF W.A. LIVINGSTON
AND ADJACENT PROPERTIES BY EDWARD HAWES
DATED MARCH 25, 1939 IN PLAT BOOK 7 PG 37
TAX MAP SHEET 22, BLOCK 39

DEPARTMENT OF PUBLIC UTILITIES ORANGEBURG, S. C.	
SKETCH OF SANITARY SEWER EASEMENT ACROSS PROPERTY OF CITY OF ORANGEBURG ORANGEBURG, S. C.	
DATE: JUNE 13, 1985	SCALE: 1" = 50'
20,101-AB	

PREPARED BY: P. D. BARBER & ASSOC., INC. - ENGINEERS
AND SURVEYORS - COLUMBIA, S. C.

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
AUGUST 16, 1983

City Council held its regular meeting on August 16, 1983 in the Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular August 2, 1983, City Council Meeting were read and approved.

The first item under old business was the second reading of an ordinance to rezone the Holly Street property. City Attorney Limehouse recommended that the last sentence of the legal description in the ordinance be deleted, "measurements on the South and West being to the outer eaves of the building on said property." A motion by Mayor Pendarvis, seconded by Councilmember McCain, unanimously approved second reading of the ordinance with the recommended deletions.

Under new business, City Administrator Tipton presented a City water rate request for the Hillcrest Facility by the Hillcrest Commission. A motion by Mayor Pro Tem Salley, seconded by Mayor Pendarvis, was approved to accept the request as information. Councilmember Frierson voted no on this motion.

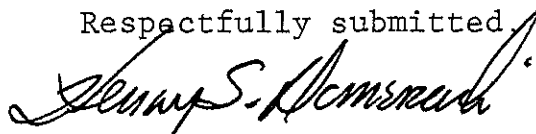
City Administrator Tipton presented, for Council's consideration, first reading of the FY 83-84 budget ordinance. A motion by Mayor Pro Tem Salley, seconded by Mayor Pendarvis, unanimously approved tabling consideration of the budget ordinance.

A motion by Councilmember McCain, seconded by Mayor Pendarvis, unanimously approved a resolution regarding a right-of-way at Doyle Street, from Wiles to 301, for the State Highway Department.

City Administrator Tipton informed Council that the City had been awarded a \$15,000 PRT Grant for landscape design at the Hillcrest Facility. He said that bids had been taken and that he and Recreation and Parks Director Collins were recommending the low bid of \$13,358.60 submitted by Hayden's Nursery. A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved the recommended low bid.

A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously approved entering into an executive session for the purpose of an administrative briefing as requested by both City Administrator Tipton and DPU Manager Johnson, and also discussion of personnel.

Respectfully submitted



Henry S. Domeracki
City Clerk

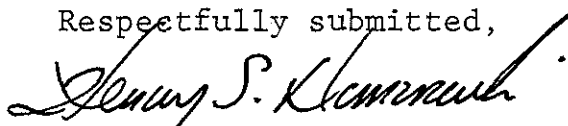
ABB132

CITY OF ORANGEBURG, SOUTH CAROLINA
ACTUAL USE HEARING
REVENUE SHARING FUNDS
SEPTEMBER 6, 1983

City Council held a Use Hearing for Revenue Sharing Funds in the Council Chambers of City Hall on September 6, 1983, at 7:00 P.M. for the purpose of allowing citizen input as to how the City plans to use its 1983-84 Federal Revenue Sharing Funds. City Administrator Tipton informed those present that the City expects to receive approximately \$456,697 in the 1983-84 fiscal year. Mayor Pendarvis gave those present an opportunity to address City Council on this issue, however, no comments were made.

City Administrator Tipton requested that City Council authorize the City to use the FY 1983-84 Federal Revenue Sharing Funds for capital expenditures and public safety. It was the general consensus of Council to use these funds as requested.

Respectfully submitted,



Henry S. Domeracki
City Clerk

E. O. PENDARVIS
MAYOR

SARA H. ALEXANDER
HENRY S. FRIERSON, M.D.
WILLIAM S. MCCAIN, JR.
W. EVERETTE SALLEY, D.V.M.
MEMBERS OF COUNCIL



City of Orangeburg

South Carolina
29116-0387

August 11, 1983

Mr. Herman P. Snyder
State Highway Engineer
S. C. Dept. of Highways
and Public Transportation
Drawer 191
Columbia, S. C. 29202

Re: Road S-924 - Item 26153
Orangeburg County

Dear Mr. Snyder:

The City of Orangeburg wishes to verify that right of way has been acquired for Road S-924 (Doyle Street) in the City of Orangeburg between Road S-1810 (Wiles Street) and U.S. Route 301 (John C. Calhoun Drive) as follows:

44 feet in width that is 24 feet on the right and 20 feet on the left of the survey centerline between survey stations 0+00 and 3+00. Also verified herein is a 20 foot radius left of approximate survey station 0+55 at the intersection of Road S-924 and Orange Court, a 20 foot radius left of approximate survey station 1+00 at the intersection of Road S-924 and Orange Court and a 30 foot radius left of approximate survey station 2+85 at the intersection of Road S-924 and U.S. Route 301. It is understood and agreed that the back of the sidewalk on each of these three radii equals the new right of way line. Also granted herein is a 10 x 10 foot triangle area right of approximate survey station 2+85 at the intersection of Road S-924 and U.S. Route 301.

Yours very truly,

CITY OF ORANGEBURG

E. O. Pendarvis
E.O. Pendarvis
Mayor

EOP/vh

MUNICIPAL-STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)

COUNTY OF Orangeburg)

FILE NO. 38.)

F. A. PROJECT NO. C.)

~~ROUTE OR~~ ROAD NO. S-924)

RESOLUTION

WHEREAS, In accordance with Chapter 5, Title 57, Code of Laws of South Carolina, 1976, and amendments thereto, the South Carolina Department of Highways and Public Transportation in cooperation with the Municipality of Orangeburg, proposes to construct, reconstruct, alter, or improve a certain street, or streets, on duly constituted routes in the State Highway System, within the corporate limits of said Municipality, according to plans prepared by the South Carolina Department of Highways and Public Transportation, identified as follows:

Project No.

Route or Road No.

C

Road S-924: Along Doyle Street from
Wiles Street (S-1810) to U. S. Rt. 301.

NOW THEREFORE, Be it resolved that the Municipality of Orangeburg does hereby consent to the construction or improvements of the aforesaid Municipal street, or streets, in accordance with the aforesaid plans, thereby evidencing compliance by the South Carolina Department of Highways and Public Transportation with the provisions of Section 57-5-820, Code of Laws of South Carolina, 1976; and further the Municipality, having reviewed the plans for said construction, does hereby approve said plans, as heretofore identified, as provided for in Section 57-5-830, of the 1976 Code, it being understood that the South Carolina Department of Highways and Public Transportation shall not be liable for damages to property or injuries to persons, as otherwise provided for in Section 57-5-1810, of the 1976 Code, as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality.

BE IT FURTHER RESOLVED, That the Municipality will legally protect the right of way as shown by the plans prepared by the South Carolina Department of Highways and Public Transportation and as established for this street, or streets, from future encroachment along any or all parts of the improvement covered by this agreement, and that all water, sewer and gas pipes, manholes, or fire hydrants and all power, light, telegraph, or telephone poles will be moved, relocated or rearranged, or caused to be moved, relocated or rearranged by the Municipality, in accordance with plans prepared by the South Carolina Department of Highways and Public Transportation and/or by respective utility companies showing their present and proposed location, and made

a part hereof, with provision that pole lines and hydrants be located back of the sidewalk, and all necessary rights of way for drainage ditches or pipes will be secured to conform to the plans for the proposed improvement and that all of the above will be done without any expense or cost to the South Carolina Department of Highways and Public Transportation except for those items which are shown on the construction plans for this project to be adjusted as items in the construction contract or contracts to be awarded by the South Carolina Department of Highways and Public Transportation.

BE IT FURTHER RESOLVED, That the Municipality will furnish the South Carolina Department of Highways and Public Transportation with evidence satisfactory to the Department that the utilities are operating within the Municipality by franchise or other written permission with provision that all necessary relocations of such utilities to accommodate street improvements will be made at no cost to the South Carolina Department of Highways and Public Transportation; that the presence of the utilities over, along or under the street will in no way interfere with construction, maintenance, and safe operations of the street; and that no additional utility installations within the limits of the street improvement from the date of the execution of this agreement will be permitted without approval of the South Carolina Department of Highways and Public Transportation, and that the relocation activities will be coordinated so as to minimize interference with contractor operations.

BE IT FURTHER RESOLVED, That the Municipality hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Highways and Public Transportation as required in Section 56-5-930 of the 1976 Code, nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, This Resolution is hereby adopted and made a part of the Municipal records this 16th day of August, 19 83 and the original of this Resolution will be filed with the South Carolina Department of Highways and Public Transportation at Columbia.

City of Orangeburg, S. C.

Municipality

By

E. O. Henderson
Mayor
Charles Kelly
Samuel Anderson
Samuel Johnson
William McCarty

ATTEST:

Spencer Starnes
Clerk

CITY OF ORANGEBURG, S.C.
 CITY COUNCIL MINUTES
 SEPTEMBER 6, 1983

City Council held its regular meeting on September 6, 1983 in the Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
 W. Everette Salley, Mayor Pro Tem
 Sara H. Alexander, Member of Council
 Henry F. Frierson, Member of Council
 William S. McCain, Jr., Member of Council

The minutes of the regular August 16, 1983 City Council meeting were read and approved.

A resolution was presented to James McDowell, a Department of Public Utilities' employee, commemorating him for his long years of faithful service upon his retirement.

The first item under old business was the third and final reading of an ordinance for rezoning the Holly Street property. A motion by Councilmember Alexander, seconded by Councilmember Alexander, seconded by Councilmember McCain, unanimously approved third and final reading.

Next, a motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved first reading of an ordinance to raise revenue and adopt a budget for the fiscal year 1983-84.

Under new business, City Administrator Tipton presented to Council what he described as a fairly large project, bids on material for replacing the present irrigation system in the Edisto Gardens. Tipton explained that the bids were taken in three separate phases and that he and Recreation and Parks Director Collins felt it was in the best interest of the City to award the bids accordingly. Collins explained with the new system river water would be used in lieu of City water. A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved accepting the bids as follows:

PVC, Secondary Fittings, Sprinklers and Fittings - PYCO
 Supply, \$7,198.12
 Primary Fittings - Pump & Lighting, \$2,100.13
 Pump and Accessories - Irri-Systems, Inc., \$10,701.75

Mr. Lanny Herron and Ann Jamison, President and President Elect of the Greater Orangeburg Chamber of Commerce, addressed City Council soliciting their attendance at an upcoming City/County/Chamber Retreat to be held in Myrtle Beach on October 14, 15, and 16. Mayor Pendarvis thanked the Chamber representatives for the invitation and spoke favorably toward the retreat.

A motion by Mayor Pendarvis, seconded by Councilmember Alexander, unanimously approved the low bid of E-Z-GO for purchasing 25 golf carts at \$1,275 each. Tipton pointed out this was \$225 less per cart than requested in the 1983-84 Hillcrest Recreational Facility Budget Proposal.

The next item of consideration by Council was the compensation of the Supervisor of Registration. A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously approved compensation of \$350 with instructions for City Attorney Limehouse to explore the law regarding the petition method and advise Council on the required procedure before the next election.

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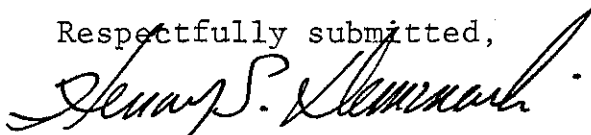
City Council Minutes
September 6, 1983
Page Two

Several concerned citizens addressed City Council pertaining to the recreational programs. The major concerns were the deadlines placed on registration, fees, and weigh-ins. Mayor Pendarvis asked that those concerned contact Mr. Josh Collins, the City's Parks and Recreation Director.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved entering into an executive session as requested by City Administrator Tipton.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk.

R E S O L U T I O N

WHEREAS, on Monday, June 13, 1983, a motorist travelling in Orangeburg wrecked his vehicle after being the victim of a heart attack; and

WHEREAS, Mrs. Debbie Joyner, her husband Glenn, and several other bystanders came to the victim's aid with a call for medical help, and with twenty (20) minutes of first aid in the form of mouth-to-mouth resuscitation; and,

WHEREAS, this timely, selfless, and courageous action proved life-saving for the victim;

NOW THEREFORE BE IT RESOLVED, that in order to call the public's attention to this most praiseworthy incident and act of humanity, the Orangeburg City Council, in Council assembled, does hereby take cognizance of and express its appreciation to Debbie Joyner and others who volunteered their efforts so that another would live.

BE IT FURTHER RESOLVED that a copy of this Resolution be attached to and made a permanent part of the official records of the City of Orangeburg.

PASSED THIS 20th DAY OF SEPTEMBER, 1983.

E. J. Pendarvis
MAYOR
W. Bertha Selley
Jessie A. Chapman
Henry J. Trivison
William J. McCain
MEMBERS OF CITY COUNCIL

ATTEST:

Henry J. Trivison
CITY CLERK

✓

R E S O L U T I O N

BE IT RESOLVED By the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of same,

That the Rates of the Department of Public Utilities of the City of Orangeburg pertaining to Wastewater Rates, be, and the same is hereby repealed, and in lieu thereof, the Wastewater Rates hereto attached, be, and they are hereby declared effective on billings dated November 1, 1983.

PASSED By the City Council, in Council assembled at Orangeburg, South Carolina, this 20th day of September A. D., 1983.

E. O. Longoria

Mayor
W. Keith Selby

Samuel A. ...

Henry B. ...

William S. ...

Members of Council

ATTEST:

Henry S. ...

City Clerk and Treasurer

✓

R E S O L U T I O N

BE IT RESOLVED By the Mayor and Members of Council of the City of Orangeburg, in council assembled and by authority of the same:

That the City of Orangeburg enter into an agreement dated September 20, 1983 with the South Carolina State Division of General Services, through the South Carolina State Agency for Surplus Property, whereby the Department of Public Utilities will be eligible to participate in the Federal Surplus Personal Property Donation Program.

BE IT FURTHER RESOLVED That the Honorable E. O. Pendarvis, Mayor, be and he hereby is authorized and directed to sign said agreement on behalf of the City.

PASSED By the City Council, in council assembled, at Orangeburg, South Carolina this 20th day of September, A.D., 1983.

E. O. Pendarvis
Mayor
W. Kenneth Selley
Larry H. Anderson
Henry G. Ferguson
William J. McLaughlin
Members of Council

ATTEST:

Annay S. Hamrick
City Clerk and Treasurer

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
SEPTEMBER 20, 1983

City Council held its regular meeting on September 20, 1983 in the Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular September 6, 1983 City Council meeting were read and approved.

On behalf of City Council, Mayor Pendarvis presented a Resolution to Mrs. Debbie Joyner for her courageous action in saving the life of Mr. Benson Reid who, as a result of a heart attack, wrecked his automobile while travelling in Orangeburg on June 13, 1983.

The first item under old business was the second reading of an ordinance to raise revenue and adopt a budget for FY 1983-84. A motion by Mayor Pro Tem Salley, seconded by Councilmember McCain, unanimously approved second reading.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved first reading of An Ordinance To Authorize The City Of Orangeburg To Convey A One-Half Interest In A Tract of 1.66 Acres To The County Of Orangeburg.

City Council heard Mr. Eddie Haigler's concerns regarding the City's Recreational Program Rules.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander unanimously approved first reading of an ordinance to amend the building code.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved first reading of an ordinance to amend business license rates as it pertains to insurance company rates and contractor classification and rate schedules.

Mr. Ted Johnson, Department of Public Utilities Manager, brought two matters before City Council. First, Johnson presented a resolution for allowing DPU to purchase surplus goods from the South Carolina State Division of General Services. A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously approved this resolution. Second, Johnson presented a resolution for lowering the DPU waste water rates, effective November 1, 1983. A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved the resolution.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved entering into an executive session as requested by City Attorney Limehouse.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

ABB132

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
OCTOBER 4, 1983

City Council held its regular meeting on October 4, 1983, in the Council Chambers of City Hall at 7:00 P.M., Mayor E. O. Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The minutes of the regular September 20, 1983 City Council meeting were read and approved.

Jim Cherry and Sandra Haigler, who represented the City at the September 14, 1983, South Carolina Downtown Development Association meeting, gave a report to City Council covering that meeting. Haigler told Council that this was a program which required participation from both the private sector and the local government. The hiring of a project manager at an annual salary of \$15,000-\$18,000 and an annual budget of \$30,000-\$35,000 consisting of half private and half public funds. Cherry informed Council the Chamber had sent a letter to all uptown merchants explaining the entire grant project and a questionnaire. Council requested Cherry to report with the results of the survey at a later date.

Mr. Lester Finklestein, an uptown merchant, addressed City Council on uptown parking.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved third and final reading of an ordinance to raise revenue and adopt a budget for FY 83-84.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved postponement of an ordinance to authorize the City of Orangeburg to convey a one-half interest in a tract of 1.66 acres to the County of Orangeburg as requested by City Attorney Limehouse.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved second reading of an ordinance to amend the building code.


A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved second reading of an ordinance to amend the Business License rates as it pertains to insurance company rates and contractor classification and rate schedules.

Attorney Harry Bozard addressed City Council on behalf of Glenn Woodrum regarding the June 21, 1983 property exchange on Hampton Street between the City and Glenn Woodrum. Bozard explained to Council that at the time of the exchange, he was unaware of the twenty foot discrepancy between the two lots and respectfully requested Council to rescind the June 21, 1983 ordinance and draft a new one setting the lot construction completion date four months from the date of the new ordinance. A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously approved drafting a new ordinance.

DPU Manager Johnson Brought no utility matters before City Council, however, a motion by Mayor Pendarvis, seconded by Councilmember Alexander, unanimously approved appointment of Flynn Bowie to the Department of Public Utilities Area Development Commission.

A motion by Councilmember McCain, seconded by Councilmember Alexander unanimously approved entering into an executive session for an administrative briefing.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Henry S. Domeracki, City Clerk

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
OCTOBER 18, 1983

City Council held its regular meeting on October 18, 1983, in the Council Chambers of City Hall at 7:00 P.M., Mayor E. O. Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William M. McCain, Jr., Member of Council

The minutes of the regular October 4, 1983 City Council meeting were read and approved.

The first item under old business was the third and final reading of an ordinance to amend the building code. A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved third and final reading.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved third and final reading of an ordinance to amend Business License rates as it pertains to insurance companies rates and contractor classification and rate schedules.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Salley, unanimously approved postponement of the second reading of an ordinance to amend ordinance #1983-6 passed by the City of Orangeburg 6-21-83 respecting the exchange of certain real estate on Hampton Street to the City of Orangeburg.

Rev. A. M. Wright briefly addressed Council introducing his plans for an upcoming city-wide crusade to be held at the Smith-Hammond-Middleton Auditorium around March, 1984.

Flynn Bowie and Arthur Lusty, representing the League of Arts, appeared before City Council requesting Council to make a commitment to repair the river pavilion building, approximately \$20,000-\$25,000, contingent upon approval of a Community Development Block Grant the league plans to apply for. Mayor Pendarvis, Mayor Pro Tem Salley, Councilmembers Frierson and Alexander voted favorably toward the art league's request while Councilmember McCain voted against it.

Mayor Pendarvis read a resolution setting limitations on Halloween activities within the city limits. A motion by Councilmember Alexander seconded by Mayor Pendarvis, unanimously approved the resolution.

Bids taken on a one ton cab and chassis to be used as a mini-pumper for the Fire Department were presented for Council's consideration. A motion by Mayor Pro Tem Salley, seconded by Councilmember McCain, unanimously approved the low bid of \$8,717.63 from State Purchasing. \$18,000 was allotted in the '83-'84 budget for the cab, chassis and mini-pumper.

Mayor Pendarvis read a letter of commendation to the Fire Department from Champion International Corporation expressing their thanks and appreciation for the Department's expertise and professionalism displayed during recent fires at Champion.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Salley, unanimously appointed Tom Boland to the Law Enforcement Complex Commission.

A motion by Mayor Pendarvis, seconded by Councilmember McCain, unanimously approved appointment of Fire Chief Marion Inabinet, Julius Clay Frederick, Carol Ann Brunson, Melvin Kennedy, and William A. Fogle, II, to the City of Orangeburg Grievance Committee to serve in one, two, and three year terms.

ABB132

City Council Minutes
Page Two
October 18, 1983

Department of Public Utilities Manager Johnson brought no utility matters before City Council.

A motion by Mayor Pendarvis, seconded by Councilmember McCain, unanimously approved entering into an executive session for an administrative briefing and discussion of personnel.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

R E S O L U T I O N

WHEREAS, in recent years, on Halloween night, there have been lawlessness and destruction of property; and

WHEREAS, the City Council of the City of Orangeburg feels that it is in the best interest of the people of the community, including its youth, that some limitations be placed on these activities.

NOW, THEREFORE, BE IT RESOLVED that only children under twelve (12) years of age shall be allowed to masquerade and visit from house to house on the night of October 31, 1983.

BE IT FURTHER RESOLVED that such masquerade and visitation by children under twelve (12) years of age shall be terminated by 9:00 P.M.

E. C. Pender's

MAYOR

W. Keith Alley

Sam H. ...

George B. ...

William T. ...

MEMBERS OF CITY COUNCIL

ATTEST:

Sam ...

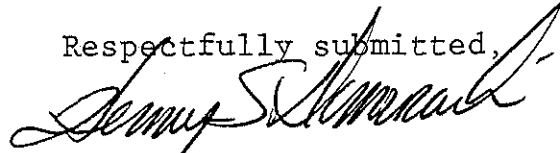
CITY CLERK

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MEETING
PUBLIC HEARING
NOVEMBER 1, 1983

Prior to the regular City Council meeting a public hearing was held in the Council Chambers of City Hall for the purpose of allowing citizen input on the City's 1984 Community Development Block Grant Letter of Intent and Application. A number of citizens representing the Orangeburg League of Arts were present and voiced their opinion and/or support for the City applying for funds for renovation of the River Pavilion building to be used for the fine arts. City Council expressed support for the grant application and scheduled another hearing for November 8, 1983.

There being no further business, the hearing was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

ABB132

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MEETING
NOVEMBER 1, 1983

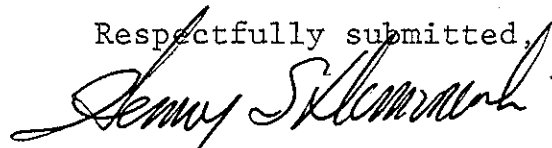
City Council held a special Council meeting on November 1, 1983, in the Council Chambers of City Hall at 6:00 P.M., Mayor Pro Tem W. Everette Salley presiding.

PRESENT: W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council

Motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved entering into an executive session for an administrative briefing.

There being no further business the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
NOVEMBER 1, 1983

City Council held its regular meeting on November 1, 1983, in the Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

PRESENT: E. O. PENDARVIS, MAYOR
W. EVERETTE SALLEY, MAYOR PRO TEM
SARA H. ALEXANDER, MEMBER OF COUNCIL
HENRY F. FRIERSON, MEMBER OF COUNCIL

ABSENT: WILLIAM S. MCCAIN, JR.

The minutes of the regular October 18, 1983, and October 25, 1983, City Council meetings were read and with one minor adjustment, approved.

Mr. Haskell Johnson, owner of Wannamaker Drugs, briefly addressed Council on parking problems around his business requesting assistance from the City Police Department on strict enforcement of City parking laws. Johnson also brought to Council's attention some street cleaning matters.

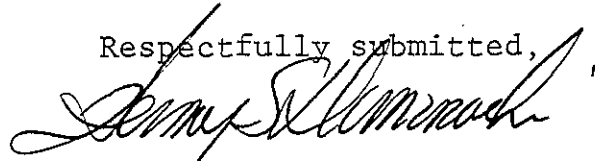
The first item under old business was the second reading of an ordinance to amend Ordinance No. 1983-6 passed by the City of Orangeburg June 22, 1983, respecting the exchange of certain real estate on Hampton Street in the City of Orangeburg. A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved second reading of this ordinance.

Under new business, a motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved tabling consideration of amending the City's Personnel Policy concerning retirement requirements.

Department of Public Utilities Manager Johnson brought no utility matters before City Council.

There being no further business the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

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CITY OF ORANGEBURG, S. C.
CITY COUNCIL MINUTES
NOVEMBER 8, 1983

City Council held a public hearing to receive public input on Community Development Block Grant applications, on November 8, 1983, in the City Council Chambers of City Hall at 6:30 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council

The Council heard public comments on two proposed projects. The first project was for a CDBG application for \$500,000 for a low income housing rehabilitation project in the targeted area that is bounded on the North by Waring Street, the South by Russell Street, the East by Broughton Street, and the West by Seaboard Street. This project was presented by Mr. Earley.

The second project was for a CDBG application for approximately \$500,000 for renovation of the City of Orangeburg's River Pavilion. This project was presented by Mrs. Jean Ulmer and Mr. Art Lusty.

Council received both project application requests as information.

There being no further comments the public hearing was adjourned at 7:00 P.M.

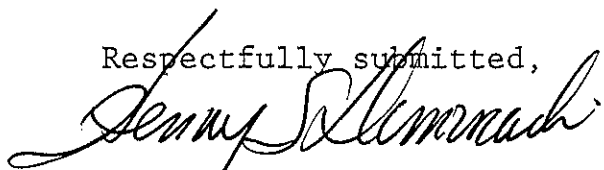
Mayor Pendarvis then called a special Council meeting to discuss reviewing computer hardware bid information and to discuss personnel matters.

Motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved accepting the low bids from State Purchasing for three CRT units at \$4,725 and one printer at \$6,188. These items had been budgeted for in the 1982-83 budget and the 1983-84 budget.

Motion by Councilmember Frierson, seconded by Councilmember Alexander, unanimously approved entering into executive session to discuss personnel matters.

There being no further business the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

CITY OF ORANGEBURG, S.C.
 CITY COUNCIL MINUTES
 NOVEMBER 14, 1983

City Council held a special Council meeting on November 14, 1983, in the Council Chambers of City Hall at 12:00 P.M., Mayor Pendarvis presiding.

PRESENT: E.O. PENDARVIS, MAYOR
 W. EVERETTE SALLEY, MAYOR PRO TEM
 HENRY F. FRIERSON, MEMBER OF COUNCIL
 WILLIAM S. MCCAIN, JR., MEMBER OF COUNCIL

ABSENT: SARA H. ALEXANDER

Mayor Pendarvis explained that the purpose of the meeting was to make a decision of which Letter of Intent the Council would submit for the 1983-84 Community Development Block Grant. Two projects had been considered: 1) Community Revitalization, 2) Renovation of the River Pavilion to be used as a Fine Arts Center. A motion by Councilmember McCain, seconded by Councilmember Frierson, unanimously approved the Community Revitalization Project.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Henry S. Domeracki
 Henry S. Domeracki
 City Clerk

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CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
NOVEMBER 15, 1983

City Council held its regular meeting on November 15, 1983, in the City Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

City Council Minutes of November 1, 8, and 14 were read and approved.

The first item of old business was the third and final reading of An Ordinance to Amend Ordinance Number 1983-6 Passed by the City of Orangeburg June 21, 1983 Respecting the Exchange of Certain Real Estate on Hampton Street in the City of Orangeburg. A motion by Mayor Pro Tem Salley, seconded by Councilmember McCain, unanimously approved third and final reading.

Under new business, Council discussed the City Code regarding Article II, Liquor Stores. Council instructed Attorney Walsh to write the Attorney General for an opinion on whether municipalities have the right to adopt ordinances regulating the sale of alcoholic beverages.

A motion by Councilmember McCain, seconded by Councilmember Frierson, unanimously approved the low bids for purchasing City recreation equipment as recommended by City Parks and Recreation Director Collins.

A motion by Councilmember McCain, seconded by Mayor Pro Tem Salley, unanimously approved purchasing an automobile for the City Building Official from State Purchasing in the amount of \$5,777.96. Fire Chief Inabinet explained to Council that \$6,240 was approved in the 1983-84 budget for this purchase.

A motion by Councilmember McCain, seconded by Councilmember Alexander, unanimously approved purchasing a truck body for the fire mini pumper from Lee Transport Equipment in the amount of \$3,114.80

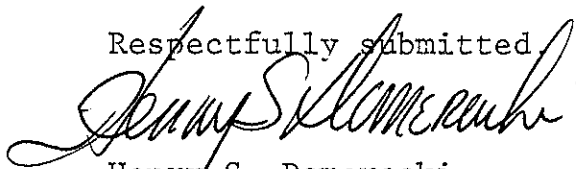
A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved a resolution supporting the Savannah River Plant.

DPU Manager Johnson brought no utility matters before City Council.

A motion by Mayor Pro Tem Salley, seconded by Mayor Pendarvis, unanimously approved entering into an executive session for an administrative briefing.

There being no further business, the meeting was adjourned.

Respectfully submitted



Henry S. Domeracki
City Clerk

RESOLUTION

**IN SUPPORT OF NEW PRODUCTION REACTOR AT
SAVANNAH RIVER PLANT**

WHEREAS, the Savannah River Plant, constructed in the early 1950's has proven to be a good neighbor compiling an outstanding safety record in the field of nuclear operations;

WHEREAS, the production reactors now sited at Savannah River Plant will soon be thirty (30) years old and nearing obsolescence; and

WHEREAS, the United States Department of Energy (DOE) is currently evaluating sites for the construction of the first of a new generation production reactor; and

WHEREAS, A Blue Ribbon Committee appointed by DOE has determined Savannah River Plant the site most suited for construction of said production reactor; and

WHEREAS, Secretary Donald P. Hodel has made a preliminary decision to construct said reactor in the state of Idaho; and

WHEREAS, the City of Orangeburg is vitally concerned for the economic well being of this area.

NOW THEREFORE BE IT RESOLVED BY THE ORANGEBURG CITY COUNCIL THAT:

- 1. The City of Orangeburg Supports efforts by local, state and federal officials to locate the new production reactor at the Savannah River Plant.**
- 2. The City of Orangeburg request the assistance of the state legislative delegation, Congressional delegation and Governor Riley in actively seeking the eventual construction of this reactor at Savannah River Plant.**

ADOPTED THIS THE FOURTH DAY OF NOVEMBER, 1983.

E. O. Fouda
MAYOR

W. Everett Selley

Sara H. Alexander

Henry J. Johnson

Willie S. McClen
MEMBERS OF COUNCIL

ATTEST:

Sammy R. ...
CITY CLERK

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
DECEMBER 1, 1983

City Council held a special meeting in the Council Chambers of City Hall on December 1, 1983 at 6:30 P.M., Mayor Pendarvis presiding.

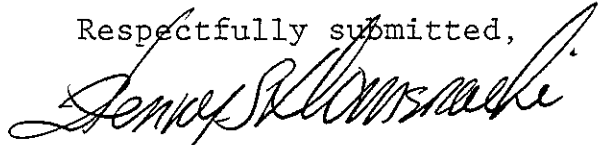
PRESENT: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

A committee representing the Part-Time Players brought before Council information regarding the use of the River Pavilion and made a request concerning this facility use. City Council received this request as information for further discussion.

Council then entered into an executive session for an administrative briefing and discussion of personnel.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

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CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
DECEMBER 6, 1983

City Council held its regular meeting on December 6, 1983, in the City Council Chambers of City Hall at 7:00 P.M., Mayor Pendarvis presiding.

Present: E.O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The City Council Minutes of November 15 and December 1, 1983, were read and approved.

The first item under old business was the discussion of the City/County airport property. Mayor Pendarvis informed Council that County Administrator, Gary Smoak, was having the property surveyed which would cost \$3,500 and that the City would be responsible for one-half of the survey cost. A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Salley, unanimously approved proceeding with the land survey and division of the property.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Alexander, unanimously approved the City Attorney proceeding with the deed for purchase of the LEC property.

Mrs. Lois Lusty and Mr. Jeff Weaver, Representatives for the Orangeburg League of Arts and the Part-Time Players, addressed Council concerning the River Pavilion Building. A motion by Councilmember Frierson, seconded by Councilmember Alexander, unanimously authorized the City Attorney to draw up a lease between the Orangeburg League of Arts and the City of Orangeburg for use of the Pavilion Building for a term of six years with the option to renew for another six years.

Under new business, a motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved the low bid of Nu-Life Environmental, Inc. in the amount of \$15,298.40 for purchasing 38 front loading sleeve type containers.

A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved entering into a contract with Orangeburg County for purchasing a computer payroll program.

Mayor Pendarvis announced the appointment of a City Building Official, Mr. Allan Ott, and also informed Council that this position would be transferred from the Fire Department to the Public Works Department.

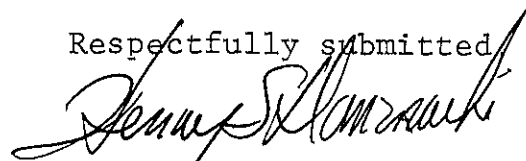
A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously authorized the Public Works Director to close Thomas Street on a temporary basis.

DPU Manager Johnson brought no utility matters before City Council.

A motion by Mayor Pro Tem Salley, seconded by Councilmember McCain, unanimously approved entering into an executive session for an administrative briefing and discussion of personnel and legal matters.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Henry S. Domeracki
City Clerk

STATE OF SOUTH CAROLINA, }
COUNTY OF ORANGEBURG. }

City of Orangeburg, South Carolina and }
County of Orangeburg, South Carolina }
Computer License Program }

CONTRACT

THIS AGREEMENT, made on the 8th day of December, 1983, between THE CITY OF ORANGEBURG, hereinafter "LICENSEE"; and ORANGEBURG COUNTY, hereinafter referred to as "LICENSOR."

WITNESSETH:

1. This agreement shall be made so as the Licensor shall grant Licensee a license to utilize computer software for the payroll and personnel systems as indicated below for a sum of Two Thousand Five Hundred Dollars (\$2,500). The Two Thousand Five Hundred Dollar (\$2,500) payment is a one-time license charge and that said license shall be for a period of not less than 99 years.
2. Licensee agrees not to provide or otherwise make available the source code of the package in any form to another person, business, company or governmental agency without prior consent by Licensor. Licensee shall be exclusively responsible for the supervision, management and control of the use of the package source code delivered by licensor under this agreement, including but not limited to the following:
 - a. Assuring proper machine configuration, program installation, audit control and operating methods.
 - b. Establishing adequate backup plan based on access to qualified program personnel to diagnose, patch and repair defects in the event of a system malfunction.
 - c. Implementing sufficient procedures and checkpoints to satisfy its requirements for security and accuracy of input and output as well as restart and recovery in event of a malfunction.
3. Licensee agrees that it will take appropriate action with its employees, agents and clients by agreement or otherwise to satisfy its obligations under this agreement with respect to use, copying, modification and protection and security of the source code. The source code shall at all times remain the property of Licensor, and Licensee by this license acquires no right in and to take the source code except to use such source code. Licensee shall take all reasonable precautions to maintain the confidentiality of the system. Licensee shall permit Licensor or representative to inspect location in which the package is installed at a reasonable time for the purpose of determining that Licensee is not in default of this agreement.

4. The package may not be used in any entity other than the Licensee or its subsidiary or at any location other than the specified installation site without the written consent of Licensor.
5. Licensee shall have the right to modify the source code to perform any function which Licensee deems desirable. Any module additions or new applications developed by Licensee become the sole property of Licensee. The package as so modified shall remain subject to the same restrictions on use, reproduction, and disclosure as are contained in this agreement.
6. Licensor represents and warrants to the Licensee that said licensed program and any and all components thereof do not constitute an infringement of any copyright, trade secret, trademark, or patent of any other person or entity, pending or otherwise. If same does constitute an infringement, then in such event, Licensor agrees to indemnify and hold harmless the Licensee from any and all liability, loss or additional expense to either of them resulting from any misrepresentation or breach of warranty made herein, including the expense and legal fees that might be incurred because of such misrepresentation or breach. In addition to any other actions permitted by law, in the event of said infringement, Licensee shall be entitled to the refund of its license fee in the amount of Two Thousand Five Hundred and no/100 (\$2,500) Dollars.
7. In addition to all other premitted uses, Licensee shall be permitted to
 - a. Use the licensed program materials in machine readable form on any and all machine or machines owned by Licensee and in conjunction therewith to store the licensed program materials in, transmit them through, or display them on, said machine or machines;
 - b. Copy or translate the licensed program materials in machine readable form into any machine readable or printable form to provide sufficient copies to support the Licensee's use of the licensed program;
 - c. To transfer the license to and use the licensed program materials on a back-up machine at any location when the machine or machines at the specified installation site is temporarily inoperable until operable status is restored and processing on the back-up machine is completed.
8. If the licensed program materials are lost or destroyed while in the possession of the Licensee, Licensor will replace such licensed program materials without any additional charges.
9. The Licensee may modify any licensed program materials in machine readable form and/or merge such materials into other program material to form an updated work for the Licensee's own use.
10. The program numbers and names for the payroll and personnel modules incorporated in this contract is on Attachment I and shall be included and made a part of this contractual agreement.

IN WITNESS whereof, the parties have hereunto set their hands and affixed their seal this 8th day of December, 1983

WITNESS:

Regulene P. Jones

ORANGEBURG COUNTY COUNCIL

Gary A. Snook
 Gary A. Snook
 County Administrator

WITNESS:

Hazel C. Lavin

CITY OF ORANGEBURG

E. O. Pendarvis
 E. O. Pendarvis
 Mayor

ATTACHMENT I

PROGRAMS FOR CITY'S PAYROLL

1. NPAY
Menu for payroll programs
2. PERSON
Menu for personnel programs

***** ON NPAY MENU *****

3. CPAY02
Employee file maintenance
4. CPAY01
Hours/Entry for pay period
Print Pre-check Hours Register
Void Checks for a single employee
5. NPAY03A
Print Checks
6. NPAY04
Prints payroll Hours Register, Tax Register, Deduction Register, and Check Register for pay period
7. NPAY97
Print Time Sheets for payroll preparation
8. NPAY02A
Inquiry and cross reference on employee file
9. NPAY05
Quarterly reports--Deferred Compensation Report, Retirement Reports, and UCE Report
Clears Quarter-to-date accumulators
10. NPAY07
Employee tax Quarter-to-date, Year-to-date listing
11. NPAY06
Printout of Employee Master File-single or all
12. PAYW2S
Prints W-2 data on forms
13. NPAY30
Prints Single Checks
14. NPAY 91
Prints Rate Review listing or Birthday listing

***** ON PERSON MENU *****

1. NPAY92
Employee maintenance for Personnel
2. NPAY91
Prints Rate Review listing or Birthday listing
3. NPAY93
Prints EEOC statistics

CITY OF ORANGEBURG, S.C.
CITY COUNCIL MINUTES
DECEMBER 20, 1983

Prior to the regular December 20 City Council meeting, a public hearing was held pertaining to implementation of Federal Energy Regulatory Commission Order No. 16, "Cogeneration and Small Power Production." Mayor Pendarvis gave those present an opportunity to ask questions or make comment. No questions were asked or comments made; however, Mayor Pendarvis informed Council that he had received one inquiry letter. There being no further comments, the hearing was closed.

City Council held its regular meeting on December 20, 1983, in the City Hall Council Chambers at 7:00 P.M., Mayor Pendarvis presiding.

Present: E. O. Pendarvis, Mayor
W. Everette Salley, Mayor Pro Tem
Sara H. Alexander, Member of Council
Henry F. Frierson, Member of Council
William S. McCain, Jr., Member of Council

The City Council minutes of December 6, 1983, were read and approved.

The first item under old business was the first reading of an ordinance to approve a lease between the City of Orangeburg and the Orangeburg League of Arts for use of the River Pavilion building for a term of six years with option to renew an additional six years. A motion by Mayor Pendarvis, seconded by Councilmember Alexander, approved first reading with Pendarvis, Salley, Alexander, and Frierson voting in favor of and McCain voting against the motion.

The next item of discussion was Orangeburg County's pavement requirements regarding the City's purchase of the LEC property. Attorney Walsh informed Council that the County ordinance contained a provision which required pavement of the right-of-way to the LEC property within 30 days of construction. He estimated pavement costs of approximately \$35,000. Walsh suggested to Council that he have authorization to negotiate with County Council in obtaining permission to delay pavement until such time that "C Funds" are available to the City. A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously authorized Attorney Walsh to contact Orangeburg County Council for negotiations.

A motion by Mayor Pro Tem Salley, seconded by Councilmember Frierson, unanimously approved second reading of An Ordinance to Authorize the City of Orangeburg to Convey A One-Half Interest in A Tract of 1.66 Acres to the County of Orangeburg.

Under new business, a motion by Mayor Pendarvis, seconded by Mayor Pro Tem Salley, unanimously approved an easement whereby Mr. Edgar Fersner could hang his business sign on City property near 451 Russell Street.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Salley, unanimously gave authorization to Public Works Director Earley to purchase a garbage truck for replacement of the 1972 Chevrolet Packer which burned in November.

Mr. Kevin Crown with the Lower Savannah Council of Governments addressed Council on the City's 1984 Community Development Block Grant Application. Crown requested Council's permission to reduce the area for housing rehabilitation to the Amelia, Cannon, Gum, Dunton and Maple Street area for the proposed grant project. Crown stated that rehabilitation in this area would cost approximately \$550,000 to be broken down as follows: \$11,400 (average) times 39 houses equal \$444,678; \$20,000 demolition and lot; \$31,200 relocation; \$42,000 administration; and \$12,000 community development planning. Council agreed with Mr. Crown's request and thanked him for his assistance with the grant project.

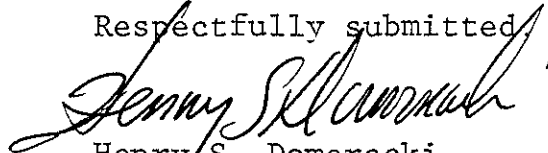
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City Council Minutes
December 20, 1983
Page Two

DPU Manager Johnson suggested that Council pass an ordinance agreeing to comply with the Federal Energy Regulatory Commission, which in his opinion was the most expedient and easiest way to comply with with the commission's rulings. A motion by Mayor Pendarvis, seconded by Councilmember Alexander, unanimously approved first reading.

There being no further business, the meeting was adjourned.

Respectfully submitted



Henry S. Domeracki
City Clerk