

CITY COUNCIL MINUTES
JANUARY 3, 1989

413

Orangeburg City Council held its regularly scheduled meeting on January 3, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

ABSENT: Henry F. Frierson

A motion by Councilmember Keitt, seconded by Mayor Pro Tem Boland, unanimously approved the December 20, 1988, City Council Minutes as distributed.

Mayor Pendarvis presented a resolution to Joseph Adams for his 44 1/2 years of service to the City's Park and Service Department.

A motion by Councilmember Haire, seconded by Councilmember Salley, unanimously approved the third reading of an ordinance for sale of land located near Orangeburg Municipal Airport and abutting the Orangeburg Industrial Park.

Councilmember Salley, seconded by Councilmember Keitt, unanimously approved the third reading of an ordinance to rezone one piece of property for Mr. Henry A. Goodwin from A-1 Residential to A-2 Residential.

A motion by Councilmember Salley, seconded by Mayor Pendarvis, unanimously approved the amendment to the Airport Fixed Base Operator's Lease which was added at the December 20, 1988 City Council Meeting.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Parrott, instructed City Administrator Smith and DPU Manager Johnson to present council with a combined and a separate budget of the two maintenance facilities to determine merger feasibility.

A motion by Councilmember Haire, seconded by Councilmember Keitt, agreed to postpone signing of project agreements with the Department of Highways and Public Transportation to pave Hillside NE from Hillcrest NE to Lakeside NE and Eutaw NE from Chestnut NE to Ellis NE because nothing has been done to the Boulevard and Russell Street crossing. Councilmember Haire stated that he thinks the highway department has not been dealing fairly on this matter and should not move forward on another matter. Councilmember Parrott agreed with this concern. Councilmember Salley stated that all council is concerned about this area and knows that it needs paving and the drainage fixed but this was included in the denial of the highway department's proposal of October 18, 1988.

A motion by Councilmember Haire, seconded by Councilmember Keitt, approved the resolution to supply fill dirt to Mosler Industries. This fill dirt to be taken from an area designated by the city. Councilmember Salley objected to this because it is using fill dirt designated for the new runway.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Haire, unanimously approved for the Mayor to sign a letter of intent to apply for a 1989 Community Development Block Grant for \$350,000. The City's match on this to be \$35,000. Ms. Sherill Hampton stated that this letter of intent is due January 10, 1989. Ms. Hampton conducted a public hearing at 6:00 P.M. this date and was very pleased with the turn out and would like to hold another public hearing at a location in the Ott Street area for citizen input in this area.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Boland, unanimously approved the resolution to enter into an agreement with CSX Transportation Inc. (See DPU resolution attachment #1)

ABB132

CITY COUNCIL MINUTES
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PAGE 2

A motion by Councilmember Salley, seconded by Councilmember Keitt, unanimously approved the resolution to enter into an agreement with CSX Transportation Inc. (SEE DPU resolution #2)

A motion by Councilmember Salley, seconded by Mayor Pro Tem Boland, unanimously approved the resolution for DPU Manager Johnson to execute a contract between DPU and Richardson Construction Company in the amount of \$558,878.55.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Haire, unanimously approved to enter into an executive session concerning the pending legations of Jones Intercable.

Mr. Tom Smoak was concerned about some of his land to be purchased from DPU for a thirty (30) acre settlement pond. He wanted to know what would be the purpose of using this land and why he could not fill it in. For point of information Councilmember Salley stated that this land was needed to settle out aluminum hydroxide from the water plant. DEHEC requested this in order to enlarge the water plant.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

R E S O L U T I O N

WHEREAS, Joseph Adams became an employee of the City of Orangeburg on June 26, 1944, and faithfully served the City until December 30, 1988; and

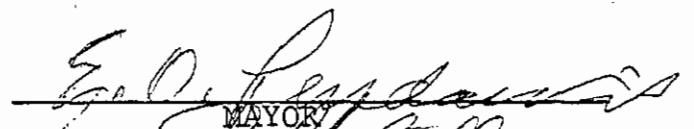
WHEREAS, He, through his long and faithful service contributed greatly to the successful operation of the City of Orangeburg Park and Service Departments; and

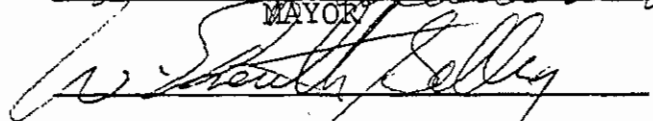
WHEREAS, the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

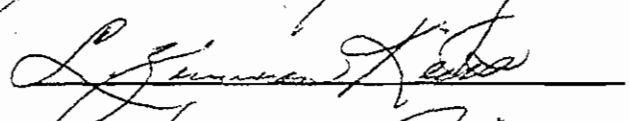
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Joseph Adams in the capacities in which he served for the past forty-four (44) years, and commend him for a job well done.

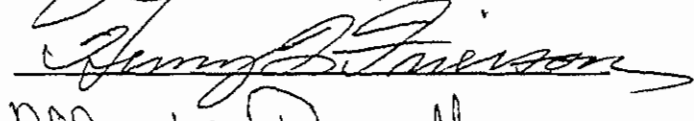
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minute book of the City and a copy furnished to Mr. Adams in recognition of his services.

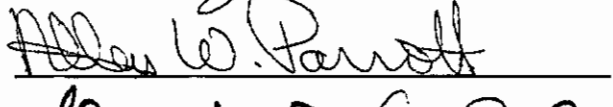
PASSED by the City Council of the City of Orangeburg, State of South Carolina, this third day of January, 1989.

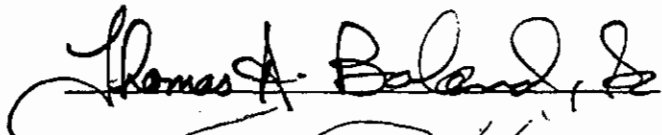

MAYOR

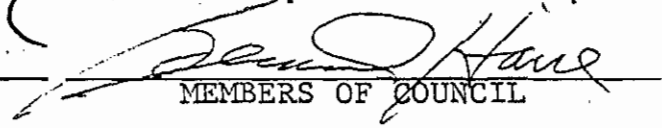


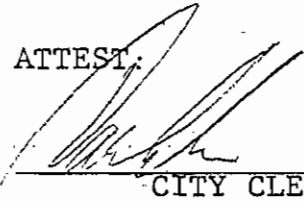










ATTEST:


CITY CLERK

MEMBERS OF COUNCIL

RESOLUTION

WHEREAS, Mosler, Inc., an industrial prospect, has advised the City of Orangeburg of its intent to locate an industry in the Orangeburg County Industrial Park located in or near the City of Orangeburg, and

WHEREAS, the City of Orangeburg has agreed to sell 4.34 acres in the City of Orangeburg to Mosler, Inc. for possible expansion of its industrial facilities, and

WHEREAS, industrial development is in the public interest of the City of Orangeburg and the City has always cooperated with all entities in the furtherance of said interest, and

WHEREAS, Mosler, Inc. through the Orangeburg County Development Commission has requested that the City of Orangeburg supply it with fill dirt for the purpose of preliminary site preparation in the construction of its industrial facilities, now therefore,

BE IT ORDAINED by the Mayor and Council of the City of Orangeburg, in Council duly assembled, that the City of Orangeburg does hereby agree to provide Mosler, Inc. 2400 cubic yards of fill dirt from a location on its airport properties to be designated by its Director of Public Works; provided that Orangeburg County provide Mosler, Inc. a like amount of fill dirt and Mosler, Inc. shall be responsible for all labor, materials and costs incurred in the excavation and removal of same to its construction site.

Passed by the City Council of the City of Orangeburg, State of South Carolina, this 3rd day of January, 1989.

Ed. J. Pendergrass
Mayor
James H. Haire
Allen W. Parrott
Thomas A. Babcock, Jr.
L. J. Zimmerman
Keith

Members of City Council

ATTESTED: [Signature]

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 20, 1988 for the construction of Improvements to Water Distribution System.

WHEREAS, the low responsible bid for this work was submitted by Richardson Construction Company of Columbia, South Carolina, in the amount of \$588,878.55; 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, subject to approval of the Governor's Office, Division of Economic Development; 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 by the City Council, in Council assembled, at Orangeburg, South Carolina this 3rd day of January A.D., 1989.

Signed:

E. D. Pashaway
Mayor
W. Keith Selby
L. J. Immund
Thomas A. Baland, Jr.
Allen W. Parrott
James Haire

Members of Council

ATTEST:

[Signature]
City Clerk and Treasurer

RESOLUTION

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

That the Department of Public Utilities of the City of Orangeburg, hereinafter called the City, enter into an agreement with CSX Transportation, Inc., a Virginia Corporation, hereinafter called the Company, whereby said Company grants unto the said City the right or license to install and maintain for the purpose of a water main, a six (6") inch P.V.C. pipe crossing the right-of-way and under the track or tracks of said Company at or near Orangeburg, South Carolina, at a point 439 feet West, measured along the center line of said track, from Milepost AK366, as shown on drawing dated March, 1988 prepared by B.P. Barber and Associates, Inc., Engineers, and which drawing is on file in the Office of the Department of Public Utilities, of the City of Orangeburg and attached to and made a part of said agreement.

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

PASSED this 3rd day of January, 1989.

Signed:

E. O. Pendarvis
Mayor
W. Kenneth Selley
L. J. ...
Thomas A. ...
Allen W. ...
...
Members of Council

ATTEST:

[Signature]
City Clerk and Treasurer

R E S O L U T I O N

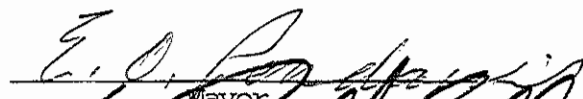
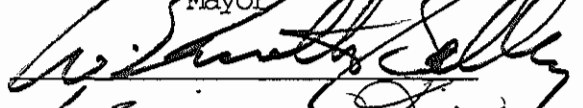
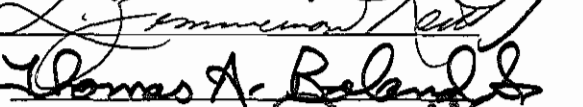
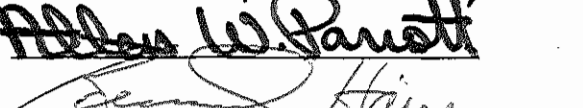
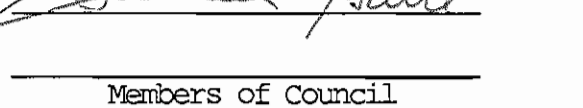

BE IT RESOLVED By the Mayor and Members of Council of the City of Orangeburg, South Carolina, in Council assembled, and by authority of the same:

That the Department of Public Utilities of the City of Orangeburg, hereinafter called the City, enter into an agreement with CSX Transportation, Inc., a Virginia Corporation, hereinafter called the Company, whereby said Company grants unto the said City the right or license to install and maintain for the purpose of a water main, an eight (8") inch P.V.C. pipe crossing the right-of-way and under the track or tracks of said Company at or near Orangeburg, South Carolina, at a point 2,194 feet South, measured along the center line of said track, from Milepost AK366, as shown on drawing dated March, 1988 prepared by B.P. Barber and Associates, Inc., Engineers, and which drawing is on file in the Office of the Department of Public Utilities, of the City of Orangeburg and attached to and made a part of said agreement.

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

PASSED this 3rd day of January, 1989.

Signed:


Mayor






Members of Council

ATTEST:


City Clerk and Treasurer

CITY COUNCIL MINUTES
JANUARY 17, 1989

Orangeburg City Council held its regularly scheduled meeting on January 17, 1989 at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

Marion J. Smith, Director of Parks and Recreation Department, presented the 1988 twelve to thirteen year old Midget State Champions of the Orangeburg Youth Soccer Team.

A motion by Councilmember Parrott, seconded by Councilmember Keitt, unanimously approved the January 3, 1989, City Council Minutes as distributed.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Boland, unanimously approved the correction of the December 20, 1988, City Council Minutes.

A motion by Councilmember Haire, seconded by Mayor Pendarvis, unanimously approved to enter into an executive session for legal briefing concerning the Jones Intercable lawsuit.

Upon resuming the regularly scheduled meeting, Attorney Walsh stated that the purpose of the executive session was to advise City Council about a proposed settlement agreement involving the action in district court with Jones Intercable who is suing the City. Upon Attorney James Brailsford studying the resolution, Attorney Walsh stated that he thinks that a settlement has been reached.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Boland, approved project agreements with the Department of Highways and Public Transportation to pave Hillside NE from Hillcrest NE to Lakeside NE and Eutaw NE from Chestnut NE to Ellis NE. Councilmember Haire abstained from voting. City Administrator Smith pointed out to council that the highway department looks at the amount of paving that needs to be done and how much money is provided to determine which streets are paved. The paving of Eutaw was part of a contractual obligation as part of the deed of transfer of the land from the County to the City.

A motion was made by Councilmember Haire to postpone the Board of Adjustments appointments until the next City Council meeting. He stated that Attorney Walsh was preparing an ordinance for council to make appointments by council districts.

A motion by Councilmember Haire, seconded by Councilmember Salley, unanimously approved a resolution authorizing Mayor Pendarvis and DPU Manager, Ted Johnson to enter into an agreement to settle the lawsuit of Jones Intercable versus the City of Orangeburg.

Councilmember Parrott was concerned about the previous issue of denying Ed Brant's request for insurance coverage. He wanted to know why Brant had not been grandfathered in since the retirement policy was established about the same time that Brant notified the City of his retirement plans. A motion was made by Councilmember Parrott, seconded by Mayor Pro Tem Boland, to grant Mr. Brant's insurance coverage. Councilmembers Frierson, Salley and Mayor Pendarvis voted against this motion and Councilmember Keitt abstained from voting, therefore, the motion did not carry.

ABB132

Mayor Pro Tem Boland expressed concern about retirees losing \$1,000 term life insurance on themselves and covered dependents. City Administrator Smith stated that this was not found out about until a couple of weeks ago and they did not realize at the time when the decision was made to go with the new insurance company that this would happen. City Administrator Smith and DPU Manager, Ted Johnson both stated that the benefits of the new insurance coverage would out weigh this loss.

City Administrator Smith stated that the report on the Department of Public Safety was given to the committee for its study.

City Administrator Smith also stated that a written report concerning the overview of the sanitation department was included in each councilmember's packet for their study.

DPU Manager, Ted Johnson, brought no utility matters before council.

Councilmember Parrott and Councilmember Haire wanted to thank City Administrator Smith, DPU Manager Johnson and Public Works Director Earley for their prompt response to the recent requests for information.

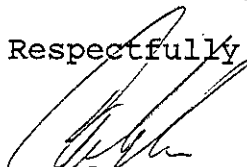
Councilmember Haire requested to council to consider getting one positive voice in working with the County to have one Industrial Development Commission. Mayor Pendarvis agreed with this suggestion.

Councilmember Haire wants to get with the highway department to discuss the Boulevard area. Mayor Pendarvis hoped that this project would remain open.

Mayor Pro Tem Boland was concerned about a problem between the City and County over some funds concerning the New Brookland Sewer Project. He suggested that two members of the City Council and two members of the County Council need to discuss this problem. Councilmember Salley pointed out that there is a contract concerning this matter and was concerned about the possibility of them ignoring the existing contact.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

MUNICIPAL-STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF Orangeburg)
)
FILE NO. 38.) RESOLUTION
)
F. A. PROJECT NO.)
)
~~ROUTE~~ ROAD NO. S-1462)

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:

<u>Project No.</u>	<u>Route or Road No.</u>
Road S-1462:	Along <u>Hillside Drive</u> from Hillcrest Drive (Road S-1174) northwesterly for approx. 0.13 of a mile to Lakeside Drive (Road S-1579).

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 is expressly agreed that the South Carolina Department of Highways and Public Transportation shall not be held liable for any damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality; further, that the Municipality agrees to indemnify and hold harmless the South Carolina Department of Highways and Public Transportation against any and all claims or actions brought against it arising out 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 rights 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 of 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 17th day of January, 1989 and the original of this Resolution will be filed with the South Carolina Department of Highways and Public Transportation at Columbia.

City of Orangeburg, South Carolina
Municipality

BY E. O. Pardue
Mayor

W. South Selley

Bernard Hand

L. Zimmerman Keit

Henry A. Finney

W. W. Barnett

ATTEST:
[Signature]
Clerk

MUNICIPAL-STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)	
)	
COUNTY OF Orangeburg)	
)	
FILE NO. 38.)	RESOLUTION
)	
F. A. PROJECT NO.)	
)	
ROUTE OR ROAD NO. S-2003)	

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:

<u>Project No.</u>	<u>Route or Road No.</u>
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Road S-2003:	Along <u>Eaton</u> <u>WNE</u> Street from Ellis Avenue (Road S-224) southeasterly thence southwesterly for approx. 0.229 of a mile to Route 21/178 By Pass.
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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 is expressly agreed that the South Carolina Department of Highways and Public Transportation shall not be held liable for any damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality; further, that the Municipality agrees to indemnify and hold harmless the South Carolina Department of Highways and Public Transportation against any and all claims or actions brought against it arising out 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 rights 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

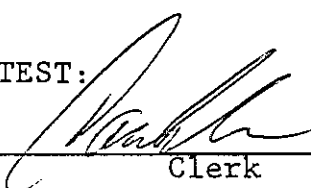
and proposed location, and made a part hereof, with provision that pole lines and hydrants be located back of the sidewalk, and all necessary rights of way for drainage ditches or pipes will be secured to conform to the plans for the proposed improvement and that all of the above will be done without 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 of 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 17th day of January, 1989 and the original of this Resolution will be filed with the South Carolina Department of Highways and Public Transportation at Columbia.

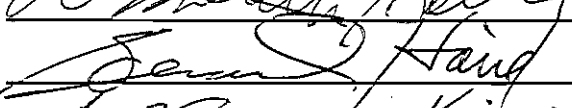
City of Orangeburg, South Carolina
Municipality

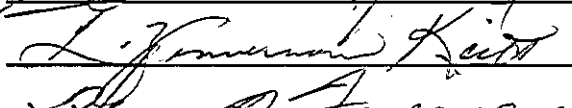
ATTEST: 


Clerk

BY 

Mayor








R E S O L U T I O N

WHEREAS, by Resolution adopted during the regular session of City Council held on September 20, 1988, the attorneys for the City of Orangeburg were authorized to enter into settlement negotiations with attorneys for Jones Intercable, Inc. and Jones Cable Income Fund 1-B Ltd., and

WHEREAS, the attorneys for said parties since said date have been engaged in extensive settlement negotiations and have reached a Settlement Agreement, attached hereto and made a part hereof by reference, which constitutes a complete settlement of that certain action entitled "Jones Intercable, Inc., et al., Plaintiffs, -vs- City of Orangeburg, South Carolina, et al., Defendants" filed in the United States District Court, Orangeburg Division, Civil Action No. 5-87-2014-6, and

WHEREAS, it is necessary that the City Council of the City of Orangeburg authorize certain parties to complete said settlement,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orangeburg, State of South Carolina, duly assembled, that the attached Settlement Agreement between the above mentioned parties is hereby approved and the Honorable E. O. Pendarvis, Mayor of the City of Orangeburg, and Ted M. Johnson, Jr., Manager of the Department of Public Utilities of the City of Orangeburg, are hereby authorized to execute said Settlement Agreement, with any subsequent minor amendments, on behalf of the City of Orangeburg and its Department of Public Utilities and the attorneys for the defendants named in the above entitled action are hereby authorized to execute any and all other documents necessary to consummate a final settlement and dismissal of the matter, including minor amendments to the attached Settlement Agreement.

DONE AND RATIFIED by the City Council of the City
of Orangeburg, State of South Carolina, this 17th day of
January, 1989.

E. O. Rondanis
Mayor

L. J. [unclear]
[unclear]
[unclear]
[unclear]

Members of Council

ATTESTED:

[Signature]
City Clerk

CITY COUNCIL MINUTES
FEBRUARY 7, 1989

Orangeburg City Council held its regularly scheduled meeting on February 7, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Mayor Pendarvis.

PRESENT: E. O. Pendarvis, Mayor
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
W. Everette Salley

ABSENT: Thomas A. Boland, Sr., Mayor Pro Tem
Allen W. Parrott

A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved the January 17, 1989, City Council Minutes as distributed.

Mr. Joey Taylor, Executive Director of the Orangeburg County Chamber of Commerce, presented Council with a copy of the "Mature Magazine" which will feature the Edisto Memorial Gardens on the front cover for the next six months.

Mr. Taylor also presented the "Good Neighbor Award" to Public Safety Director Brant and the Public Safety Department for their efforts in drug enforcement. Public Safety Director Brant also was recognized for receiving "The Service of Mankind Award" from the Orangeburg Sertoma Club.

Parks and Recreation Director Smith announced to Council that the City would be hosting the 1989 State Tournament for Dixie Pre Majors.

Mr. Rosario Cecchini made an appearance before Council concerning a recent complaint regarding some used equipment being stored in front of 1117 Whitman, SE and 1123 Whitman, SE. Mr. Cecchini contented that all the equipment was operable and for sale and good advertisement for his business. He informed Council that he was building a fence to hide most of it to keep good will in the neighborhood. Mayor Pendarvis stated that we do have an ordinance and wanted him to work within the ordinance and the City appreciates his willingness to cooperate concerning this matter. Councilmember Haire stated that he knew this area and it was an eye sore and just because it was operable he didn't think that the equipment was to be allowed to just sit in front of the property. He also commended those who moved forward on this project.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the Resolution concerning the City's intent to file an application for Rental Rehabilitation Program Grant funds in the approximate amount of \$125,000.

A motion by Councilmember Salley, seconded by Councilmember Frierson, unanimously agreed to designate City Administrator Smith and Department of Public Utilities Manager Johnson to accept claims filed under the SC Tort Claims Act.

A motion by Mayor Pendarvis, seconded by Councilmember Haire, unanimously approved to postpone the Law Enforcement Complex request because Orangeburg County Council had referred this matter to committee the previous night. Mayor Pendarvis and Councilmember Haire agreed to serve on this committee.

A motion by Councilmember Salley, seconded by Councilmember Frierson, unanimously approved to accept the Accommodation's Tax Advisory Committee report of recommended expenditures.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved to accept the low bid of \$3,700 from Southeastern Signs for an information sign for the Parks and Recreation Department.

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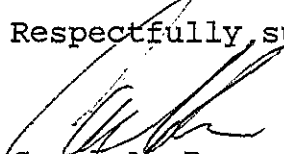
A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved the low bid of \$11,915.55 from Road and Track Cycles for the purchase of a utility turf tractor to be used at Hillcrest.

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the Resolution for a supplemental contract with Southeastern Power Administration.

A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved entering into an executive session for legal briefing concerning The Horne Motors versus the City of Orangeburg litigation.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

R E S O L U T I O N

RENTAL REHABILITATION GRANT APPLICATION

WHEREAS, The City of Orangeburg intends to file an application for Rental Rehabilitation Program Grant funds in the approximate amount of \$125,000, and

WHEREAS, these funds are to be used for the Rehabilitation assistance for low and moderate income families in the City of Orangeburg, and

NOW, THEREFORE BE IT RESOLVED, that the City of Orangeburg authorizes the processing of said application for the grant funds.

ADOPTED, this 7th day of February, 1989, at Orangeburg, South Carolina.

MAYOR

MEMBER OF COUNCIL

MEMBER OF COUNCIL

MEMBERS OF COUNCIL

ATTEST:

CITY CLERK

R E S O L U T I O N

RESOLUTION TO DESIGNATE OFFICE AND
EMPLOYEE TO ACCEPT CLAIMS FILED UNDER
THE SOUTH CAROLINA TORT CLAIMS ACT

Pursuant to Section 15-78-80 of the 1976 Code of Laws for the State of South Carolina,

BE IT RESOLVED that the City Administrator is designated as the employee authorized to accept all claims filed under the South Carolina Tort Claims Act for those alleged acts and omissions of employees under the supervision and control of the City Administrator.

BE IT FURTHER RESOLVED that the Manager of the Department of Public Utilities is hereby authorized as the employee to accept all claims for those alleged acts or omissions of employees under the supervision and control of the Manager of the Department of Public Utilities.

DONE AND RATIFIED by the City Council of the City of Orangeburg, State of South Carolina, this 7th day of February, 1989.

E. O. Pondam's
Mayor

L. J. ...
W. Keith Kelly
James Hare
Jimmy ...

Members of Council

ATTESTED:

[Signature]
City Clerk

RESOLUTION

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

That the Mayor and Members of Council of the City of Orangeburg, in regular session this seventh day of February 1989, having considered and found acceptable a supplemental contract designated as Supplemental Agreement No. 1 to Contract No. 89-00-1501-776 with Southeastern Power Administration for the purchase of power, hereby authorizes and directs E.O. Pendarvis, Mayor, to execute said Contract with the Southeastern Power Administrative on behalf of Department of Public Utilities, City of Orangeburg.

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina this 7th day of February, A.D., 1989.

Signed:

E. O. Pendarvis
Mayor
W. Keith Selley
Samuel Johnson
Gene Hare
L. Zimmerman

Members of Council

ATTEST:

[Signature]
City Clerk and Treasurer

Orangeburg City Council held its regularly scheduled meeting on February 21, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Rev. Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
Allen W. Parrott
W. Everette Salley

ABSENT: L. Zimmerman Keitt

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the February 7, 1989, City Council Minutes as distributed. Mayor Pro Tem Boland stated that his absence from the February 7, 1989, City Council meeting was due to Army Reserve Camp at Fort Campbell, Kentucky. Councilmember Parrott was absent due to the flu.

Marion J. Smith, Director of Parks and Recreation Department, presented "Carolina Gardener" magazine to Council with an article about the Edisto Memorial Gardens. He also stated the South Carolina Festival of Roses received the Top Twenty Events in the Southeast Award for the third consecutive year.

A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved the Law Enforcement Complex funding request of \$4,187 that would be used for prisoner care.

Two ordinances were presented to Council as follows:

1. An ordinance to provide for the nomination and election of the membership of the boards and commissions of the City of Orangeburg
2. An ordinance to increase the membership of the Board of Adjustments, Board of Appeals, Aviation Commission, Planning Commission and Industrial Commission of the City of Orangeburg

Councilmember Salley expressed concern about members of the commissions that live outside the city limits.

Councilmember Haire has no problem if a councilmember wants to present someone outside their district. He just wanted to be sure that each councilmember would have the ability to appoint someone of their choice.

Councilmember Frierson wanted to be sure the City had the most qualified people willing to serve without necessarily having to appoint someone within a certain district or inside or outside the city limits.

Councilmember Salley said that each member is there for a specific reason--they serve a specific purpose.

A motion was made by Mayor Pro Tem Boland, seconded by Mayor Pendarvis, to approve the first reading of the first ordinance so that the matter could be properly discussed.

Mayor Pro Tem Boland stated that maybe the ordinance needs amending such that it would allow each councilmember to appoint someone no matter what district or whether or not they live inside or outside the city limits.

City Attorney Walsh stated that the current statutes and ordinances concerning the election of board and commission members states that they must be approved by the entire body of council. No one member of council can appoint a particular board or commission member.

Attorney Walsh stated that the Industrial Development Commission and the Aviation Commission do not fall under state statutes because they were created by the City

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A motion was made by Councilmember Parrott, seconded by Mayor Pendarvis, to table both ordinances until they can be reworked to include the councilmembers' concerns.

Mr. Austin Edwards who represents Amelia Village of 498 Murray Road stated that Amelia Village rents to senior citizens over sixty-two (62) years of age and the average rent is \$46 per month. The rent is based on housing assistance payment contracts from HUD. This is managed by N&H Enterprises. Mr. Edwards was requesting some monetary assistance from the City in satisfying a promissory note of \$50,000 plus interest (\$57,800 on 2-22-89) at First Union National Bank. Amelia Village would then pay \$3,000/year in lieu of taxes for thirty-eight (38) years. He stated that the money had to be borrowed due to requirements of the Department of Public Utilities due to problems with the elevation of some of the units that would be placed on the site. He stated that DPU would not accept the proposal of HUD to include the construction of a lift station at the cost of \$17,500. HUD would finance it if DPU would accept ownership and service it. HUD does not allow any money from rent or loan funds to be used for off-site construction. DPU presented a plan to run a line (off-site) at the cost of \$100,000 with DPU paying half the cost. Construction was completed in May 1987--application began in 1983--final closing February, 1988.

Attorney Walsh stated that public funds cannot be used for this purpose. The City cannot guarantee private debt.

Mr. Chester Thomson said that they did not want the City to pay off their note, but at the same time do not want to get City services free.

Council did not approve this request.

A motion by Mayor Pendarvis, seconded by Councilmember Salley, unanimously approved the request of County assistance to help clean aquatic weeds in the Edisto River. Mayor Pendarvis or City Administrator Smith have the authority to make the request on behalf of the City.

Councilmember Haire stated that he felt that all requests made to individual departments of the City and DPU should come before Council for approval.

Mr. Glen Wagner, Program Director of the Parks and Recreation Department, presented a resolution to Council recognizing the Midget Soccer State Championship Team. A motion by Councilmember Haire, seconded by Councilmember Parrott, unanimously approved this resolution.

Mr. Jay Fields, Athletic Director of the Parks and Recreation Department, presented a resolution to Council requesting certification of all coaches in youth sports programs. A motion by Mayor Pendarvis, seconded by Councilmember Haire, unanimously approved this resolution.

Councilmember Haire, seconded by Councilmember Salley, unanimously approved the low bid of \$4,807.27 from Sanders Supply Company to install flooring in the pro shop at Hillcrest. This is an approved item in the Accommodations Tax Fund budget.

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the low bid of \$36,633.45 from Newsome/Central Chevrolet (state contract) to purchase three patrol cars.

CITY COUNCIL MINUTES
 FEBRUARY 21, 1989
 PAGE 3

A motion by Councilmember Frierson, seconded by Councilmember Salley, approved the low bid of \$69,477.20 from Walker and Whiteside to install medium intensity taxiway lighting at the airport.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Boland, unanimously approved the FAA and State Project Applications for 90% and 5% funding on the lighting project. Mayor Pendarvis has the authority to sign.

Mayor Pro Tem Boland requested a report on the feasibility study on the combining of the City's maintenance facility and DPU's maintenance facility. DPU Manager Johnson, said that he and City Administrator Smith had discussed this matter and cannot come up with a way to combine the two facilities due to the differences in the operations of the two divisions but will present a rough outline on their findings to council.

Concerning the Department of Public Utilities matters, Councilmember Haire, seconded by Councilmember Parrott, unanimously approved the resolution for an agreement with CSX, Inc.

Mayor Pendarvis stated that he, Mayor Pro Tem Boland, and Councilmember Haire met with the highway department engineers to discuss the Boulevard/Railroad corner situation. They (highway dept.) seemed to be ready to try almost any plan. Mayor Pro Tem Boland said that the highway department appeared to be interested in listening to the citizens' input. Mayor Pro Tem Boland and Councilmember Haire will assemble a report to be forwarded to the highway department.

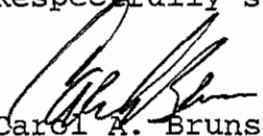
Mayor Pro Tem Boland said that he had been in contact with numerous police, fire and public safety departments. He will assemble his information and meet with Mayor Pendarvis and Councilmember Frierson.

A motion by Councilmember Salley, seconded by Mayor Pendarvis, unanimously approved to enter into an executive session to discuss the following:

1. Contractual matters pertaining to South Carolina Forestry Commission, the South Carolina National Guard and Mr. E. O. Hudson
2. Legal matter concerning Horne Motors versus the City of Orangeburg

There being no further business, the meeting was adjourned.

Respectfully submitted,


 Carol A. Brunson
 City Clerk

/r

ABB132

CITY COUNCIL MINUTES
MARCH 7, 1989

Orangeburg City Council held its regularly scheduled meeting on March 7, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

An appearance was made by Mrs. Chris Walsh, Work Force Initiative Coordinator Instructor at Orangeburg-Calhoun Technical College. She was requesting approval from Council for Skills Enhancement Classes which will be provided by Adult Education, Literacy Council and the Developmental Studies Department at the college. This is made possible by a program in the Governor's office. A grant of \$11,500 has been received to set up the classes to be held at the Department of Public Utilities building. This will provide employees to upgrade their skills, learn to read and to prepare to get a high school diploma.

Councilmember Salley said that he thought that anything that we can do to help someone learn to read is time well spent. A motion by Councilmember Salley, seconded by Mayor Pendarvis, unanimously approved proceeding with this project.

City Administrator Smith thanked Mrs. Walsh for going to bat for the City to get this program.

A motion by Councilmember Haire, seconded by Councilmember Keitt, approved the first reading of an Ordinance to provide for the nomination, appointment and election of the membership of the boards and commissions of the City of Orangeburg. Councilmember Salley opposed.

A motion by Councilmember Frierson, seconded by Councilmember Haire, approved the first reading of an Ordinance to increase the membership of the Board of Adjustments, Aviation Commission, Planning Commission and the Industrial Commission of the City of Orangeburg. Councilmember Salley opposed.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved to appoint Mayor Pendarvis and Councilmember Parrott (Councilmember Haire declined appointment) to a study committee to study the overcrowding of the Detention Center.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Keitt, approved the request from Mosler, Inc., to allow the County to purchase their portion of 2,400 cubic yards (approximately \$1,200 cost) from the Airport property. Councilmember Salley opposed.

City Administrator Smith said that this had to be approved by the FAA and they probably will not approve any more dirt to leave the airport.

Councilmember Haire wanted to postpone the first reading of an Ordinance to repeal Ordinance No. 1987-17 establishing the City Industrial Development Commission because of efforts presently underway to merge the City and County Industrial Development Commissions.

A motion by Councilmember Salley, seconded by Councilmember Keitt, unanimously approved the first reading of an Ordinance to annex the property of Robert E. Gressette containing 19.98 acres into the corporate limits of the City of Orangeburg, South Carolina.

RESOLUTION

TO RECOGNIZE THE MIDGET SOCCER STATE CHAMPIONSHIP TEAM.

WHEREAS, the City of Orangeburg Parks and Recreation Department did enter teams in the South Carolina Recreation and Park Associations State Soccer Tournament; and

WHEREAS, the Midget Soccer team made up of players: Carson Aull, Tony Carpenter, Rad Cochran, Chip Crook, Tasha Eady, B.J. Felkel, Thomas Gue, David Johnson, Richard Knight, Jonathan Lambert, Chad Lanham, Jeff Moore, Allen Neumeister, Troy Pooser, Will Porter, John Roland, Jack Shuler, Derek Smith, Daniel Smoak, Kent Sutcliffe, Jackie Valentine, McLeod Williamson and coaches Klaus Berwald, Terry Eitel, Herb Moore, did advance to the State Championship Game by winning the District Tournament and the Lower State Tournament; and

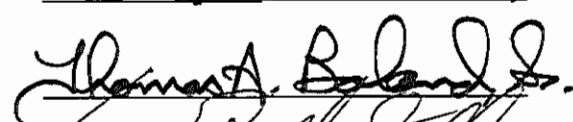
WHEREAS, the Midget Soccer team did win the State Championship Game of the South Carolina Recreation and Park Association.

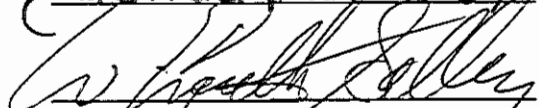
NOW, THEREFORE, BE IT RESOLVED BY the Orangeburg City Council in council duly assembled and by the authority thereof recognize the Midget Soccer Team for their soccer ability and sportsmanship and congratulate them on the manner in which they represented the City of Orangeburg and its Parks and Recreation Department.

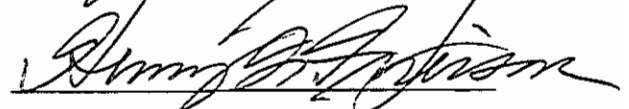
Approved this 21st day of February, 1989.


MAYOR


Allen W. Paneth



Thomas A. Bland Jr.


W. Heath Kelly


Jimmy G. Johnson

MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

RESOLUTION

TO ENDORSE THE NATIONAL YOUTH SPORTS COACHES CERTIFICATION PROGRAM.

WHEREAS, the City Council of the City of Orangeburg recognize the need for quality youth sports programs; and

WHEREAS, the City of Orangeburg Parks and Recreation Department has been by its own design conforming to the recently published National Standards for Youth Sports; and

WHEREAS, the National Standards for Youth Sports recommend a certification program for youth sports coaches whereby the coaches are schooled in psychology of coaching youth sports, maximizing performance, injury prevention and First Aid; and

WHEREAS, the National Youth Sports Coaches Association meets all these guidelines by; teaching coaches to have a better understanding of organization, teaching proper techniques, safety and bringing them up to a more knowledgeable level in the psychological and physical needs of dealing with young athletes and ensuring all children obtain a wholesome experience in youth sports; and

WHEREAS, through the implementation of the National Standards for Youth Sports and this certification program, the City of Orangeburg will be assured of continued quality in its youth sports program to the benefit of all persons involved.

NOW, THEREFORE, BE IT RESOLVED BY the Orangeburg City Council in council duly assembled and by the authority thereof that all coaches of youth sports programs operating within the structure of the Orangeburg Parks and Recreation Department and/or using City Facilities are strongly urged to be certified through the National Youth Sports Coaches Association Certification Program.

Approved this 21st day of February, 1989.

Ed. Rendall
MAYOR

Allen W. Parrott

Thomas A. Boland, Jr.

W. Keith Kelley

Samuel B. Johnson

Samuel B. Johnson

CITY COUNCIL MEMBERS

ATTEST:

[Signature]
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, South Carolina, in Council assembled, and by authority of the same:

That the Department of Public Utilities of the City of Orangeburg, hereinafter called the City, enter into an agreement with CSX Transportation, Inc., a Virginia Corporation, hereinafter called the Company, whereby said Company grants unto the said City the right or license to install and maintain for the purpose of an underground wire crossing, an eight (8") inch steel casing pipe along with electrical conductors crossing the right-of-way and under the track or tracks of said Company at or near Orangeburg, South Carolina, at a point 243 feet South, measured along the center line of said track, from Milepost AK373, as shown on drawing dated September, 1988 prepared by the Department of Public Utilities, and which drawing is on file in the office of the Department of Public Utilities, of the City of Orangeburg and attached to and made a part of said agreement.

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

PASSED this 21st day of February, 1989.

Signed:

E. O. Pendarvis
Mayor
W. Robert Selby
James H. Haire
Allen W. Barnett
Thomas A. Boland, Sr.

Members of Council

ATTEST:

[Signature]
City Clerk and Treasurer

Concerning the appointees for the two seats available on the Election Commission, Councilmember Keitt nominated Pernetta Brice (2 yrs.), Councilmember Haire nominated Harold Robinson (6 yrs.) and Councilmember Salley nominated Carol Riley (2 yrs.). The votes were tallied as follows:

	IN FAVOR OF	OPPOSED
Robinson (6 yrs.)	Unanimous	None
Riley (2 yrs.)	Frierson Salley Pendarvis	Keitt Boland Parrott Haire
Brice (2 yrs.)	Keitt Boland Parrott Haire	Frierson Salley Pendarvis

Therefore, Harold Robinson has been reappointed for a six year term to expire 3-31-95 and Pernetta Brice has been appointed to a two year term to expire 3-31-91.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the acceptance of the low bid of \$195,660 from Hazelwood Construction Company, Inc., for repairs to the Law Enforcement Complex. This bid would only concern those expenses that the City would be responsible for (approximately \$25,000 at this point) not any changes that the County is negotiating for their changes.

A motion by Councilmember Haire, seconded by Mayor Pendarvis, unanimously approved the Resolution for 1989 Community Development Block Grant Funds in the amount of \$350,000. The City's match would be \$35,000 which can be money or in kind.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Haire, approved refunding the County \$10,000 out of the \$41,000 left over out of a Community Development Block Grant (DPU) so that the County can repair some problems with the water lines. Councilmember Salley opposed.

Councilmember Salley was concerned that there was a contract that said that the Department of Public Utilities would receive the \$41,000. Mayor Pro Tem Boland said that this was a problem that came up after the project was finished--problem with water pressure.

City Attorney Walsh said that the County's position on this matter was that the grant was to provide sewage to this section and also bathroom facilities and the purpose of the grant has not been accomplished and they want to use some of this money to achieve that purpose.

Councilmembers drew departments/divisions for appointments to the City/DPU Grievance Committee to be appointed at the next meeting:

- | | |
|-----------|--|
| Frierson | Fire |
| Salley | Service/Administrative/Executive |
| Keitt | Water |
| Pendarvis | Wastewater/Gas/Garage |
| Boland | Police, DPU-Administration |
| Parrott | Public Works |
| Haire | Electric, Parks and Recreation/Hillcrest |

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A motion by Mayor Pendarvis, seconded by Councilmember Salley, to notify the SC Highway Department that Council accepts the proposal that was presented in October, 1988, concerning the Boulevard/RR crossing. Councilmembers Keitt, Parrott, Haire, Frierson and Mayor Pro Tem Boland opposed.

Mayor Pro Tem Boland, seconded by Councilmember Keitt, approved to send the proposal to the SC Highway Department that consists of the citizens input and requests. Mayor Pendarvis opposed.

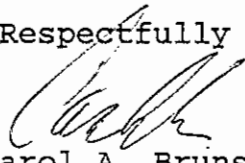
Mike Sells, Director of Administrative Services (DPU) was on hand to discuss any questions that Council had about the recent change in health insurance. Mayor Pro Tem Boland was concerned about the loss of term life insurance on retired employees. It was pointed out to Council that it was noted that there were benefits lost and benefits gained. The drug card would make up for the loss of the \$1,000 term life insurance--required by the health insurance policy--on retired employees. The City does furnish life insurance through the universal life insurance policy through Aetna, through the state retirement life insurance and through health insurance plan (active employees). The \$1,000 term life insurance is the only thing that was lost and other life insurance that the retirees have that they have not cashed in is still in effect.

Councilmember Parrott was concerned that Council needs to come together and work together. He felt that Council is not really moving forward with the City--keep hopping back and forth on certain issues. Council needs to remember that they are dealing with people. Council needs to move forward--not so much nitpicking and arguing.

A motion by Councilmember Parrott, seconded by Councilmember Haire, unanimously approved entering into an executive session for the purpose of legal briefing on Horne Motors versus the City of Orangeburg and to discuss zoning regulations.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

R E S O L U T I O N

1989 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, The City of Orangeburg intends to file an application for 1989 Community Development Block Grant Funds in the approximate amount of \$350,000, and

WHEREAS, these funds are to be used for the rehabilitation of sub standard units for low and moderate income families in the City of Orangeburg, and

NOW, THEREFORE BE IT RESOLVED, that the City of Orangeburg authorizes the processing of said application for the grant funds, and

THE CITY OF ORANGEGURG will provide the required local match (\$35,000) for this project.

ADOPTED, this 7th day of March, 1989, at Orangeburg, South Carolina.

E. O. Pondexter
MAYOR

Ed Hair
Allen W. Parrott
Thomas A. Baland, Jr.
Liz ...
...
...
MEMBERS OF COUNCIL

ATTEST:

[Signature]
CITY CLERK

SPECIAL CITY COUNCIL MINUTES
MARCH 13, 1989

Orangeburg City Council held a special meeting on March 13, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously agreed to go into an executive session to discuss the legal fees for the Owens versus the City of Orangeburg case.

The meeting was called back into order and a motion by Councilmember Frierson, seconded by Mayor Pro Tem Boland, unanimously approved to pay \$88,000 to the plaintiff's attorney in the lawsuit of Owens versus the City of Orangeburg.

There being no further business, the meeting was adjourned.

Respectfully submitted,



L. Hugh Smith
City Administrator

/r

ABB132

Orangeburg City Council held its regularly scheduled meeting on March 21, 1989, at 7:00 P.M. in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
Allen W. Parrott
W. Everette Salley

ABSENT: L. Zimmerman Keitt

A motion by Councilmember Parrott, seconded by Councilmember Haire, unanimously approved the March 7, 1989, City Council Minutes as distributed.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Boland, unanimously approved the March 13, 1989, Special City Council Minutes as distributed.

A motion by Councilmember Haire, seconded by Councilmember Frierson, approved the second reading of an Ordinance to provide for the nomination, appointment and election of the membership of the boards and commissions of the City of Orangeburg. Councilmember Salley opposed.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Boland, approved the second reading of an Ordinance to increase the membership of the Board of Adjustments, Aviation Commission, Planning Commission and the Industrial Commission of the City of Orangeburg. Councilmember Salley opposed.

A motion by Councilmember Salley, seconded by Councilmember Frierson, unanimously approved the second reading of an Ordinance to annex the property of Robert E. Gressette containing 19.98 acres into the corporate limits of the City of Orangeburg, South Carolina.

Councilmembers submitted the following names for appointments to the Grievance Committee:

Police	Angela Perry	3 years
DPU-Administration	Reginald Glenn	1 year
DPU-Electric	Shellie Wright	3 years
Parks & Rec./Hillcrest	Laura Bizzell	3 years
Public Works	David Murray	2 years
Fire	Kenneth Mitchum	1 year
Service/Adm./Executive	James Turner	1 year
Wastewater/Gas/Garage	Fred Yandle	2 years

Final consideration will be on April 4, 1989, City Council meeting when the final name will be submitted.

A motion by Councilmember Haire, seconded by Councilmember Parrott, unanimously approved to create a job for planning and development for the City of Orangeburg and also authorized City Administrator Smith to advertise for this position.

A motion by Mayor Pendarvis, seconded by Councilmember Haire, unanimously approved a Resolution for settlement of \$5,844.15 to be paid to Horne Motors for utilities that were added but apparently never called in. This sum includes the amount of utilities, plus interest, plus the cost of legation.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Boland, unanimously approved the extension of an agreement with the SC Land Resources Conservation Commission for the Dukes Street Flood Study.

Correspondence from the state highway department concerning a traffic light request at the corner of Bennett and Columbia Road was submitted to council. The state again denies the need of a traffic light.

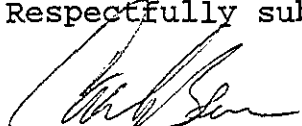
A motion by Councilmember Haire, seconded by Councilmember Salley, unanimously approved the first reading of an Ordinance to convey a 50 foot easement to Mosler, Inc.

Department of Public Utilities Manager, Ted Johnson, brought no utility matters before council.

Councilmember Haire wanted to know if all eligible refunds of customer deposits have been made. Johnson stated that records indicate that all necessary refunds have been made.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

ABB132

CITY COUNCIL MINUTES
APRIL 4, 1989

Orangeburg City Council held its regularly scheduled meeting on April 4, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A motion by Mayor Pro Tem Boland, seconded by Councilmember Haire, unanimously approved the March 21, 1989, City Council Minutes as distributed.

An appearance was made by Mr. Ed Brant requesting that Council reconsider his insurance benefits. Mr. Brant thinks that he should be re-instated.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Boland, unanimously approved to have the City and DPU present a list of all employees that would be similarly situated to be brought before Council at the next meeting and also for Mr. Brant to return to the next meeting.

Mayor Pro Tem Boland wanted to know the cost (and number of employees) of allowing those employees that have retired but did not have enough time in to be able to have the City pay their insurance benefits but would allow them to stay on the policy and pay their own benefits.

A motion by Councilmember Haire, seconded by Councilmember Keitt, approved the third reading of an ordinance to provide for the nomination, appointment and election of the membership of the boards and commissions of the City of Orangeburg. Councilmember Salley opposed.

A motion by Councilmember Haire, seconded by Councilmember Keitt, approved the third reading of an ordinance to increase the membership of the Board of Adjustments, Aviation Commission, Planning Commission and the Industrial Commission of the City of Orangeburg. Councilmember Salley opposed.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the third reading of an ordinance to annex the property of Robert E. Gressette containing 19.98 acres into the corporate limits of the City of Orangeburg, SC.

Councilmember Keitt appointed Libby Mizzell to serve on the Grievance Committee (DPU-Water) for a term expiring 4-5-91.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Boland, unanimously approved the second reading of an ordinance authorizing the conveyance of a 50 foot easement to Mosler, Inc.

Mayor Pro Tem Boland reported on the study of the Public Safety Committee. It was recommended that the Public Safety Department remain as it presently is with separate police and fire divisions. Public Safety Director would have the authority to appoint those personnel beneath him which would include police and fire commanders. A motion by Mayor Pendarvis, seconded by Councilmember Frierson, approved this request.

A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved to form a committee to get with a committee from Orangeburg County to discuss the Industrial Development Commission situation. Members appointed by council were Councilmembers Haire and Frierson.

CITY COUNCIL MINUTES
 APRIL 4, 1989
 PAGE 2

A motion by Councilmember Haire, seconded by Councilmember Parrott, unanimously approved to accept the low bid of \$6,830.80 from E. J. Smith Turf and Irrigation for the purchase of one (1) sand pro for Hillcrest.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Frierson, approved the request from Anna Elizabeth Gramling of the Paul McMichael Chapter of United Daughters of the Confederacy to place confederate flags on each side of the Confederate Monument on Memorial Plaza and on the gates of the three cemeteries in the City. These flags will be placed on May 10, 1989, between the hours of 8:00 A.M. and 6:00 P.M.

Councilmember Haire expressed his unreadiness due to the reason that soldiers fought. He hoped that people would forget the war. It is an unhappy remembrance for him. Ms. Gramling stated that we all have ancestors that we want to remember and felt that there should be a peaceful coexistence of remembering all things. She stated that they would like to have the right to honor their confederate ancestors. "You can't forget the war--too many died in it." She wants the same consideration that others get in honoring their dead. Councilmembers Haire and Keitt opposed this request.

Council postponed the consideration of a resolution for a drug free workplace requesting some modifications and guidelines for terminating employees.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Frierson, unanimously approved the Municipal-State Highway Project Agreement to construct a section of sidewalk (162 feet) of the 500 block of Berry NE with Mayor Pendarvis given authorization to sign this agreement.

A motion by Councilmember Haire, seconded by Councilmember Frierson, unanimously approved the request proposed by the Accommodation's Tax Committee.

A motion by Mayor Pro Tem Boland, seconded by Mayor Pendarvis, unanimously approved the grant offer from FAA to install lights on the taxiway at the airport. This includes authorization for Mayor Pendarvis to sign the agreement.

City Administrator Smith presented the audit to Council and asked if there are any questions, contact him or the finance director.

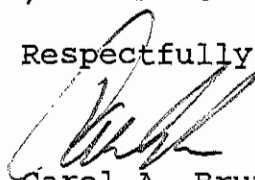
A motion by Councilmember Frierson, seconded by Councilmember Keitt, unanimously approved for the City Administrator to fill the position of planning and development for the City.

Council approved a request from Mr. Kelly Felder to place a plaque in front of the revolutionary war cannons on the square. Mr. Felder will bear the cost of this project.

DPU Manager, Ted Johnson, informed Council that probably between \$6,500,000 and \$7,000,000 in bonds may need to be issued for expansion of the water plant.

There being no further business, the meeting was adjourned.

Respectfully submitted,


 Carol A. Brunson
 City Clerk

/r

ABB132

CITY COUNCIL MINUTES
APRIL 18, 1989

Orangeburg City Council held its regularly scheduled meeting on April 18, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A motion by Councilmember Keitt, seconded by Mayor Pro Tem Boland, unanimously approved the April 4, 1989, City Council Minutes as distributed.

A motion by Councilmember Parrott, seconded by Councilmember Keitt, agreed to grant Mr. W. E. Brant's request that he be re-instated on the city's health insurance policy. Councilmembers Frierson and Salley and Mayor Pendarvis opposed. Councilmember Frierson stated that we should adhere to the policy as a lot of time was spent establishing the guidelines. Councilmember Parrott and Keitt felt like Mr. Brant got caught in the middle during the change in the policy and that an exception should be made.

Council heard a request from Major Harold Carter of the Public Safety Department asking that due to the fact that the police state retirement years changed to twenty-five, he was requesting that the city change their present retirement from thirty to twenty-five. Councilmember Frierson said that the policy should be changed or left as is and not to make exceptions. A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved for council to study all benefits provided to employees (salary, insurance, etc.). Councilmember Haire said he felt that employees are not getting the salary that they should be getting.

A motion by Councilmember Salley, seconded by Councilmember Haire, unanimously approved the third reading of an ordinance authorizing the conveyance of fifty (50) foot easement to Mosler, Inc.

A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved for Mayor Pro Tem Boland, Councilmembers Keitt and Salley to be a council committee to get with the city administrator and public safety director. They will present some alternative plans to council concerning the Public Safety Department.

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the 1989 Rose Festival Budget.

Department of Public Utilities Manager, Ted Johnson, was not present, therefore, no utility matters were brought before council.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Boland, unanimously approved entering into an executive session to discuss the purchase of land (Moseley Parking Lot).

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carol A. Brunson
City Clerk

R E S O L U T I O N

WHEREAS, The City of Orangeburg has a desire that all employees should be informed as to the guidelines concerning employment with the City and,

WHEREAS, A Personnel Policy Manual has been prepared stating the policies which are ordinarily followed, and

WHEREAS, this Personnel Policy was adopted by the Orangeburg City Council on July 19, 1988, and

WHEREAS, it has been found that an amendment is needed to this Personnel Policy in order to comply with the Drug Free Workplace Act of 1988.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orangeburg hereby adopts the following amendments to the Personnel Policy Manual.

1. Page 47, Drug Free Workplace (contents attached)

This section beginning on Page 47 and ending on page 50 shall be inserted in the personnel manual.

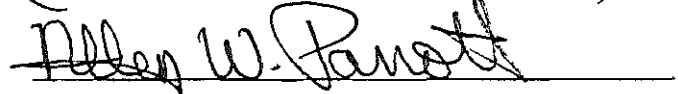
2. The balance of Contents of the personnel manual shall be renumbered as per the attached revised Table of contents.

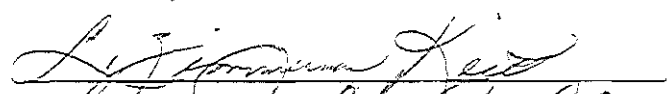
PASSED by the City Council of the City of Orangeburg, South Carolina, this 2nd day of May , A.D., 1989.


MAYOR

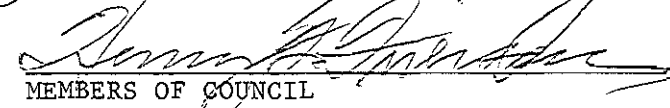




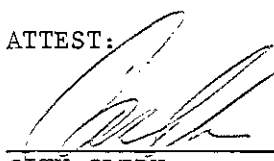







MEMBERS OF COUNCIL

ATTEST:



CITY CLERK

Orangeburg City Council held its regularly scheduled meeting on May 2, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A motion by Councilmember Keitt, seconded by Councilmember Parrott, unanimously approved the April 18, 1989, City Council Minutes as distributed.

A motion by Councilmember Haire, seconded by Councilmember Salley, unanimously approved the Drug Free Workplace Resolution.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Boland, agreed for City Administrator Smith to move forward on the project concerning the Park Operations Facility. DPU is willing to pay up to \$190,000 toward this project (approximately \$226,000) because the city is having to move its operations due to the water plant expansion. Councilmember Haire opposed.

Mayor Pendarvis read a letter from Mr. W. W. Dukes, Jr., declining reappointment to the Aviation Commission.

A motion by Councilmember Keitt, seconded by Councilmember Frierson, unanimously agreed to proceed with the following appointments and election of the boards and commissions.

AVIATION COMMISSION (Appointment)

DISTRICT 2 pass
DISTRICT 4 Dr. Donald R. Small
DISTRICT 6 pass
DISTRICT 1 Henry Sims, II
DISTRICT 3 E. O. Hudson
DISTRICT 5 Patricia Rose
MAYOR W. C. Wannamaker

BOARD OF ADJUSTMENT (Election)

DISTRICT 2 pass
DISTRICT 4 Desiree E. Chavis (Nominated by Haire)
DISTRICT 6 pass
DISTRICT 1 W. S. Wofford (Nominated by Frierson)
DISTRICT 3 Sandy Calder (Nominated by Boland)

PLANNING COMMISSION (Election)

DISTRICT 2 pass
DISTRICT 4 pass
DISTRICT 6 Ronald Rhames (Nominated by Keitt)

The above were approved by acclamation.

Mayor Pendarvis read a Proclamation declaring May 6, 1989, as National Nurses' Day.

Concerning matters pertaining to the Department of Public Utilities, a motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved for DPU Manager, Ted Johnson, to grant an easement to the Methodist Home.

Mayor E. O. Pendarvis read his announcement that he will not seek an additional term of office as Mayor. This is after twenty-eight years (4 yrs. Councilman--24 yrs. Mayor) of service to the City of Orangeburg.

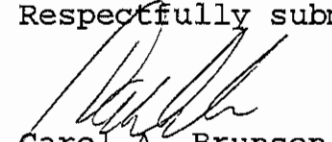
ABB132

Councilmember Frierson thanked the Mayor for his years of service to the city through the good and bad times.

Councilmember Haire wanted to know the status of the cable TV situation. Johnson said that he felt that all the differences had been worked out concerning the city and Jones Intercable. Councilmember Haire wants to explore the possibility of cable TV competition.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

CITY COUNCIL MINUTES
MAY 16, 1989

433

Orangeburg City Council held its regularly scheduled meeting on May 16, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the May 2, 1989, City Council Minutes as distributed.

A motion by Mayor Pendarvis, seconded by Councilmember Salley, unanimously approved a proclamation declaring June 11-18, 1989, as Industrial Appreciation Week. Bob Ghromely, General Manager of Orangeburg Prince of Orange Mall, Christine Hollar, Executive Director of Junior Achievement Incorporated, David Todd, Plant Manager at Ethyl Corporation, Jack Sherman, General Manager of Carpenter Technology, and Charles Gardner, Director of City Industrial Development Commission were present in support of this proclamation.

A motion by Councilmember Haire, seconded by Councilmember Parrott, unanimously approved for City Administrator Smith to request bids for wage comparability study (includes all benefits). Councilmember Haire was uncertain about the city taking the employees too lightly. They do an outstanding job and are not rewarded.

The following were approved by acclamation:

BOARD OF ADJUSTMENTS (Election)

District 2 pass
District 6 Dorothy Hutto (Nominated by Parrott)

AVIATION COMMISSION (Appointment)

District 2 George Daniels (Nominated by Salley)
District 6 Rev. W. J. Baxter (Nominated by Parrott)

PLANNING COMMISSION (Election)

District 2 pass
District 4 Willie Hubbard (Nominated by Haire)
District 6 Elase Baxter (Nominated by Parrott)

(Note: Previous appointee to district 6, Ronald Rhames, was found to be living in district 3 instead of district 6.)

A motion by Mayor Pendarvis, seconded by Councilmember Haire, unanimously approved for City Attorney Walsh to investigate the legality of the City's responsibility toward the medical bills incurred by Clyde Myers. He is not a resident of the City and was arrested by Orangeburg County.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Salley, unanimously approved the Resolution declaring the week of May 14-20, 1989, as Tourism Week.

Council postponed discussion on the Law Enforcement Center Budget.

Concerning Ordinance 16-65/Noise, City Administrator Smith and council wanted citizens to be aware of the ordinance and that stricter enforcement will be initiated. Citizens should be more considerate and not offend their neighbors.

ABB132

CITY COUNCIL MINUTES
MAY 16, 1989
PAGE 2

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Boland unanimously approved the request from Orangeburg County concerning building permit fees on the library addition and location of trailer on site. The location of the trailer on site will be referred to the Board of Adjustments for variance.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Boland, unanimously approved City Administrator Smith to research the number of city vehicles on the tax rolls.

Mayor Pro Tem Boland, reported that concerning the Boulevard situation, coordination with the railroad is taking place so that the project can get under way.

DPU Manager, Ted Johnson, reported on "Project Good Neighbor" which will allow DPU customers to donate money on their utility bill to the United Way and the Cooperative Church Ministries of Orangeburg.

A motion by Councilmember Frierson, seconded by Councilmember Keitt, unanimously approved to grant the same retirement benefits to the following as was granted to Ed Brant.

Peggy Bair
David Colter
Sheck Mack

This will reinstate them in regards to health insurance coverage.

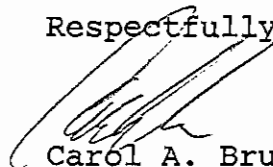
A motion by Councilmember Salley, seconded by Mayor Pendarvis, unanimously approved to not spend any more money with the expansion of the wastewater facility except for the mandatory part. This was decided due to the fact that DPU has requested to dump additional sludge in the county landfill. The county has referred this to committee and DPU is awaiting their response.

DPU Manager, Ted Johnson, requested an executive session for contractual matters. This was so moved by Councilmember Haire, seconded by Councilmember Keitt and unanimously approved.

Mayor Pro Tem Boland wanted Council to consider turning the meeting around once a quarter which would allow DPU to present their matters first. Johnson stated that maybe they would like to have a meeting at DPU once a quarter.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

R E S O L U T I O N

WHEREAS, the tourism industry is extremely important to the City of Orangeburg, contributing to our employment, economic prosperity, peace, understanding and goodwill and,

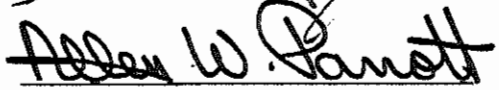
WHEREAS, Tourism benefits us by enhancing our personal growth and education and by promoting our intercultural understanding and appreciation of the geography, history and the people of Orangeburg.

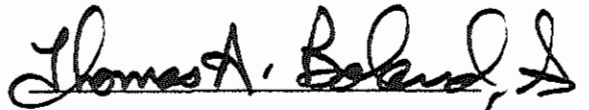
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Orangeburg do hereby proclaim the week beginning May 14, 1989 as Tourism Week in the City of Orangeburg.

PASSED by the City Council of the City of Orangeburg, South Carolina, this 16th day of May, A.D., 1989.

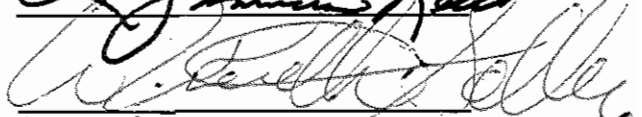

MAYOR












MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

CITY COUNCIL MINUTES
JUNE 6, 1989

Orangeburg City Council held its regularly scheduled meeting on June 6, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A motion by Councilmember Keitt, seconded by Councilmember Parrott, unanimously approved the May 16, 1989, City Council Minutes as distributed.

Mr. Charles E. Taylor, Executive Director of the Orangeburg County Chamber of Commerce, along with Jackie Davis, Fred Broughton and Marion J. Smith presented a South Carolina Accomodation's Tax Program Award to the City of Orangeburg in recognition of outstanding achievement and leadership in implementing the tourism provision of the South Carolina Accommodation's Tax Act. Fifteen awards were presented out of sixty nominations.

The following appointments were made by nomination from Councilmember Salley:

BROAD OF ADJUSTMENTS (Election)

L. R. Patrick

PLANNING COMMISSION (Election)

Carol Riley

These were approved by acclamation.

A motion by Mayor Pendarvis, seconded by Councilmember Haire, unanimously approved the City's share of the Law Enforcement Complex budget. Councilmember Salley wants to see what it would cost for the City to operate their own center.

A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved for City Administrator Smith to send out for bids for a personnel classification and compensation plan.

A motion was made by Councilmember Haire, seconded by Councilmember Parrott, to grant Major Harold Carter's previous request for insurance benefits. After discussion pertaining to making exceptions to the current policy it was felt that if changes were needed then we should change the policy and not make exceptions, therefore, Councilmember Haire withdrew his motion.

Certificate of Award was presented to the Edisto Memorial Gardens from All American Rose Selections, Inc., in recognition of outstanding rose garden maintenance in 1988.

Concerning the lease renewal for the Orangeburg Arts Center, a Public Hearing is needed on this item and will be postponed until next City Council meeting.

Marion J. Smith, Director of Parks and Recreation, presented a new Edisto Memorial Gardens brochure to Council. This was achieved through a grant with a local match from the Accommodation's tax monies.

ABB132

A motion by Mayor Pro Tem Boland, seconded by Councilmember Keitt, unanimously agreed to ask the City for county assistance to clear out a portion of Prusner Branch and Sunnyside Canal. Councilmember Haire expressed his concern about completing the Sunnyside Canal project.

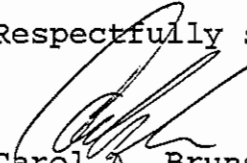
Mayor Pro Tem Boland wanted to have quarterly meetings the second month of each quarter on the second Tuesday to be held at the Department of Public Utilities. Councilmember Keitt wanted quarterly meetings on a regular City Council meeting night with the exception of discussing DPU matters first. After discussion, Mayor Pro Tem Boland withdrew his motion. This matter will be discussed again at a later date.

City Administrator Smith wanted to publicly commend both the City and DPU employees for the hard work they exhibited cleaning up after our recent storms.

It was decided by consensus not to have a meeting on July 4, 1989. One meeting will be held in July and if needed a second meeting will be scheduled.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carol A. Brunson
City Clerk

/r

CITY COUNCIL MINUTES
JUNE 20, 1989

437

Orangeburg City Council held its regularly scheduled meeting on June 20, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Mayor Pendarvis.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A Public Hearing was held on the consideration of extending the lease to Orangeburg Arts Center for the river pavilion.

A motion by Councilmember Frierson, seconded by Councilmember Keitt, unanimously approved the June 6, 1989, City Council Minutes as distributed.

A motion by Mayor Pendarvis, seconded by Councilmember Keitt, unanimously approved the lease renewal for the Orangeburg Arts Center.

A motion by Councilmember Haire, seconded by Councilmember Frierson, unanimously approved the resolution to amend the retirement and insurance benefits of city employees.

A motion by Mayor Pendarvis, seconded by Councilmember Haire, unanimously approved to settle the Law Enforcement Complex litigation in the amount of \$100,000.

Consideration of sale of land to Bill Wise Printers was postponed until the city could exercise their option as to whether or not the city plans to purchase the land.

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the Proclamation declaring the month of July as National Recreation and Parks Month.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the Law Enforcement Complex alterations for an additional forty-five (45) working days to be added to the contract.

A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously approved the Law Enforcement Complex budget amendment.

A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved the resolutions and certificates in appreciation for dedicated service of members going off the Aviation Commission, Board of Adjustments, and Planning Commission.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the first reading of an ordinance to annex Farmer's Furniture (remaining property) on Highway 301 into the city.

Ms. Sherrill Hampton, Director of Planning and Development, informed council that the city had received a grant in the amount of \$114,200 for Rental Rehab in the city. She also at this time requested permission to seek HUD Discretionary Rehab Funds.

Concerning DPU matters, a motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the resolution for a good neighbor program to help the needy to pay for utility and gas.

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved for Mr. Johnson to make settlement with the South Carolina Electric and Gas Company for gas charges.

ABB132

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Boland, unanimously approved the first reading of an ordinance on water rates.


A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the resolution for water tap fees.

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the first reading of an ordinance for sale of \$5,000,000 bonds.

City Administrator Smith requested an executive session for personnel matters.

There being no further business, the meeting was adjourned.

Respectfully submitted,



L. Hugh Smith
City Administrator

/r

RESOLUTION TO AMEND RETIREMENT AND INSURANCE
BENEFITS OF CITY EMPLOYEES

WHEREAS, by resolution of City Council dated March 18, 1986 certain retirement and insurance benefits of city employees were defined, and

WHEREAS, said benefits have been amended subsequent thereto, and

WHEREAS, one amendment states that an employee who retires with thirty (30) or more years with the City prior to reaching the age of sixty (60) shall be allowed to retain coverage on the City's hospitalization and medical policy at his or her own expense and upon reaching age sixty (60) the City shall begin paying the same insurance premiums that are currently being paid for other similar retired employees; provided, that this benefit shall apply only to those employees who remained on the City policy from the time he or she retired until reaching age sixty (60), and

WHEREAS, City Council wishes to amend said policy as set forth hereinabove for the purpose of providing hospitalization and medical insurance benefits to those employees eligible for retirement under certain provisions of either the South Carolina Retirement System or the South Carolina Police Officers Retirement System,

BE IT THEREFORE RESOLVED by City Council duly assembled that the present policy as described hereinabove is amended by adding the following: Notwithstanding, any employee under the age of sixty (60) who shall be eligible for retirement under the present South Carolina Retirement System with thirty (30) years of credited service or under the present South Carolina Police Officers Retirement System with twenty-five (25) years of credited service shall be entitled at his or her expense to continue coverage under the City's hospitalization and medical insurance program until age sixty (60); all being subject to the Resolution of City Council dated March 18, 1986, as amended.

ADOPTED this 20th day of June, 1989 by Council
duly assembled.

E. O. Fenderson
Mayor

Raymond A. Johnson

James D. East

Allen W. Parrott

James Haire

Thomas A. Boland, Sr.

Council Members

Attested To:
[Signature]
City Clerk

R E S O L U T I O N

WHEREAS, W. W. Dukes, Jr. served the City of Orangeburg as a member of the Orangeburg Aviation Commission from January 5, 1965 until June 18, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Orangeburg Aviation Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Orangeburg Aviation Commission, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by W. W. Dukes, Jr. as a member of the Orangeburg Aviation Commission for twenty four (24) years and five (5) months and commend him for a job well done.

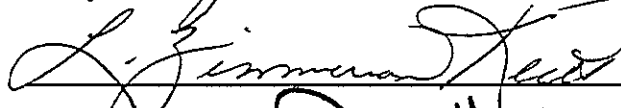
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to W. W. Dukes, Jr. in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.



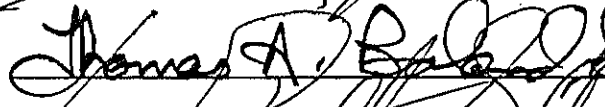
Mayor

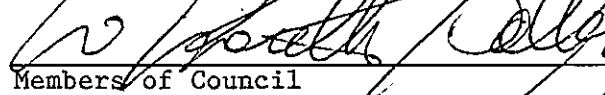






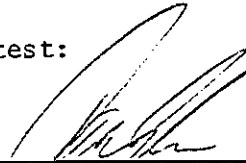






Members of Council

Attest:



City Clerk

R E S O L U T I O N

WHEREAS, Julian A. Ott served the City of Orangeburg as a member of the Orangeburg Aviation Commission from April 1, 1974 until June 18, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Orangeburg Aviation Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Orangeburg Aviation Commission, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Julian A. Ott as a member of the Orangeburg Aviation Commission for fifteen (15) years and three (3) months and commend him for a job well done.

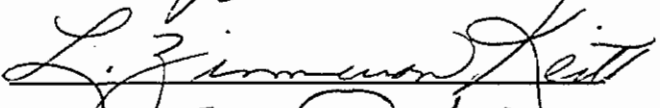
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Julian A. Ott in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.




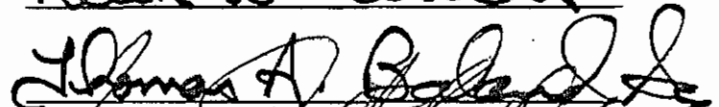
Mayor

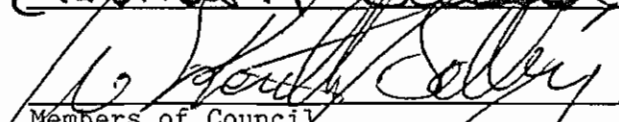












Members of Council

Attest:



City Clerk

R E S O L U T I O N

WHEREAS, D. M. Zimmerman served the City of Orangeburg as a member of the Board of Adjustments from August 1, 1972 until June 6, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Board of Adjustments; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Board of Adjustments, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by D. M. Zimmerman as a member of the Board of Adjustments for sixteen (16) years and ten (10) months and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to D. M. Zimmerman in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

E. D. Fenderson
Mayor

Army H. Foster

R. J. Zimmerman

Blaine Hane

Allen W. Parrott

Thomas H. Bledsoe

W. Keith Alley
Members of Council

Attest:

[Signature]
City Clerk

R E S O L U T I O N

WHEREAS, Richard F. Nickel served the City of Orangeburg as a member of the Orangeburg Aviation Commission from March 4, 1986 until June 18, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Orangeburg Aviation Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Orangeburg Aviation Commission, wants to inscribe on the records its appreciation.

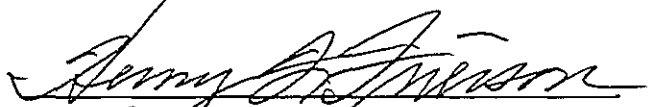
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Richard F. Nickel as a member of the Orangeburg Aviation Commission for three (3) years and three (3) months and commend him for a job well done.

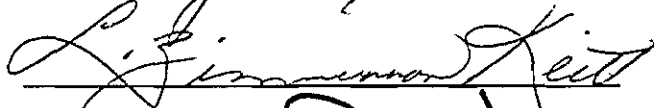
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Richard F. Nickel in recognition of his services.

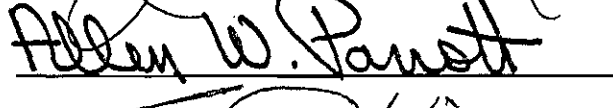
PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.



Mayor

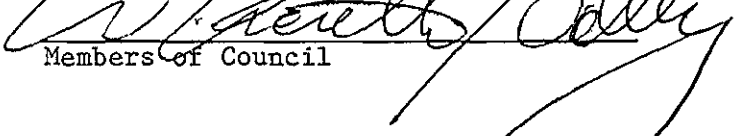













Members of Council

Attest:



City Clerk

R E S O L U T I O N

WHEREAS, Freda Summers served the City of Orangeburg as a member of the Planning Commission from March 1, 1988 until June 6, 1989; and

WHEREAS, She, through her faithful service and leadership, contributed greatly to the successful operation of the Planning Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Planning Commission, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Freda Summers as a member of the Planning Commission for one (1) year and three (3) months and commend her for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of her devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Freda Summers in recognition of her services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

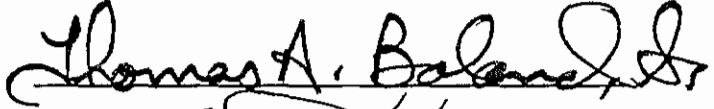



Mayor













Members of Council

Attest:



City Clerk

R E S O L U T I O N

WHEREAS, William C. Ziegler served the City of Orangeburg as a member of the Board of Adjustments from January 5, 1965 until May 16, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Board of Adjustments; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Board of Adjustments, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by William C. Ziegler as a member of the Board of Adjustments for twenty four (24) years and four (4) months and commend him for a job well done.

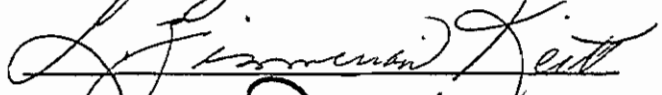
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to William C. Ziegler in recognition of his services.

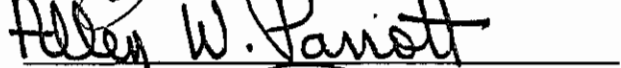
PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.



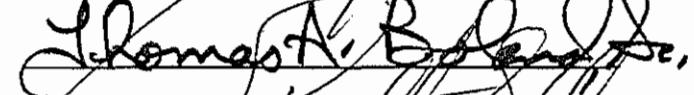
Mayor

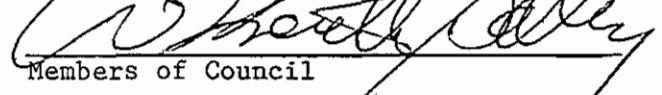












Members of Council

Attest:



City Clerk

R E S O L U T I O N

WHEREAS, Walter A. Triplett served the City of Orangeburg as a member of the Orangeburg Aviation Commission from December 7, 1970 until June 18, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Orangeburg Aviation Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Orangeburg Aviation Commission, wants to inscribe on the records its appreciation.

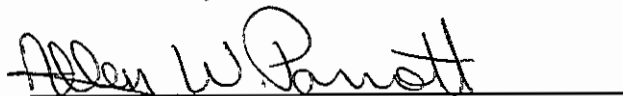
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Walter A. Triplett as a member of the Orangeburg Aviation Commission for eighteen (18) years and six (6) months and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Walter A. Triplett in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

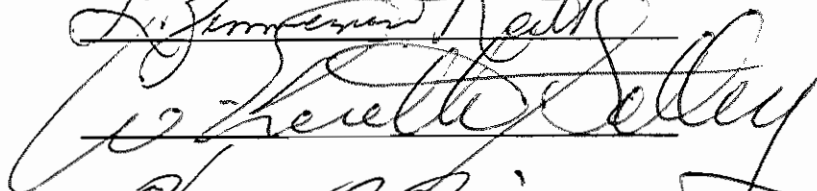


Mayor

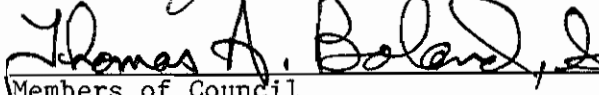






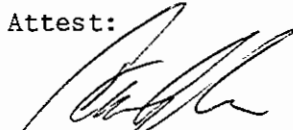






Members of Council

Attest:



City Clerk

R E S O L U T I O N

WHEREAS, Richard F. Nickel served the City of Orangeburg as a member of the Orangeburg Aviation Commission from March 4, 1986 until June 18, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Orangeburg Aviation Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Orangeburg Aviation Commission, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Richard F. Nickel as a member of the Orangeburg Aviation Commission for three (3) years and three (3) months and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Richard F. Nickel in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

E. O. Fenderson, Jr.
Mayor

Henry A. Johnson

L. Zimmerman Keitt

Allen W. Parrott

John H. Hane

Thomas A. Boland, Sr.

W. Keith Colley
Members of Council

Attest:
[Signature]
City Clerk

R E S O L U T I O N

WHEREAS, Julian A. Ott served the City of Orangeburg as a member of the Orangeburg Aviation Commission from April 1, 1974 until June 18, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Orangeburg Aviation Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Orangeburg Aviation Commission, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Julian A. Ott as a member of the Orangeburg Aviation Commission for fifteen (15) years and three (3) months and commend him for a job well done.

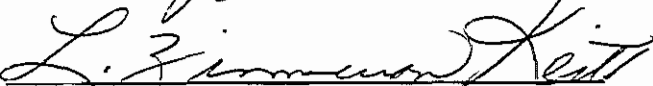
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Julian A. Ott in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.



Mayor













Members of Council

Attest:



City Clerk

R E S O L U T I O N

WHEREAS, W. W. Dukes, Jr. served the City of Orangeburg as a member of the Orangeburg Aviation Commission from January 5, 1965 until June 18, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Orangeburg Aviation Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Orangeburg Aviation Commission, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by W. W. Dukes, Jr. as a member of the Orangeburg Aviation Commission for twenty four (24) years and five (5) months and commend him for a job well done.

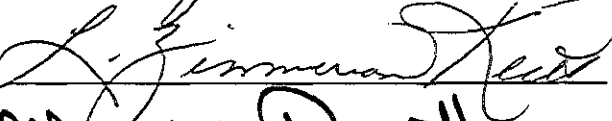
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to W. W. Dukes, Jr. in recognition of his services.

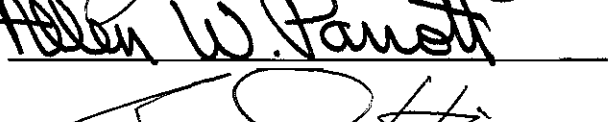
PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.



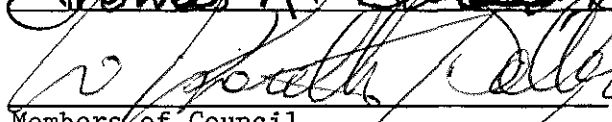
Mayor








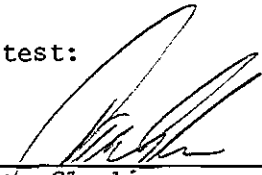






Members of Council

Attest:



City Clerk

RESOLUTION

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

That the rates of the Department of Public Utilities of the City of Orangeburg pertaining to Water, as heretofore adopted be, and the same are hereby repealed, and in lieu thereof, the Water 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 July 1, 1989 billings.

PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this 20th day of June, 1989.

Signed: E. O. Landrum's
Mayor
Frank O'Hare
Allen W. Danforth
Thomas A. Boland, Jr.
William D. DeLoach
W. Heath Miller
Sammy B. Strickland
Members of Council

ATTEST:
[Signature]
City Clerk and Treasurer

WATER RATES

No. 1 - RESIDENTIAL AND COMMERCIAL (Code 4A = Residential)
(Inside City Limits) (Code 4B = Commercial)

First	5,000 Cu. Ft. @ \$0.76 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$0.71 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$0.68 per 100 Cu. Ft. per month
All in excess of	30,000 Cu. Ft. @ \$0.53 per 100 Cu. Ft. per month

MINIMUMS:

For	3/4 inch tap	-----	\$ 3.75 per month
For	1 inch tap	-----	\$ 5.00 per month
For	1-1/2 inch tap	-----	\$ 7.50 per month
For	2 inch tap	-----	\$10.00 per month
For	3 inch tap	-----	\$15.00 per month
For	4 inch tap	-----	\$20.00 per month
For	6 inch tap	-----	\$30.00 per month

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

WATER RATES

No. 2 - INDUSTRIAL (Inside City Limits) (Code 4C)

First	5,000 Cu. Ft. @ \$0.76 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$0.71 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$0.68 per 100 Cu. Ft. per month
All in excess of	30,000 Cu. Ft. @ \$0.53 per 100 Cu. Ft. per month

MINIMUMS:

For	3/4 inch tap	_____	\$ 3.75 per month
For	1 inch tap	_____	\$ 5.00 per month
For	1-1/2 inch tap	_____	\$ 7.50 per month
For	2 inch tap	_____	\$10.00 per month
For	3 inch tap	_____	\$15.00 per month
For	4 inch tap	_____	\$20.00 per month
For	6 inch tap	_____	\$30.00 per month

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

WATER RATES

No. 3 - RESIDENTIAL AND COMMERCIAL (Code 4D = Residential)
(Outside City Limits) (Code 4E = Commercial)

First 5,000 Cu. Ft. @ \$1.38 per 100 Cu. Ft. per month
Next 10,000 Cu. Ft. @ \$1.20 per 100 Cu. Ft. per month
Next 15,000 Cu. Ft. @ \$0.95 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft. @ \$0.82 per 100 Cu. Ft. per month

MINIMUMS:

For 3/4 inch tap ----- \$ 6.85 per month
For 1 inch tap ----- \$ 9.00 per month
For 1-1/2 inch tap ----- \$13.75 per month
For 2 inch tap ----- \$18.25 per month
For 3 inch tap ----- \$27.00 per month
For 4 inch tap ----- \$36.00 per month
For 6 inch tap ----- \$55.00 per month

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

WATER RATES

No. 4 - INDUSTRIAL (Outside City Limits) (Code 4F)

First	5,000 Cu. Ft. @ \$1.15 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$0.98 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$0.79 per 100 Cu. Ft. per month
All in excess of	30,000 Cu. Ft. @ \$0.66 per 100 Cu. Ft. per month

MINIMUMS:

For	3/4 inch tap	-----	\$ 5.75 per month
For	1 inch tap	-----	\$ 7.50 per month
For	1-1/2 inch tap	-----	\$11.50 per month
For	2 inch tap	-----	\$15.00 per month
For	3 inch tap	-----	\$23.00 per month
For	4 inch tap	-----	\$30.00 per month
For	6 inch tap	-----	\$46.00 per month

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

WATER RATES

No. 5 - COMMERCIAL AND INDUSTRIAL DETECTO CHECK
FIRE SERVICE OR FULL FLOW FIRE SERVICE
(Inside City Limits) (Code 4G = Commercial)
(Code 4H = Industrial)

SERVICE CHARGE:

For 4 inch tap	_____	\$ 4.00 per month
For 6 inch tap	_____	\$ 5.00 per month
For 8 inch tap	_____	\$10.00 per month
For 10 inch tap	_____	\$20.00 per month
For 12 inch tap	_____	\$30.00 per month

COMMODITY CHARGE:

First	5,000 Cu. Ft. @ \$2.28 per 100 Cu. Ft.	per month
Next	10,000 Cu. Ft. @ \$2.14 per 100 Cu. Ft.	per month
Next	15,000 Cu. Ft. @ \$2.04 per 100 Cu. Ft.	per month
All in excess of	30,000 Cu. Ft. @ \$1.59 per 100 Cu. Ft.	per month

MINIMUM:

The monthly minimum charge shall be the monthly service charge as stated above.

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

WATER RATES

No. 6 - COMMERCIAL AND INDUSTRIAL DETECTO CHECK
FIRE SERVICE OR FULL FLOW FIRE SERVICE
(Outside City Limits) (Code 4I = Commercial)
(Code 4J = Industrial)

SERVICE CHARGE:

For 4 inch tap	_____	\$ 8.00 per month
For 6 inch tap	_____	\$10.00 per month
For 8 inch tap	_____	\$20.00 per month
For 10 inch tap	_____	\$40.00 per month
For 12 inch tap	_____	\$50.00 per month

COMMODITY CHARGE:

First	5,000 Cu. Ft. @ \$3.45 per 100 Cu. Ft.	per month
Next	10,000 Cu. Ft. @ \$3.04 per 100 Cu. Ft.	per month
Next	15,000 Cu. Ft. @ \$2.38 per 100 Cu. Ft.	per month
All in excess of	30,000 Cu. Ft. @ \$1.97 per 100 Cu. Ft.	per month

MINIMUM:

The monthly minimum charge shall be the monthly service charge as stated above.

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

WATER RATES

No. 7 - COMMERCIAL, COMBINED DOMESTIC AND FULL FLOW FIRE SERVICE
(Inside City Limits) (Code 4K)

SERVICE CHARGE:

For 4 inch tap	-----	\$ 4.00 per month
For 6 inch tap	-----	\$ 5.00 per month
For 8 inch tap	-----	\$10.00 per month
For 10 inch tap	-----	\$20.00 per month
For 12 inch tap	-----	\$30.00 per month

COMMODITY CHARGE:

First	5,000 Cu. Ft. @ \$0.76 per 100 Cu. Ft.	per month
Next	10,000 Cu. Ft. @ \$0.71 per 100 Cu. Ft.	per month
Next	15,000 Cu. Ft. @ \$0.68 per 100 Cu. Ft.	per month
All in excess of	30,000 Cu. Ft. @ \$0.53 per 100 Cu. Ft.	per month

MINIMUMS:

For 4 inch tap	-----	\$20.00 per month
For 6 inch tap	-----	\$30.00 per month
For 8 inch tap	-----	\$40.00 per month
For 10 inch tap	-----	\$50.00 per month
For 12 inch tap	-----	\$60.00 per month

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

WATER RATES

No. 8 - COMMERCIAL, COMBINED DOMESTIC AND FULL FLOW FIRE SERVICE
(Outside City Limits) (Code 4L)

SERVICE CHARGE:

For 4 inch tap	_____	\$ 8.00 per month
For 6 inch tap	_____	\$10.00 per month
For 8 inch tap	_____	\$20.00 per month
For 10 inch tap	_____	\$40.00 per month
For 12 inch tap	_____	\$50.00 per month

COMMODITY CHARGE:

First	5,000 Cu. Ft. @ \$1.38 per 100 Cu. Ft.	per month
Next	10,000 Cu. Ft. @ \$1.20 per 100 Cu. Ft.	per month
Next	15,000 Cu. Ft. @ \$0.95 per 100 Cu. Ft.	per month
All in excess of	30,000 Cu. Ft. @ \$0.82 per 100 Cu. Ft.	per month

MINIMUMS:

For 4 inch tap	_____	\$36.00 per month
For 6 inch tap	_____	\$55.00 per month
For 8 inch tap	_____	\$65.00 per month
For 10 inch tap	_____	\$75.00 per month
For 12 inch tap	_____	\$85.00 per month

Note: "General Terms and Conditions" and "Rules and Regulations" in effect apply to above. See Paragraph 4, "Rules and Regulations" for discount on above.

Effective: July 1, 1989 Billing

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 "GENERAL TERMS AND CONDITIONS" of the Department of Public Utilities of the City of Orangeburg, South Carolina, as heretofore adopted on May 17, 1983, be amended as follows:

Paragraph G-3-A-2 of Section III: Amend Paragraph G-3-A-2 of Section III of said "General Terms and Conditions" by striking said paragraph in its entirety and inserting in lieu thereof the following:

Paragraph G-3-A-2

2. Standard Tap Fees Per Unit:

3/4 Inch	\$225.00
1 Inch	\$250.00
1-1/2 Inch	\$400.00
2 Inch	\$450.00
2-1/2 Inch and Over	Estimated Cost

Paragraph G-3-B-3 of Section III: Amend Paragraph G-3-B-3 of Section III of said "General Terms and Conditions" by striking said paragraph in its entirety and inserting in lieu thereof the following:

Paragraph G-3-B-3

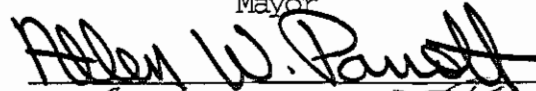
2. Standard Tap Fees Per Unit:

3/4 Inch	\$225.00
1 Inch	\$250.00
1-1/2 Inch	\$400.00
2 Inch	\$450.00
2-1/2 Inch and Over	Estimated Cost

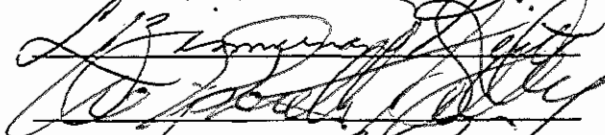
PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina, this 20th day of June A. D., 1989.



Mayor



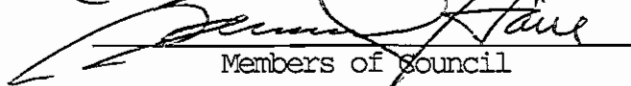
Member of Council



Member of Council

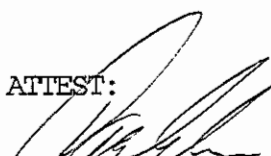


Member of Council



Members of Council

ATTEST:



City Clerk and Treasurer

City of Orangeburg, S. C.

Adopted by Resolution May 17, 1983.

Revised by Resolution September 18, 1984.

Revised by Resolution November 19, 1985.

Revised by Resolution December 3, 1985.

Revised by Resolution February 18, 1986.

Revised by Resolution November 18, 1986.

Revised by Resolution December 6, 1988.

Revised by Resolution June 20, 1989.

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 degree Fahrenheit at 60 degree 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 changeover devices and other temporary or permanent devices through which or because of which backflow can or may occur are considered to be cross-connections.
- N. "Unit" shall mean a single dwelling unit (i.e. an apartment, a condominium, or a mobile home), a single shop or business establishment, or an industrial establishment. Each guest room of a hotel or motel shall be considered 1/2 unit.

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 Customer's 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 Customer's 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 Department will install and furnish natural gas where any new investment is warranted by the revenue anticipated from the service to be supplied. Where the service to be supplied does not

produce revenue sufficient to support the expenditure required to serve it, the Department will determine in each case the amount of payment and how it shall be paid by the customer.

- 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.

2. Standard Tap fees per unit:

3/4 inch	\$225.00
1 inch	\$250.00
1-1/2 inch	\$400.00
2 inch	\$450.00
2-1/2 inch and over	Estimated Cost

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. Main Line Extensions

1. 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.
2. The cost of labor and equipment shall be paid by the Department.

b. Other than Main Line Extensions

1. The Customer will pay for all cost incurred in the extension.

3. Standard Tap fees per unit:

3/4 inch	\$225.00
1 inch	\$250.00
1-1/2 inch	\$400.00
2 inch	\$450.00
2-1/2 inch and over	Estimated Cost

C. Fire Service Taps

1. Existing Fire Service Taps

Fire service taps before January 1, 1989 are for fire protection only. The Department will install detector check valves with meter on all fire services made prior to January 1, 1989. This meter will be read each month and the customer billed as per the appropriate rate schedule. If this detector meter shows consumption for any four months in a twelve month period, the customer will be required to install at his expense, a full flow fire service meter.

2. New Fire Service Taps

All new fire service taps after January 1, 1989 will require the installation of a full flow fire service meter. The customer will be required to purchase a fire service tap of the size he desires, to meet his fire protection requirements. This tap may be used for both fire protection and domestic service at the discretion of the Department. Water used to actually fight a fire will not be billed.

- a. All fire service taps connected to an anti-freeze (wet) system or one which has private hydrants will require a State approved double check backflow preventer supplied by the customer at his expense. Those fire services utilizing a standard alarm check (dry) system will not require a backflow device unless under unusual circumstances such a device is deemed necessary by the Department.
 - b. The customer will be required to grant to the Department an easement adjacent to the property line at which the connection to the Department's water system is to be made, for the purpose of the meter installation including a vault to hold the meter and associated equipment. The meter and vault will be the property of the Department under its sole control. The backflow device, if required, shall be the property of the customer and the responsibility for its maintenance in accordance with the rules and regulations of the South Carolina Department of Health and Environmental Control and the Department, shall remain with the customer.
3. Monthly Fire Service Availability Charge

A monthly fire service availability fee will be charged to each customer provided with fire protection. This charge will be in accordance with the rate schedule.

4. Fire Service Tap Fees Per Tap:

The cost of a fire service tap will be calculated by the Department for each individual case. The cost will include all materials and labor (including the meter and vault).

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.

2. Standard Tap fees per unit:

4 inch	\$ 300.00
6 inch	\$ 400.00
8 inch	\$1,000.00

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. Main Line Extensions

1. 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.
2. The cost of labor and equipment shall be paid by the Department.

b. Other than Main Line Extensions

1. The Customer will pay for all cost incurred in the extension.

3. Standard Tap fees per unit:

4 inch	\$ 300.00
6 inch	\$ 400.00
8 inch	\$1,000.00

4. Special tap fees per unit: (This fee pertains to services served by the Riverside-Caw Caw Lift Station.

4 inch	\$ 600.00
6 inch	\$ 800.00
8 inch	\$2,000.00

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 Department's Plumbing Rules and Regulations and the Standard Plumbing Code and must be inspected by the Department.

- c. In installations where conditions, as prescribed by the State Safe Drinking Water Act (SC Code 44-55-10), require backflow prevention, the Department will require the customer to install at his expense cross connection control devices in the category required by the State Law.
- d. Where cross connection protection devices in the various categories are required, the customer is required to perform or cause to be performed inspections and operational tests on a schedule to be determined by the Department. These tests shall be performed by the customer or his agent at the customer's expense at least once per year. These tests and inspections must be performed by a person duly certified in the appropriate category by the South Carolina Department of Health and Environmental Control to perform such tests.

The Department will notify the customer in writing informing him that within thirty (30) days he must provide proof, on an approved format, that the inspection and testing has been accomplished. The customer is required to notify the Department at least three (3) working days in advance of exactly where and when the inspection and testing is to be performed. The Department may elect to witness the test.

Any cross connection control device found to be defective shall be satisfactorily repaired or replaced at the customer's expense. Records of inspection, testing and maintenance of these devices shall be kept by the owner and made available to the Department upon request. Failure to perform inspection, testing and maintenance of these units as required will result in the Department classifying the service as an unprotected cross connection.

- e. In the event it is determined that an unprotected cross connection exists, 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 and shall be installed in accordance with the Department's Plumbing Rules and Regulations pertaining to clean-outs. 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 Department's Plumbing Rules and Regulations and 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 services 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 twenty (20) areas for billing purposes. 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 including the date of the bill, 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 including the date of the bill. 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 including the date of the bill. If the 10th day including the date of the bill 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 29th day after the date of the bill.
6. When bills are not paid on or before the 30th day including the date of the bill (or the following business day if the 30th day including the date of the bill 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 ten (\$10.00) 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.
2. Deposits shall be returned when the customer completes twenty-four (24) consecutive payments without an arrears.

A RESOLUTION TO ADOPT THE "PROJECT GOOD NEIGHBOR"
PROGRAM FOR THE PURPOSE OF ASSISTING HANDICAPPED,
UNEMPLOYED, ELDERLY AND LOW INCOME CUSTOMERS OF THE
DEPARTMENT OF PUBLIC UTILITIES IN OBTAINING
EMERGENCY ENERGY ASSISTANCE

WHEREAS, the handicapped, unemployed, elderly and low income customers of the Department of Public Utilities of the City of Orangeburg often encounter difficulties in receiving adequate fuel for household purposes, and

WHEREAS, the City of Orangeburg through its Department of Public Utilities wishes to assist those customers who need assistance in obtaining the necessary household fuel, and

WHEREAS, the Edisto United Way and the Cooperative Church Ministries of Orangeburg have agreed to administer the "Project Good Neighbor" program as outlined on the guidelines for said program attached hereto and made a part hereof by reference, now, therefore,

BE IT RESOLVED by the Mayor and Council of the City of Orangeburg, in Council duly assembled and by authority of the same, that the "Project Good Neighbor" program is hereby adopted according to the guidelines attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that the Manager of the Department of Public Utilities shall have the authority to take any and all actions necessary to implement said program.

DONE AND RATIFIED by the City Council of the City of Orangeburg, State of South Carolina, this 20th of June, 1989.

Signed:

E. O. Fendarris
Mayor

Alvin G. Johnson
W. Scott Miller
James H. Kelly
Thomas A. Baland, Jr.
Allen W. Parrott
Sammy Haire
Members of Council

ATTESTED:

[Signature]
City Clerk

PROPOSAL

The Department of Public Utilities recommends the approval of a program to allow customers of the Department to make contributions through their monthly utility bill for the purpose of providing energy assistance to the qualified needy.

1. The customer's decision to participate shall be strictly voluntary and the customer shall have the option to withdraw from the program at any time.
2. The Cooperative Church Ministries of Orangeburg (CCMO) shall be responsible for qualifying recipients.
3. All monies collected through this program are to be delivered to the Edisto United Way for disbursing to qualified recipients.
4. This program shall be called "Project Good Neighbor".

The details of this program are enclosed.

"PROJECT GOOD NEIGHBOR"

Purpose

The purpose of this program is to provide emergency energy assistance to residents in the Department of Public Utilities service area.

1. The Collection of Monies
 - a. The Department will provide all funding to finance the advertising, computer programming, the purchase of Department forms needed, and the cost to maintain proper Department accounting records.
 - b. The customer will be offered a variety of amounts to donate. The list shall include \$1, \$2, \$3, \$4, \$5 or any dollar amount greater than five. The dollar amount selected by the customer shall be added monthly to the customer's bill until one of the following occurs.
 1. The account terminates
 2. The customer requests to stop donations
 3. The customer fails to pay the donation amount three consecutive months
 - c. The program will accept separate donations from customers and non-customers.
2. The Transfer of Monies
 - a. The Department shall deliver weekly to the United Way all donations collected.
3. Recipient Qualifications
 - a. The recipient must live in the electric service area of the Department of Public Utilities.
 - b. The CCMO will be responsible for interviewing all applicants for assistance from the "Project Good Neighbor" donations. In doing so, CCMO shall require that the applicant provide the following:
 - a record of monthly income and expenses of all persons living in the family unit or household;
 - information indicating that his/her current financial situation makes it impossible to pay the money needed to avoid an imminent cutoff of fuel, or to pay the amount needed to provide

fuel for a household which is already without fuel;

- information indicating that the applicant's household has had its cooking and/or heating fuel supply (and/or cooling fuel supply for those medically in need of it) cut off, or that it is in imminent danger of being cut off;
 - information which indicates that his/her current financial situation and that of the family unit or household are the result of circumstances beyond the control of the applicant and not simply the result of mismanagement of household funds by said parties.
- c. The CCMO shall verify the information given in section 3b, and shall be the sole judge of whether the applicant's need for fuel assistance is the result of mismanagement of household funds, or of circumstances beyond the applicant's control.
- d. Besides meeting the criteria in section 3b, the applicant must fall into one of the following categories: handicapped, unemployed, 62 years old or older, single head of household whose income falls below the poverty level of Orangeburg County, or a couple whose combined income is below the poverty level of Orangeburg County.
- e. In special circumstances such as loss of home and property because of a burn-out, an applicant whose family income is above the poverty level of Orangeburg County is eligible for assistance from the "Project Good Neighbor" funds, provided the applicant, in the opinion of CCMO, meets the general requirements of Section 3b.
- f. The CCMO shall only issue energy assistance with "Project Good Neighbor" funds to a recipient or household for one month's bill per calendar year.
- g. The CCMO will issue energy assistance vouchers for wood, kerosene, coal, oil, propane gas, or utility bills of a customer or recipient of electrical and/or gas service from the Department of Public Utilities.
- h. The CCMO must not discriminate in disbursement of funds because of race, religion, color, political affiliation, physical disability, national origin, sex or age.
- i. The CCMO shall issue vouchers to the recipients to take to the United Way.

- j. The CCMO shall only issue assistance with "Project Good Neighbor" funds to the individual or household named on the bill.
 - k. Based on the amount of money on hand in the "Project Good Neighbor" fund at a given time, CCMO shall decide how much energy assistance shall be given. The limit of any disbursement shall be Two Hundred and no/100 (\$200.00) Dollars.
 - l. The CCMO shall receive up to two (2%) percent of the funds received by "Project Good Neighbor" in order to pay for expenses incurred by CCMO in the administration of the "Project Good Neighbor" program.
4. The Disbursement of Monies
- a. The Edisto United Way shall disburse monies according to vouchers issued by CCMO.
 - b. The funds may only be disbursed for energy assistance.
 - c. The records of disbursements must be kept according to good accounting standards by the United Way. Back-up files on each recipient of "Project Good Neighbor" funds shall be kept at CCMO. These records must be open for inspection by the outside auditing firm of the city.
 - d. The Edisto United Way shall receive up to four (4%) percent of the funds received by "Project Good Neighbor" in order to pay for expenses incurred by The Edisto United Way in the administration of the "Project Good Neighbor" program.

R E S O L U T I O N

WHEREAS, William C. Ziegler served the City of Orangeburg as a member of the Board of Adjustments from January 5, 1965 until May 16, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Board of Adjustments; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Board of Adjustments, wants to inscribe on the records its appreciation.

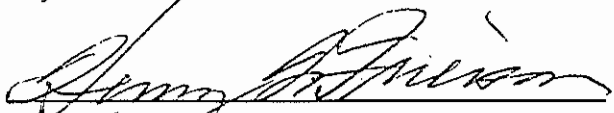
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by William C. Ziegler as a member of the Board of Adjustments for twenty four (24) years and four (4) months and commend him for a job well done.

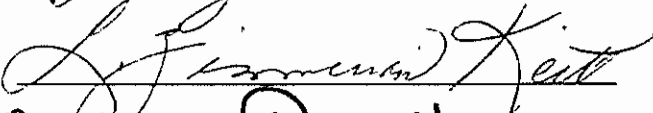
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to William C. Ziegler in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.



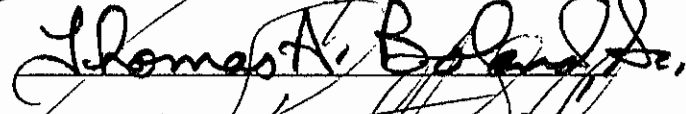
Mayor

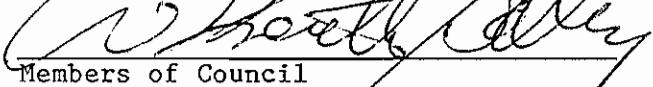






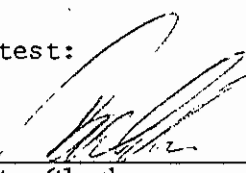






Members of Council

Attest:



City Clerk

RESOLUTION

WHEREAS, Freda Summers served the City of Orangeburg as a member of the Planning Commission from March 1, 1988 until June 6, 1989; and

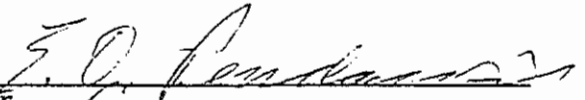
WHEREAS, She, through her faithful service and leadership, contributed greatly to the successful operation of the Planning Commission; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Planning Commission, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by Freda Summers as a member of the Planning Commission for one (1) year and three (3) months and commend her for a job well done.

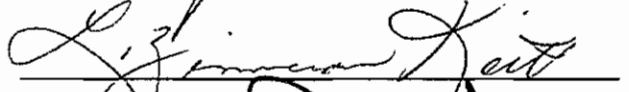
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of her devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Freda Summers in recognition of her services.

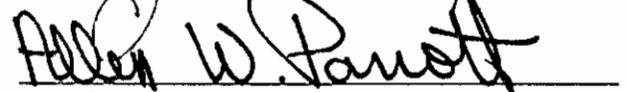
PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

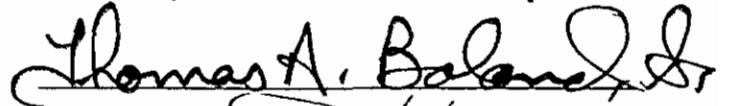


Mayor













Members of Council

Attest:



City/Clerk

R E S O L U T I O N

WHEREAS, D. M. Zimmerman served the City of Orangeburg as a member of the Board of Adjustments from August 1, 1972 until June 6, 1989; and

WHEREAS, He, through his faithful service and leadership, contributed greatly to the successful operation of the Board of Adjustments; and

WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg and the Board of Adjustments, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg by D. M. Zimmerman as a member of the Board of Adjustments for sixteen (16) years and ten (10) months and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to D. M. Zimmerman in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

E. O. Anderson
Mayor

Henry H. Wilson

D. M. Zimmerman

Blair H. Hume

Allen W. Parrott

Thomas A. Boland, Jr.

W. Keith Alley
Members of Council

Attest:

[Signature]
City Clerk

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BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to William C. Ziegler in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

E. C. Farnsworth
Mayor

Samuel A. Faison

L. J. Fismen

Allen W. Parrott

Sam Hare

Thomas A. Boland, Jr.

W. Scott Alley
Members of Council

Attest:
[Signature]
City Clerk

RESOLUTION

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BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of her devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to Freda Summers in recognition of her services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

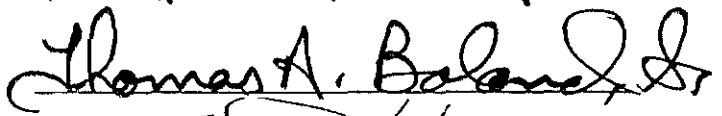


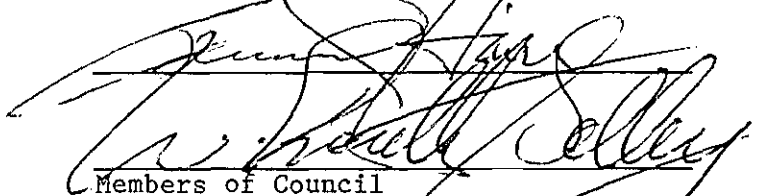
Mayor












Members of Council

Attest:



City Clerk

R E S O L U T I O N

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BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minutes book of the City and a copy furnished to D. M. Zimmerman in recognition of his services.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, the 20th day of June, 1989.

E. O. Anderson
Mayor

Henry H. Wilson

D. M. Zimmerman

Blaine Hane

Allen W. Parrott

Thomas A. Ballard, Jr.

W. Keith Alley
Members of Council

Attest:
[Signature]
City Clerk

SPECIAL CITY COUNCIL MINUTES
JUNE 27, 1989

439

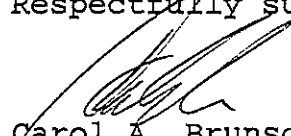
Orangeburg City Council held a special meeting on June 27, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Boland, unanimously approved the second reading of an ordinance for sale of \$5,000,000 in bonds and authorized Mayor Pendarvis to sign necessary documents for low bid on the bond on July 27, 1989.

Council withheld assigning the registrar of the bonds until the bank service fees can be determined.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

ABB132

SPECIAL SESSION
CITY COUNCIL MINUTES

JULY 4, 1989

Orangeburg City Council held a Special Session meeting on July 4, 1989 at 7:00 P.M. in the Conference Room of the Department of Public Utilities, 195 Russell S.W. with Mayor E.O. Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E.O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

Mayor Pendarvis opened the meeting by thanking everyone for attending the Special Session of City Council which was scheduled on the July 4th holiday. He then proceeded to give his feelings of DPU in regard to the City of Orangeburg. He stated "DPU is the difference between Orangeburg being a very ordinary community and a very unique and excellent one". He reminded council that they are serving on a board of directors for one of the "largest and most successful businesses operating in our area." He also expressed that the four new-member majority is running the City and controls its outcome. He also stated he had no problem going along with their decisions, but would express his opinion and when the four (referring to the four-three split between new and old members) have spoken that he would abide by their decisions. He felt it is Council's responsibility to find out what is wrong with Orangeburg and if changes need to be made that they be carefully thought through. Council runs the City and they are in charge.

The meeting was then turned over to Ted Johnson, Manager of the Department of Public Utilities.

Concern was expressed by Councilmembers Salley and Boland as to the absence of Carol Ann Brunson, the City Clerk and Finance Director. It was their understanding that the bond attorney stated it was necessary that she or someone designated by her be present to certify the bonds. A DPU employee took the minutes. Councilmember Boland stated to proceed and if it became necessary to continue at another time, Council would.

A motion by Councilmember Salley and Seconded by Councilmember Tom Boland gave the Mayor authorization to sign documents pertaining to the Grant Award for the 1988 Rental Rehab Program from the Governor's Office, Division of Economic Development in the amount of \$100,000. Approval was also reiterated for the Mayor to sign the appropriate documents on behalf of the City of Orangeburg for making application for HUD Discretionary Funds.

A motion made by Councilmember Haire and seconded by Councilmember Keitt, unanimously approved the final reading of the Ordinance providing for the sale of \$5 million bond issue for the water expansion project. Citizens and Southern Trust Company was designated to serve as Registrar and Paying Agent for the revenue bond issue.

A motion by Mayor Pendarvis, seconded by Councilmember Frierson, unanimously approved the low bid of \$7,033,000 from Inman and Associates of North Charleston for the Water Plant Expansion.

ABB132

A motion by Councilmember Haire, seconded by Councilmember Salley, unanimously approved the low bid of \$102,790 from Utility Contractors of Ridgeville for the improvements to be made to the Water Treatment Plant Finished Water Reservoir.

A brief overview of the Department of Public Utilities was given by DPU Manager, Ted Johnson.

David E. Gillam, Director of the Electric Division, described the 115 volt transmission line that will eventually loop around the city. Mr. Gillam stated this line will provide 50 percent more capacity and will "carry us into the next century." The cost for the current phase, including a new substation will be approximately \$2 million. Another \$4 million is anticipated to complete the loop. Mr. Johnson added, because of the recent rate increase awarded SCE&G, which DPU is already paying, we are working on a proposed increase in electric rates. This increase will only cover the cost of the increase from SCE&G. The anticipated increase will be less than 2 percent. This will mean an increase of less than \$1 per month for the average residential customer.

O. Thomas Miller, Jr., Director of the Gas Division, then gave a presentation to council describing the gas propane air plant, which is used to provide fuel to residential customers during extremely cold weather. Mr. Johnson advised South Carolina Pipeline, the supplier for DPU's natural gas, has filed for a rate increase and anticipates natural gas prices to increase. He advised it is still too early to tell the effect on residential customers.

Fred H. Boatwright, Director of the Water and Wastewater Divisions, was then introduced to Council. Mr. Boatwright thanked Council for giving final approval of the issuance of the \$5 million in bonds for the water plant expansion. He then gave a presentation of the water and wastewater facilities. The water plant expansion will help to meet the new legal regulations for sludge disposal, increase the treatment capacity from 11 to 19 million gallons a day, provide a new laboratory and rehabilitate the reservoir. Mr. Boatwright advised that plans are in the works to increase the capacity of the wastewater plant from six to nine million gallons per day. Ted Johnson stated that a study is being made regarding a future increase in wastewater rates. There has not been an increase since the 1970's and a decrease in 1983. This will support overall inflation and the cost to support the division.

Michael Sells, Director of the Administrative Division, and Reginald Glenn, Customer Accounts Supervisor, were introduced to Council by Ted Johnson. Ted Johnson then outlined a proposal that would help to respond to what customer service representatives say is their biggest complaint from customers. This policy would allow good customers (mostly moderate to low income) to continue to receive a discount for prompt payment if they miss once within a year. Councilmembers Haire and Keitt both agreed that the proposal will only benefit those who can pay. They requested that we look into ways to help the person who, because of economic conditions, month after month has to pay the penalty. Councilmember Boland asked if we could accommodate customers who are on Social Security and receive their checks at a different time when meters are read. Reginald Glenn advised there are programs now in effect to help the low income customers and addressed the "Good Neighbor" policy, which was recently passed by Council and also the Salvation Army and other local community agencies who provide help. Ted Johnson stated that a study was presently being prepared and that those on welfare and those retired are also being considered. Ted Johnson explained that there will be many high cost factors to these changes such as adding 12 meter readers and rewriting the present computer program. Councilmember Boland expressed that our Senior Citizens are worth the effort. Councilmember Salley expressed "the discount is an emotional issue." He stated we are charging customers much less than any other area in the state. This will only drive our rates up. Advised that we should go very slow and be very cautious about this.

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 June 1, 1989, for Finished Water Reservoir Renovations.

WHEREAS, the low responsible bid for this work was submitted by Utility Contractors, Inc. of Ridgeville, South Carolina, in the amount of \$102,790.00; 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 by the City Council, in Council assembled, at Orangeburg, South Carolina this 4th of July A.D., 1989.

Signed:

E. O. Perdue, Jr.
Mayor

Thomas A. Boland, Jr.
J. J. Johnson
W. Heath Alley
Paul Harris
Alley W. Harris
Samuel Johnson
Members of Council

ATTEST:

[Signature]
City Clerk and Treasurer

Councilmember Boland expressed the meeting with DPU was what he had envisioned as a way for council to get more involved with DPU operations. The new members of council are "not trying to destroy anything" but bring utility matters to public notice.

Councilmember Haire questioned DPU policies and recent employee salary raises. Ted Johnson stated that according to policy the manager has the authority to sign contracts and "operate like a utility" and that all raises are within the classification ranges established by council. Councilmember Haire also questioned his personal utility bill. He was given an explanation as to the due date and how DPU receives utility payments in its night depository.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Becky A. Austin

Becky A. Austin, Secretary to Manager
Department of Public Utilities

ABB132

CITY COUNCIL MINUTES
JULY 18, 1989

Orangeburg City Council held its regularly scheduled meeting on July 18, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
Allen W. Parrott
W. Everette Salley

ABSENT: L. Zimmerman Keitt

A Public Hearing was held to receive public comments concerning the Fixed Base Operator's Lease at the Orangeburg Municipal Airport. Ms. Rhudy stated that Mr. Hinchie McGee would not pay his hangar fees. Ms. Rhudy wants to have his airplane removed and Attorney Walsh states that she can take whatever action is necessary. The hangar lease is between Ms. Rhudy and Mr. McGee.

A motion by Councilmember Salley, seconded by Councilmember Frierson, unanimously approved the June 20, 1989, City Council Minutes, June 27, 1989, Special City Council Minutes and the July 4, 1989 Special City Council Minutes as distributed.

Mayor Pendarvis presented Resolutions to the following retired employees for their service to the City.

John W. Barber	Public Safety/Fire Division	37 years-4 months
Harold S. Carter	Public Safety/Police Division	27 years-9 months
Oscar Baker, Jr.	Dept. of Public Utilities	32 years-7 months

An appearance was made by Mr. Sam Fogle of the Orangeburg Fair Association. He stated that he had a six inch pipe line and it was changed to a two inch one. He wanted to know why it was not replaced with a six inch. Ted Johnson, DPU Manager, stated that the line at the time (1921) served only fairs. It was later extended with a loop to provide other services. Mayor Pendarvis stated that he wanted the City to do what's within the rules and regulations. Mr. Fogle wanted DPU to reinstall proper hydrants and meters to accommodate the hydrants that were removed.

Mr. Don Crawford of Ambler Industries made an appearance requesting that he be given his discount on his utility bill stating that due to an undetermined reason he did not receive his bill on time for it to be processed for payment with the discount. (bill dated 5-6-89, mailed 5-5-89, received in Philadelphia 5-24-89). Council took no action on this matter.

A motion by Mayor Pendarvis, seconded by Councilmember Salley, unanimously approved the purchase of Moseley Parking lot. This was done by ratification.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the second reading of an ordinance to annex Farmers Furniture (remaining property) on highway 301 into the City.

A motion by Councilmember Haire, seconded by Councilmember Frierson, approved the Fixed Base Operator's Lease at the Orangeburg Municipal Airport. Councilmember Salley abstained. It was the recommendations of the Airport Commission that we continue with the lease. Mr. Hinchie McGee, who was not present for the Public Hearing, wanted to still express his concern about Ms. Rhudy. He had no new complaints to bring before council.

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 June 1, 1989, for Expansion and Modification to Water Treatment Facilities.

WHEREAS, the low responsible bid for this work was submitted by Inman & Associates of North Charleston, South Carolina, in the amount of \$7,033,000.00; 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 by the City Council, in Council assembled, at Orangeburg, South Carolina this 4th of July A.D., 1989.

Signed: E.O. Lombardi's
Mayor
Thomas A. Baland, Jr.
L.J. Funderburg
W. Keith Alley
James Haire
Allen W. Harrell
Samuel B. Johnson
Members of Council

ATTEST:
[Signature]
City Clerk and Treasurer

R E S O L U T I O N

WHEREAS, John W. Barber became an employee of the Department of Public Safety/Fire Division of the City of Orangeburg on February 15, 1952 and faithfully served this Department and the City until June 30, 1989; and


WHEREAS, he, through his long and faithful service contributed greatly to the successful operation of the Department of Public Safety/Fire Division.

WHEREAS, the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

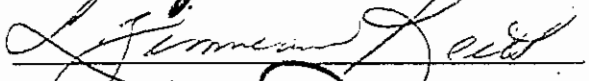
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg Public Safety Department/Fire Division in the capacities in which he served the Department for the past thirty-seven years, four months and fifteen days, and commend him for a job well done.


BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minute book of the City and a copy furnished to Mr. Barber in recognition of his services.

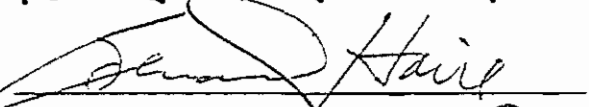
PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 18th day of July, 1989.

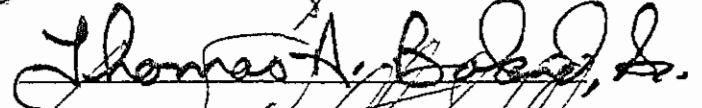

MAYOR













MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

R E S O L U T I O N

WHEREAS, Harold S. Carter became an employee of the Department of Public Safety/Police Division of the City of Orangeburg on September 13, 1961 and faithfully served this Department and the City until June 30, 1989; and

WHEREAS, he, through his long and faithful service contributed greatly to the successful operation of the Department of Public Safety/Police Division.



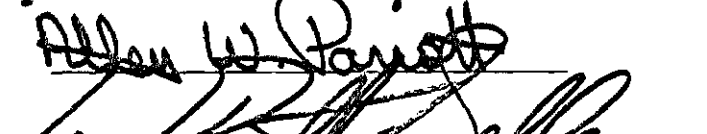
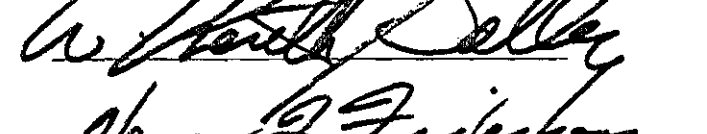
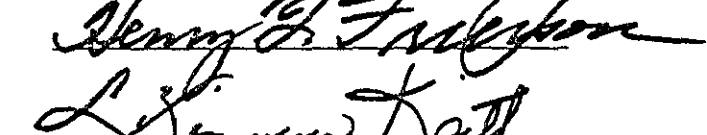
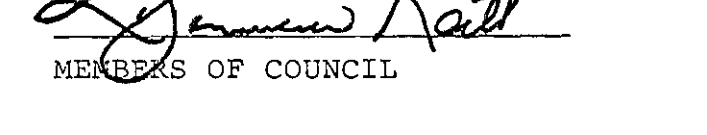
WHEREAS, the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the City of Orangeburg Public Safety Department/Police Division in the capacities in which he served the Department for the past twenty-seven years, nine months and seventeen days, and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minute book of the City and a copy furnished to Mr. Carter in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 18th day of July, 1989.


MAYOR







MEMBERS OF COUNCIL


CITY CLERK

R E S O L U T I O N

WHEREAS, Oscar Baker, Jr. became an employee of the Department of Public Utilities of the City of Orangeburg on November 24, 1956, and faithfully served this Department and the City until June 30, 1989, and

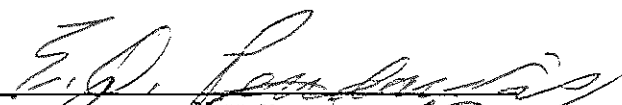
WHEREAS, He, through his long and faithful service contributed greatly to the successful operation of the Department of Public Utilities, and

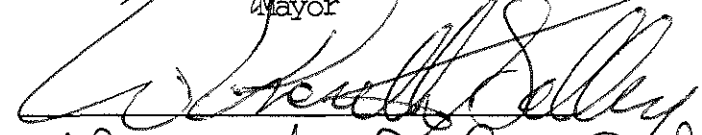
WHEREAS, The City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation, now, therefore,


BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the Department of Public Utilities of the City of Orangeburg by Oscar Baker, Jr. in the capacities in which he served the Department for the past thirty-two years, seven months and six days, and commend him for a job well done.

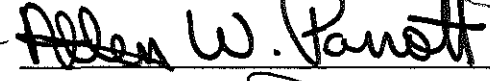
BE IT FURTHER RESOLVED that a copy of this resolution, in appreciation of his devotion of duty to the City of Orangeburg, be placed in the minute book of the City and a copy furnished to Mr. Baker in recognition of his services.

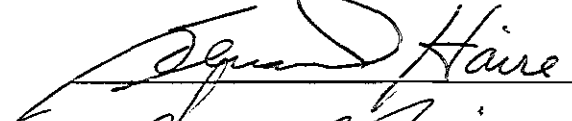
PASSED By the City Council of the City of Orangeburg, State of South Carolina, this 18th day of July, A.D., 1989.

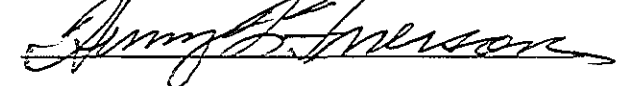


Mayor




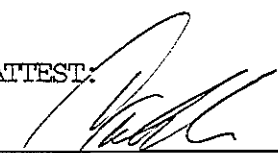






Members of Council

ATTEST:



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, South Carolina, in Council assembled, and by authority of the same:

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 July 24, 1989 billings.

PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this 18th day of July, 1989.

Signed:

E. O. Landrum
Mayor

Alan W. Poynter
W. Keith Selley
Thomas A. Bolger, Jr.
Henry E. Travers

Members of Council

ATTEST:

[Signature]
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 @ \$0.1343 per kwhr
Next	200 kwhr @ \$0.0732 per kwhr
All in excess of 250 kwhr	@ \$0.0625 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: July 24, 1989

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 @ \$0.1343 per kwhr
Next 200 kwhr @ \$0.0732 per kwhr
All in excess of 250 kwhr @ \$0.0625 per kwhr

Winter Season

First 50 kwhr @ \$0.1343 per kwhr
Next 200 kwhr @ \$0.0732 per kwhr
Next 750 kwhr @ \$0.0625 per kwhr
All in excess of 1,000 kwhr @ \$0.0515 per kwhr

Minimum

\$6.38 per meter per month.

The winter season begins with Cycle 7 bills dated November and ends with Cycle 6 bills dated May. 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: July 24, 1989

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 @ \$0.1322 per kwhr
Next	100 kwhr @ \$0.1211 per kwhr
Next	200 kwhr @ \$0.0979 per kwhr
Next	2,650 kwhr @ \$0.0744 per kwhr
All in excess of 3,000 kwhr	@ \$0.0654 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: July 24, 1989

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 use 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 @ \$0.1322 per kwhr
Next	100 kwhr @ \$0.1211 per kwhr
Next	200 kwhr @ \$0.0979 per kwhr
Next	2,650 kwhr @ \$0.0744 per kwhr
All in excess of 3,000 kwhr	@ \$0.0654 per kwhr

Winter Season

First	50 kwhr @ \$0.1322 per kwhr
Next	100 kwhr @ \$0.1211 per kwhr
Next	200 kwhr @ \$0.0979 per kwhr
Next	650 kwhr @ \$0.0744 per kwhr
Next	2,000 kwhr @ \$0.0699 per kwhr
All in excess of 3,000 kwhr	@ \$0.0566 per kwhr

Minimum

\$16.90 per meter per month.

The winter season begins with Cycle 7 bills dated November and ends with Cycle 6 bills dated May. 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: July 24, 1989

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 @ \$1,037.00 of billing demand
All in excess of 100 kw @ \$10.37 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 percent (80%) of the highest demand occurring during the eleven preceding months, or (3) the contract demand, or (4) 100 KW.

Energy Charge

All kwhr @ \$0.03080 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 percent. 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 percent, the demand for billing purposes will be determined by multiplying the maximum kw demand by 85 percent and dividing by the determined power factor. No credit shall be given for power factor greater than 85 percent.

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

Effective: July 24, 1989

ELECTRIC RATE

NO. 4 - IRRIGATION SERVICE (CODE 2F)

APPLICATION: To any customer for all power and energy used at any one location where service of a single character is taken through one meter for the operation of electric motor driven pumps and equipment supplying water for irrigation of farmlands and plant nurseries. The pumping units served hereunder shall be used solely for the purpose of irrigation.

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

STANDARD RATE

I. SUMMER - Months of June - September

ON-PEAK - Billing Demand - \$ 5.78 per kw. of billing demand
Energy ----- \$.1357 per kwhr.

SHOULDER - Energy ----- \$.0905 per kwhr.

OFF-PEAK - Energy ----- \$.0452 per kwhr.

II. WINTER - Months of October - May

All Energy ----- \$.0452 per kwhr.

MINIMUM CHARGE: The monthly minimum charge shall be \$12.00 per month except when the revenue produced by the customer does not sufficiently support the investment required to serve the load. The Company will determine in each case the amount and form of payment required to correct the revenue deficiency.

ON-PEAK, SHOULDER, AND OFF-PEAK HOURS

- A. On-Peak Hours: Summer months of June through September
The on-peak hours are defined as the hours between 1:00 p.m. - 7:00 p.m. Monday - Friday, excluding holidays *
- B. Shoulder Hours: Summer months of June through September
The shoulder hours are defined as the hours between 11:00 a.m. - 1:00 p.m. and 7:00 p.m. - 9:00 p.m. Monday - Friday, excluding holidays *
- C. Off-Peak Hours: The off-peak hours in any month are defined as all hours not specified above as on-peak or shoulder hours.

*Holidays are Independence Day and Labor Day.

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

Effective: July 24, 1989

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 @ \$0.13890 per kwhr per month
Next	100 kwhr @ \$0.11687 per kwhr per month
Next	200 kwhr @ \$0.10768 per kwhr per month
Next	4,650 kwhr @ \$0.07111 per kwhr per month
All in excess of 5,000 kwhr @ \$0.05797 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: July 24, 1989

ELECTRIC RATE

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

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 @ \$10,377.00 of billing demand
All in excess of 1,000 kw @ \$9.88 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 percent (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 @ \$0.03080 per kwhr
All in excess of 400,000 kwhr @ \$0.02970 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 percent. 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 percent, the demand for billing purposes will be determined by multiplying the maximum kw demand by 85 percent and dividing by the determined power factor. No credit shall be given for power factors greater than 85 percent.

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: July 24, 1989

ELECTRIC RATE

NO. 9 - OVERHEAD PRIVATE LIGHTING (Code 2K, 2L, 2M, 2Q, 2R, 2S)

The following is the rate schedule for lights installed for customers on company's standard poles which are a part of company's distribution system.

<u>Size</u>	<u>Lamp Charges Per Month</u>	<u>Kwhr. Per Month</u>	<u>Watts</u>
2K - 7,500 Lumens (Mercury) Open Type Globe	\$ 5.93/each	70	175
2L - 20,000 Lumens (Mercury) Closed Type Globe	\$11.29/each	140	400
2M - 50,000 Lumens (Mercury) Closed Type Globe	\$17.70/each	400	1000
2Q - 9,500 Lumens (HPS) Open Type Globe	\$ 5.93/each	40	100
2R - 27,500 Lumens (HPS) Closed Type Globe	\$11.29/each	105	250
2S - 50,000 Lumens (HPS) Closed Type Globe	\$17.70/each	160	400

Cost Per Month For Each Additional Pole:

<u>30 ft.</u>	<u>35 ft.</u>	<u>40 ft.</u>	<u>45 ft.</u>
\$1.30	\$2.00	\$2.50	\$3.00

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: July 24, 1989

ELECTRIC RATE

NO. 10 - STREET LIGHTS (Code 2J, 2N, 2O, 2P, 2T, 2U, 2V, 2W, 2Y)

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

The following is the rate schedule for lights installed for street lighting in the City of Orangeburg.

A. Unmetered Street Lights

<u>Size</u>	<u>Lamp Charges Per Month</u>	<u>Kwhr. Per Month</u>	<u>Watts</u>
2N - 7,500 Lumens (Mercury) Open Type Globe	\$ 6.21/each	70	175
2O - 20,000 Lumens (Mercury) Closed Type Globe	\$11.86/each	140	400
2P - 50,000 Lumens (Mercury) Closed Type Globe	\$30.08/each	400	1000
2T - 9,500 Lumens (HPS) Open Type Globe	\$ 6.21/each	40	100
2U - 27,500 Lumens (HPS) Closed Type Globe	\$11.86/each	105	250
2V - 36,000 Lumens (HPS) Closed Type Globe	\$12.42/each	140	360
2W - 50,000 Lumens (HPS) Closed Type Globe	\$13.41/each	160	400
2Y - 140,000 Lumens (HPS) Closed Type Globe	\$30.08/each	400	1000

B. Metered Street Lights

2J - \$0.08490 per KWH

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: July 24, 1989

CITY COUNCIL MINUTES
 PAGE 2
 JULY 18, 1989

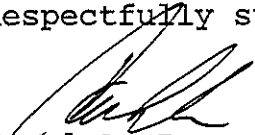
Concerning the intersection of Magnolia Street with Boulevard Street, Mayor Pendarvis read a letter expressing his concern about the lack of apparent progress on the railroad crossing and would like for some immediate action to be taken. Mayor Pro Tem Boland states that he talked with Norfolk Southern Railroad and that they would do improvements at Sifly Street for \$1,710 at their (Norfolk) cost.

Mr. Blanchard McDaniel of 340 Windsor was concerned about the litter in his area. He encouraged citizens to take pride in their community. He also stated that a speed limit sign was needed on his street.

A motion by Mayor Pendarvis, seconded by Councilmember Salley, approved the electric rate increase. Councilmember Haire opposed.

Councilmember Haire was concerned about the lack of publicity on tap fees. He has had public complaints on this matter. He made a motion to recend the tap fee as previously approved until 7-24-89. It died for lack of a second. DPU Manager, Johnson said that to change the effective date would affect the bond issuance on 7-27-89. Councilmember Haire stated that they needed to do a better job of letting the public know.

Respectfully submitted,


 Carol A. Brunson
 City Clerk

/r

ABB132

CITY COUNCIL MINUTES
AUGUST 1, 1989

446

Orangeburg City Council held its regularly scheduled meeting on August 1, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Mayor Pendarvis.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Bernard Haire
W. Everette Salley

ABSENT: Henry F. Frierson
L. Zimmerman Keitt
Allen W. Parrott

A motion by Mayor Pro Tem Boland, seconded by Councilmember Salley, unanimously approved the July 18, 1989, City Council Minutes as corrected.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Boland unanimously approved the third reading of an ordinance to annex Farmers Furniture (remaining property) on Highway 301 into the city.

A motion by Mayor Pendarvis, seconded by Councilmember Haire, denied the exception to the loss of discount (to Ambler Industries). Mayor Pro Tem Boland abstained.

A motion by Councilmember Salley, seconded by Mayor Pendarvis approved the recommendation from the Accommodations Tax Board Committee with the exception that the \$5,000 for the Stevenson Auditorium be held until they get enough money to do the job correctly. Joey Taylor said that the Part Time Players have pledged to raise \$5,000 to improve the lighting system. A motion by Councilmember Salley, seconded by Mayor Pro Tem Boland, approved the recommendation of \$7,000 for the Arts Council. It was omitted from the copy supplied to council.


A motion by Mayor Pro Tem Boland, seconded by Councilmember Haire unanimously approved the bid from Howard Harrill of \$9,540 for Christmas decorations.

Department of Public Utilities Manager, Ted Johnson, brought no utility matters before council.

Councilmember Haire reported concerning the matter of the City Industrial Development Commission and the County Industrial Development Commission. He stated that the city and county cannot agree on the board composition. The last proposal made to the county was to combine both committees and establish an executive committee for a trial basis. He said he has not heard from the county (approximately four weeks) on this matter. Mayor Pendarvis wanted the City Council Committee to bring a recommendation to council on how to run the City Industrial Development Commission since the city cannot get cooperation from the county.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

CITY COUNCIL MINUTES
AUGUST 15, 1989

Orangeburg City Council held its regularly scheduled meeting on August 15, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
W. Everette Salley
Allen W. Parrott

ABSENT: L. Zimmerman Keitt

A motion by Mayor Pro Tem Boland, seconded by Councilmember Parrott, unanimously approved the August 1, 1989, City Council Minutes as distributed.

A motion by Mayor Pendarvis, seconded by Mayor Pro Tem Boland, unanimously approved for Attorney Walsh to find out whether or not the easement that concerned the Moseley property can be arranged for the city.

A motion by Councilmember Haire, seconded by Mayor Pendarvis, unanimously approved the recommendations from the Accommodations Tax Advisory Board Committee. This concerned a \$1,500 additional recommendation which was left off the request from the previous City Council Meeting.

Concerning polling sites, Councilmember Haire, expressed concern about Ward 2 polling site located at the fire station on Middleton Street. He made mention to have Attorney Walsh to send a registered letter to the Justice Department to have this polling site moved to the old Riverside School (Glover Street). Mayor Pendarvis also wanted to include Ward 8 to be moved to its normal location of Bennett Middle School because of the congestion at Sheridan School. Council was in favor of this.

A motion by Councilmember Frierson, seconded by Councilmember Haire, unanimously approved the first reading of an ordinance for the 1989-90 Budget. Council unanimously approved to have a budget workshop on August 22, 1989, at 5:00 P.M., at City Hall.

Mayor Pro Tem Boland expressed concern about removal of trees in the city limits and not replanting them. Mayor Pendarvis also expressed concern about taking down the old and dangerous trees.

A motion by Councilmember Haire, seconded by Councilmember Salley, unanimously approved the recommendation of the City Administrator to reject the bids of the Parks Operation Center and to study this project more before rebidding.

Council accepted the Public Safety Committee report. (see attachment)

A motion by Councilmember Salley, seconded by Councilmember Haire, unanimously approved the submittal of state project application for 50% funding of pavement crack sealing at the Orangeburg Municipal Airport. A motion by Councilmember Frierson, seconded by Mayor Pro Tem Boland, unanimously approved giving Mayor Pendarvis the authority to sign the project applications.

Department of Public Utilities Manager, Ted Johnson, brought no utility matters before council.

Mayor Pro Tem Boland reported that the Highway Department has contacted the railroad to begin a temporary test plan on the Boulevard situation.

ABB132

Mayor Pro Tem Boland, expressed concern about the Department of Public Utilities working with citizens that are on social security and welfare as pertaining to their discount period on paying utility bills. Johnson was concerned about the increase in money and manpower that would be brought about in changing the current procedure.

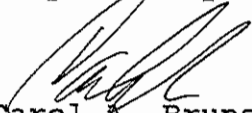
Councilmember Haire expressed concern about the fact that the bids on the Comprehensive Pay Plan Study had not been let. Johnson said that he and City Administrator Smith had looked at the different organizations that could study both utilities and municipals. Councilmember Haire again expressed concern about the length of time this has taken and very concerned about the employees and salaries and thinks that this project should move swiftly.

Councilmember Salley expressed concern about Cable TV in serving all the citizens that they are suppose to be serving as per the franchise agreement.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Boland, unanimously approved entering into an executive session for legal briefing concerning a municipal court matter.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carol A. Brunson
City Clerk

/r

BUDGET WORKSHOP MINUTES
AUGUST 22, 1989

Orangeburg City Council held a Budget Workshop meeting on August 22, 1989, at 5:00 P.M., in the City Administrator's Office at City Hall. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley
L. Hugh Smith, City Administrator
Carol A. Brunson, Finance Director

The purpose of the meeting was to conduct a budget workshop on FY 1989-90 Budget. Councilmember Haire was concerned about not having been presented the Department of Public Utilities budget along with the city budget to consider as a whole. He was informed that there would be a separate meeting concerning the Department of Public Utilities Budget.

Also discussed was the possibility of selling city used properties that are not currently needed.

Respectfully submitted,


Carol A. Brunson
City Clerk

/r

ABB132

BUDGET WORKSHOP MINUTES
AUGUST 29, 1989

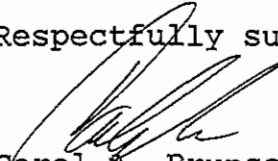
Orangeburg City Council held a Budget Workshop meeting on August 29, 1989, at 5:00 P.M., in the City Administrator's office at City Hall.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
L. Zimmerman Keitt
W. Everette Salley
L. Hugh Smith, City Administrator
Carol A. Brunson, Finance Director

ABSENT: Allen W. Parrott

The purpose of this meeting was to conduct a budget workshop on the FY 1989-90 Budget.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

SPECIAL SESSION
CITY COUNCIL MINUTES

AUGUST 30, 1989

Orangeburg City Council held a Special Session Meeting on August 30, 1989 at 6:00 P.M. in the Conference Room of the Department of Public Utilities, 195 Russell S.W. with Mayor E.O. Pendarvis presiding. An invocation was given by Mayor E.O. Pendarvis.

COUNCILMEMBERS

PRESENT: E.O. Pendarvis, Mayor
Thomas A. Boland, Sr., Mayor Pro Tem
Henry F. Frierson
L. Zimmerman Keitt
W. Everette Salley

Mayor Pendarvis opened the meeting by thanking everyone for attending the Special Session of City Council.

The meeting was then turned over to Ted Johnson, Manager of the Department of Public Utilities.

Ted Johnson expressed the purpose of this Special Session Meeting was to discuss the capital improvement projects for the Department of Public Utilities for its fiscal year October 1, 1989 thru September 30, 1990. Ted Johnson proceeded with an explanation of each project.

A motion made by Councilmember Frierson and seconded by Councilmember Salley, unanimously approved the 1989-1990 Capital Improvement Projects.

The 1989-1990 Projected Budget for the Department of Public Utilities was discussed. Also presented was a Bond Payment Schedule for the Outstanding Revenue Bonds showing funds due April 1, 1990 thru April 1, 2003.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Becky A. Austin

Becky A. Austin, Secretary to Manager
Department of Public Utilities

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CITY COUNCIL MINUTES
SEPTEMBER 5, 1989

453

Orangeburg City Council held its regularly scheduled meeting on September 5, 1989, at 7:00 P.M, in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
W. Everette Salley
Allen W. Parrott

A Public Hearing was held on the following:

- a. Rezone from "A-2" to "B-1" city block from Rowe SE to Sellers SE to Hartzog SE to Glover SE. No comments received.
- b. Zone Robert E. Gressette property on Hillsboro NW "A-1". No comments received.
- c. Rezone from "A-1" to "OI" from lots on 900 block of Carolina. This request was withdrawn.
- d. Rezone from "A-2" to "B-1" Rosario Cecchini lot at 1117 Whitman SE. No comments received.

A motion by Councilmember Salley, seconded by Councilmember Keitt, unanimously approved the August 15, 1989, City Council Minutes.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Salley, unanimously approved the August 22, 1989, Budget Workshop Minutes.

A motion by Councilmember Keitt, seconded by Councilmember Salley, unanimously approved the August 29, 1989, Budget Workshop Minutes.

An appearance was made by Mr. Bill O'Cain expressing his concern about the fact that he had received a quote on the cost of water tap fees in the amount of \$175 each around 4-1-89 and then when he went back in August to pay, there had been an increase in rates to \$225 effective 6-21-89.

Councilmember Frierson stated that since Mr. O'Cain had always bidden out his services including the \$175 tap fee that he thought this request should be granted. Councilmember Haire reminded council that he had wanted the fees rolled back earlier to allow public awareness. He was opposed to granting the request because it would be setting a precedent. Therefore, a motion by Councilmember Haire, seconded by Councilmember Keitt, denied the request. Councilmember Frierson opposed.

An appearance was made by Mr. Bill Spearman of the SC Land Resources Commission. He gave council an update on the Dukes Street Drainage Project. He stated that the field work has been virtually completed.

A motion by Councilmember Salley, seconded by Councilmember Frierson, unanimously approved the second reading of an ordinance for the 1989-90 Budget.

A motion by Councilmember Salley, seconded by Councilmember Frierson, to accept the recommendation of the Zoning Board, unanimously approved the first reading of an ordinance on rezoning "A-2" to "B-1" city block from Rowe SE to Sellers SE to Hartzog SE to Glover SE.

A motion by Councilmember Salley, seconded by Councilmember Frierson, to accept the recommendation of the Zoning Board, unanimously approved the first reading of an ordinance to zone Robert E. Gressette's property on Hillsboro NW "A-1".

ABB132

A motion by Councilmember Salley, seconded by Councilmember Keitt, to accept the recommendation of the Zoning Board, unanimously approved the first reading of an ordinance on rezoning "A-2" to "B-1" Rosario Cecchini's lot at 1117 Whitman, SE.

A motion by Councilmember Frierson, seconded by Mayor Pro Tem Boland, unanimously approved to change orders concerning the Law Enforcement Complex.

A motion by Mayor Pendarvis, seconded by Councilmember Salley, unanimously approved the offer of the Barra Corporation to buy out the remaining time on the roofing warranty on the Zimmerman Youth Center. Authorization was given to Mayor Pendarvis to sign the necessary papers.

A motion by Councilmember Salley, seconded by Councilmember Keitt, unanimously approved the state grant offer of the taxiway lights and guidance signs at the Orangeburg Municipal Airport. Authorization was given to Mayor Pendarvis to sign the necessary papers.

On the matter of property purchase an executive session was requested for discussion of this.

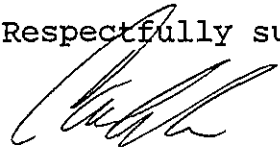
A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved the parking lot lease on Middleton NE.

Department of Public Utilities Manager, Ted Johnson, brought no utility matters before council.

A motion by Councilmember Frierson, seconded by Councilmember Parrott, unanimously approved entering into an executive session for discussion of property purchase.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

BUDGET WORKSHOP MINUTES
SEPTEMBER 13, 1989

455

Orangeburg City Council held a meeting on September 13, 1989, at 5:00 P.M. in City Hall with Mayor Pendarvis presiding. The purpose of the this meeting was to conduct a budget workshop.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
W. Everette Salley
Martin C. Cheatham, Mayor Elect
Joyce W. Rheney, Councilmember Elect
L. Hugh Smith, City Administrator
Carol A. Brunson, Finance Director

ABSENT: Allen W. Parrott

A motion was made by Councilmember Salley, seconded by Mayor Pendarvis, to delete a fire chief and police chief from the Public Safety Department. Mayor Pro Tem Boland, Councilmembers Keitt and Haire opposed, therefore, the motion did not carry.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Haire, approved to give all sworn officers of the Department of Public Safety a \$2,000 increase in salary.

A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved to increase the hourly rate of the City Attorney to \$65 an hour.

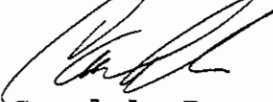
A motion by Councilmember Haire, seconded by Councilmember Frierson, unanimously approved to raise the city recorder's salary to \$40,000.

There was some discussion about establishing a salary merit fund for future increases in salary.

It was agreed for all eligible city employees to receive a 5.5% cost of living raise.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

ABB132

BUDGET WORKSHOP MINUTES
SEPTEMBER 18, 1989

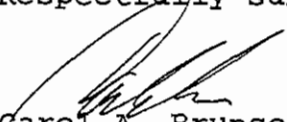
Orangeburg City Council held a meeting on September 18, 1989, at 6:00 P.M., in City Hall with Mayor Pendarvis presiding. The purpose of this meeting was to conduct a budget workshop. An invocation was given by Councilmember Parrott.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley
Martin C. Cheatham, Mayor Elect
Marion F. Moore, Councilmember Elect
Joyce W. Rheney, Councilmember Elect
L. Hugh Smith, City Administrator
Carol A. Brunson, Finance Director

A motion by Councilmember Salley, seconded by Councilmember Frierson, approved to establish a \$.90 per cubic yard collection fee on commercial containers. Mayor Pendarvis opposed.

It was stated that a portion of this fee would be used to help establish a future equipment depreciation fund.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

Orangeburg City Council held its regularly scheduled meeting on September 19, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Pendarvis presiding. An invocation was given by Mayor Pendarvis.

PRESENT: E. O. Pendarvis, Mayor
Thomas A. Boland, Mayor Pro Tem
Henry F. Frierson
Bernard Haire
L. Zimmerman Keitt
Allen W. Parrott
W. Everette Salley

A Public Hearing was held on the FY 1989-90 Budget. City Administrator Smith gave a budget synopsis. No public comments were received.

Council received the Election Commission report of the September 12, 1989, election with the following results:

Mayor: Martin C. Cheatham
Councilmember District 1: Joyce Rheney
Councilmember District 3: Marion F. Moore
Councilmember District 5: L. Zimmerman Keitt

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved the August 30, 1989, Special City Council Minutes.

A motion by Councilmember Salley, seconded by Mayor Pendarvis, unanimously approved accepting by resolution the Department of Public Utilities budget as presented. (no formal written resolution submitted)

A motion by Councilmember Keitt, seconded by Councilmember Salley, unanimously approved the September 5, 1989, City Council Minutes.

A motion by Mayor Pro Tem Boland, seconded by Councilmember Keitt, unanimously approved the September 13, 1989, Budget Workshop Minutes.

A motion by Councilmember Salley, seconded by Councilmember Frierson, unanimously approved the September 18, 1989, Budget Workshop Minutes.

A motion by Councilmember Frierson, seconded by Councilmember Parrott, approved the third reading of an ordinance for FY 1989-90 Budget (\$6,614,968) as amended to include the commercial sanitation fees. Mayor Pendarvis opposed.

A motion by Councilmember Frierson, seconded by Councilmember Salley, unanimously approved second reading of an ordinance to rezone from "A-2" to "B-1" city block from Rowe SE to Sellers SE to Hartzog SE to Glover SE.

A motion by Councilmember Salley, seconded by Councilmember Keitt, unanimously approved to zone Robert E. Gressette's property on Hillsboro NW "A-1".

A motion by Councilmember Keitt, seconded by Mayor Pendarvis, unanimously approved to rezone from "A-2" to "B-1" Rosario Cecchini's lot at 1117 Whitman SE.

A motion by Councilmember Haire, seconded by Councilmember Keitt, unanimously approved the low bid of \$253,847 from Morton Builders to construct the Park Operation Center.

Councilmember Keitt wanted more enforcement of the loitering Ordinance. She was concerned about the young people loitering in the street.

ABB132

SEPTEMBER 19, 1989

Concerning the vacancies on the Grievance Committee, a motion by Councilmember Haire, seconded by Councilmember Parrott, approved Tom Vargo to represent Parks & Recreation-Hillcrest. A motion by Councilmember Salley, seconded by Mayor Pendarvis, approved the postponement of the vacancy representing the Police Department.

A motion by Councilmember Frierson, seconded by Mayor Pendarvis, unanimously approved the Municipal-State Highway Project Agreement for improvements at intersection of John C. Calhoun Drive SE and Five Chop SE. Mayor Pendarvis was given authorization to sign the necessary papers.

A motion by Councilmember Haire, seconded by Councilmember Keitt, approved the first reading of the Public Safety Ordinance. Councilmember Salley opposed.

Department of Public Utilities Manager, Ted Johnson, brought no utility matters before council.

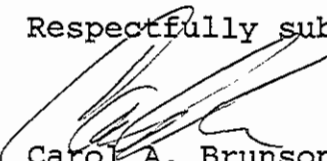
Mayor Pendarvis read a prepared statement addressing his tenure as Mayor and his best wishes for the future of Orangeburg.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Boland, unanimously approved Mayor E. O. Pendarvis to be Mayor Emeritus of Orangeburg.

Mayor Pro Tem Boland thanked his supporters and the hard working city employees and hoped that everything will move along with the city in a good manner.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

DECLARATION OF RESULT OF CITY ELCTION

For Major and City Council Members for Districts for 1, 3, and 5 held September 12, 1989.

We, the duly appointed Commissioners of Election for the City of Orangeburg, having received the report of the Managers of the Election who had charge of the election held in the City of Orangeburg on September 12, 1989, for the purpose of electing Mayor and Council Members for Districts 1, 3, and 5 and having delivered into our charge the ballot boxes with the ballots sealed therein, met at the City Hall on Thursday, September 14, 1989; no person appeared before the Commissioners with any statement or request in regard to the said Election, and the following is the tabulated vote received by the candidates at said Election:

MAYOR

Martin Cheatham	1614 votes
Wilbur Hunt	1197 votes

DISTRICT 1

Joyce Rheney	601 votes
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DISTRICT 3

Marion Moore	487 votes
Thomas Boland, Sr.	269 votes

D.D.S. 10.3.72

DISTRICT 5

Liz Zimmerman Keitt	82 votes
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Having received no contests, your Commissioners therefore declare that the said Martin Cheatham has been elected Mayor for the City of Orangeburg and the said Joyce Rheney, Marion Moore, and Liz Zimmerman Keitt have been elected as Council Members for the City of Orangeburg.

D. D. Salley, III
D. D. Salley, III, Chairman

Harold I. Robinson
Harold I. Robinson

Fernetta Brice
Fernetta Brice

Municipal Election Commission for the
City of Orangeburg, South Carolina

Eugene L. Ott
Eugene L. Ott, Clerk to Municipal
Election Commission

Sworn to before me this 14th day of September, 1989.

[Signature]
Notary Public, South Carolina

My Commission Expires: 6/13/93

MUNICIPAL-STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF Orangeburg)
)
FILE NO. 38.905) RESOLUTION
)
PROJECT NO. A-905)
)
ROUTE ~~OR ROAD~~ NO. U.S. Route 301 and) Road S-1

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.

Route 301: Along J.L. Callhoun Dr. SE Street from survey station 1+75, near Road S-78, easterly and southeasterly to the City Limits (survey station _____).

Road S-1: Along Five Chop Road from survey station 29+00 southeasterly for approx. 0.070 of a mile to Route 301 (survey station 32+69.50).

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 is expressly agreed that the South Carolina Department of Highways and Public Transportation shall not be held liable for any damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality; further, that the Municipality agrees to indemnify and hold harmless the South Carolina Department of Highways and Public Transportation against any and all claims or actions brought against it arising out 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 rights 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 of 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 19 day of Sept., 1989 and the original of this Resolution will be filed with the South Carolina Department of Highways and Public Transportation at Columbia.

City of Orangeburg, South Carolina
Municipality

BY G.D. Ross
Mayor

Richard H. Alley
James B. Brewer
L. Zimmerman
Edward Haire

ATTEST:

[Signature]
Clerk

STATE OF SOUTH CAROLINA,

COUNTY OF ORANGEBURG.

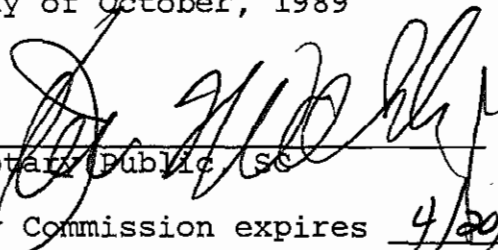
I, Martin C. Cheatham, Mayor of the City of Orangeburg, do solemnly swear that I will equally, fairly and impartially, in the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law for the purposes for which I have been elected.

I do further solemnly swear that I will at all times endeavor to secure and maintain for the City an honest and efficient government in every particular, with an eye single to the public welfare.

I do further solemnly swear that I am duly qualified, according to the constitution of this State, to exercise the duties of the office to which I have been elected and that I will, to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States, So Help Me God!


Martin C. Cheatham

Sworn to before me this 1st
day of October, 1989


Notary Public, SC
My Commission expires 4/20/91

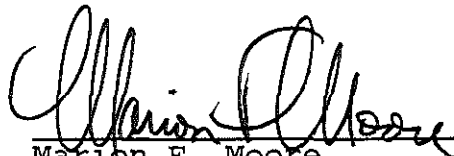
STATE OF SOUTH CAROLINA,

COUNTY OF ORANGEBURG.

I, Marion F. Moore, Councilmember of the City of Orangeburg, do solemnly swear that I will equally, fairly and impartially, in the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law for the purposes for which I have been elected.


I do further solemnly swear that I will at all times endeavor to secure and maintain for the City an honest and efficient government in every particular, with an eye single to the public welfare.

I do further solemnly swear that I am duly qualified, according to the constitution of this State, to exercise the duties of the office to which I have been elected and that I will, to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States, So Help Me God!



Marion F. Moore

Sworn to before me this 1st
day of October, 1989



Notary Public, SC

My Commission expires 12/31/91

STATE OF SOUTH CAROLINA,

COUNTY OF ORANGEBURG.

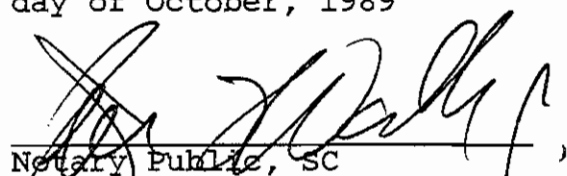
I, Joyce W. Rheney, Councilmember of the City of Orangeburg, do solemnly swear that I will equally, fairly and impartially, in the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law for the purposes for which I have been elected.

I do further solemnly swear that I will at all times endeavor to secure and maintain for the City an honest and efficient government in every particular, with an eye single to the public welfare.

I do further solemnly swear that I am duly qualified, according to the constitution of this State, to exercise the duties of the office to which I have been elected and that I will, to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States, So Help Me God!


Joyce W. Rheney

Sworn to before me this 1st
day of October, 1989


Notary Public, SC

My Commission expires 4/20/91


STATE OF SOUTH CAROLINA,

COUNTY OF ORANGEBURG.

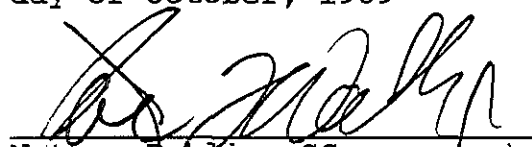
I, L. Zimmerman Keitt, Councilmember of the City of Orangeburg, do solemnly swear that I will equally, fairly and impartially, in the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law for the purposes for which I have been elected.

I do further solemnly swear that I will at all times endeavor to secure and maintain for the City an honest and efficient government in every particular, with an eye single to the public welfare.

I do further solemnly swear that I am duly qualified, according to the constitution of this State, to exercise the duties of the office to which I have been elected and that I will, to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States, So Help Me God!


L. Zimmerman Keitt

Sworn to before me this 1st
day of October, 1989


Notary Public, SC

My Commission expires 4/21/91

CITY COUNCIL MINUTES
OCTOBER 3, 1989

459

Orangeburg City Council held its regularly scheduled meeting on October 3, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Parrott.

PRESENT: Martin C. Cheatham, Mayor
L. Zimmerman Keitt, Mayor Pro Tem
Bernard Haire
Marion F. Moore
Allen W. Parrott
Joyce W. Rheney
W. Everette Salley

A motion by Councilmember Parrott, seconded by Mayor Cheatham, unanimously approved the September 19, 1989, City Council Minutes as distributed.

A motion by Councilmember Haire, seconded by Councilmember Parrott, unanimously approved the election of Councilmember Keitt as Mayor Pro Tem.

A motion by Councilmember Salley, seconded by Councilmember Haire, unanimously approved to rezone from "A-2" to "B-1" city block from Rowe SE to Sellers SE to Hartzog SE to Glover SE.

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved to zone Robert E. Gressette's property on Hillsboro NW "A-1".

A motion by Councilmember Salley, seconded by Councilmember Haire, unanimously approved to rezone from "A-2" to "B-1" Rosario Cecchini lot at 1117 Whitman SE.

A motion by Councilmember Salley, seconded by Councilmember Moore, approved putting the Grievance Committee appointment in abeyance until it can be studied by the new councilmembers. Councilmember Haire opposed.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the second reading of the Public Safety Ordinance. This was followed by a motion by Councilmember Salley to amend the ordinance to delete the positions of police chief and fire chief. No second was received on this motion. Then a motion by Councilmember Moore, seconded by Councilmember Rheney was made and approved to table this matter until further study. Mayor Pro Tem Keitt and Councilmember Haire opposed.

A motion by Councilmember Salley, seconded by Councilmember Moore, unanimously approved the Park Operation Center Contract with Mayor Cheatham authorized to sign.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved a resolution authorizing L. Hugh Smith to apply for funds pertaining to Federal Disaster assistance.

Concerning the expired term of D. M. Zimmerman to the Law Enforcement Complex Commission, this matter will appear at the next city council meeting.

A motion by Councilmember Haire, seconded by Councilmember Parrott, unanimously approved the change orders for the Law Enforcement Complex.

A motion by Councilmember Haire, seconded by Councilmember Moore, approved the telephone system for the Law Enforcement Complex with City Administrator Smith authorized to sign. Mayor Cheatham abstained due to possible conflict of interest.

A motion by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, unanimously approved the first reading of the Loitering Ordinance.

ABB132

Councilmembers Moore and Parrott were approved to serve on the Intergovernmental Affairs Committee.

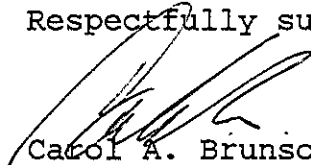
A motion by Councilmember Salley, seconded by Councilmember Haire, unanimously approved the project application to the South Carolina Aeronautics Commission for construction of lighting equipment building at the Orangeburg Municipal Airport with Mayor Cheatham authorized to sign the necessary papers.

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved the resolution authorizing Ted Johnson to apply for funds pertaining to Federal Disaster assistance.

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved to enter into an executive session to receive legal advice and discuss the purchase of property.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

SOUTH CAROLINA EMERGENCY PREPAREDNESS DIVISION
DESIGNATION OF APPLICANT'S LOCAL AGENT

RESOLUTION

BE IT RESOLVED BY The City Council OF The City of Orangeburg,
(Governing Body) (Public Entity)
THAT L. Hugh Smith, City Administrator,
(Name of Incumbent) (Official Position)
P.O. Drawer 387 (803) 534-2525,
(Address) (Telephone No.)
Orangeburg SC 29116,
(City) (State) (Zip Code)

is hereby authorized to execute for and in behalf of The City of Orangeburg, a public entity established under the laws of the State of South Carolina, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 100-707) or otherwise available from the President's Disaster Relief Fund.

THAT The City of Orangeburg, a public entity established under the laws of the State of South Carolina, hereby authorized its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements as required.

Passed and approved this 3rd day of October, 1989.

Martin C. Cheatham
Mayor

James W. Cheney
L. Thompson Keet
Thomas F. Moore

Robert Selby
Allen W. Parrott
James H. Hare

Members of Council
CERTIFICATION

I, Carol A. Brunson, duly appointed and City clerk of
(Title)
Orangeburg, SC, do hereby certify that the above is a
true and correct copy of a resolution passed and approved by the
City Council of City of Orangeburg on the
(Governing Body) (Public Entity)
3rd day of October, 1989.

Date: 10-3-89

Carol A. Brunson
City Clerk
(Official Position)

[Signature]
(Signature)

APPLICANT ASSURANCES

The Applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines, and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may require.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-648) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally-assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 88-338 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishment of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-386, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, con- with applicable standards of safety, decency and sanitation in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not received to the satisfaction of the Regional Director.

RESOLUTION

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

That Ted M. Johnson, Jr., Manager of the Department of Public Utilities, 195 Russell SW, Orangeburg, South Carolina 29115, Telephone Number (803) 524-2821, is hereby authorized to execute for and in behalf of City of Orangeburg, Department of Public Utilities, a public entity established under the laws of the State of South Carolina, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 100-707) or otherwise available from the President's Disaster Relief Fund.

That the City of Orangeburg, Department of Public Utilities, a public entity established under the laws of the State of South Carolina, hereby authorized its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements as required.

PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this 3rd day of October, 1989.

Signed:

Martin C. Cheatham
Mayor

Allen W. Parrott

Marion F. Moore

L. Zimmerman

G. Herbert Selley

Joey W. Phares

Sam Haire
Members of Council

ATTEST:

[Signature]
City Clerk and Treasurer

CITY COUNCIL MINUTES
OCTOBER 17, 1989

461

Orangeburg City Council held its regularly scheduled meeting on October 17, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Pro Tem Keitt.

PRESENT: Martin C. Cheatham
L. Zimmerman Keitt
Bernard Haire
Marion F. Moore
Allen W. Parrott
Joyce W. Rheney
W. Everette Salley

Mayor Cheatham wanted to commend the Department of Public Safety for their work concerning the recent tragedy. He also wanted to thank the wildlife groups, naval base divers, Pinehill Volunteer Fire Department and others who assisted in searching for Keio Dowling who drowned in in the Edisto River on October 7, 1989.

A motion by Mayor Pro Tem Keitt, seconded by Councilmember Moore, unanimously approved the October 3, 1989, City Council Minutes as distributed.

ABB132
An appearance was made by Ms. Tammy Keisling, Administrative Director of McDonald's (Main-Waters). She was expressing concern of the denial of discount on 9-22-89 utility bills. She pointed out that the bill was dated the day after "Hugo" and received in the mailbox in Charleston on 9-29-89. The net date on the bill was 10-2-89. Due to problems in the Charleston area she was unable to get out a check out (registered mail) until 10-3-89. Councilmember Moore understood the problem but felt that an exception could not be made. Councilmember Haire felt that the situation should be looked at and was concerned about the check having to come from Charleston where the blunt of the hurricane hit. He felt that the discount should be given and felt that any others affected by "Hugo" should be given some relief. Mayor Pro Tem Keitt felt that what the city does for one, would have to be done for everyone. DPU Manager, Ted Johnson, stated that McDonald's bill was due on 9-29-89 and that the check would have to be post marked 10-2-89 in order to receive the discount. A motion by Mayor Cheatham, seconded by Councilmember Parrott, denied the request to grant the discount. Councilmember Haire opposed.

Mayor Cheatham read two letters received by Parks and Recreation Director, Buster Smith, from Day Services (Orangeburg County Mental Retardation Board) thanking him for his support of their summer camp and from the Director of Park Civic Center in Graniteville commending his staff for handling of the Dixie Pre-Major tournament.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the second reading of the Loitering Ordinance.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved the appointment of Allen Flemming to the LEC Commission.

Councilmember Moore requested that Council appoint a representative to restart negotiations with the highway department concerning the Boulevard area. Councilmember Salley wanted this to include the pedestrian traffic in the area. Councilmember Haire stated that the alternative plan was working and he had not received any complaints and felt that traffic was flowing smoother and that the businesses in the area need to be considered. Mayor Pro Tem Keitt stated that she had not heard any complaints from the residents and Council needs to listen to the people in the area. She also felt that the traffic was flowing better. Councilmember Parrott agreed with meeting with the highway department but that all of Council needs to be involved. Council agreed that the entire Council needs to be involved. A motion by Councilmember Salley, seconded by Councilmember Rheney, approved to appoint a representative to restart talks with the highway department which would include pedestrian traffic, businesses and area residents. Councilmember Haire and Mayor Pro Tem Keitt opposed.

OCTOBER 17, 1989

A motion by Mayor Cheatham, seconded by Councilmember Salley, approved to receive audit results and study them and have J. W. Hunt and Company present information at a special meeting to be held on 10-30-89 at 6:00 P.M. at City Hall.

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved the grant from the SC Aeronautics Commission for Crack Sealing Project on runway 4/22 at the Orangeburg Municipal Airport with Mayor Cheatham given authorization to sign the necessary papers.

Council agreed to establishing monthly reports from department heads to Council on continuing projects.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to drop the wage survey plan from being done by an outside firm. Mayor Cheatham, Mayor Pro Tem Keitt, Councilmembers Rheney, Parrott and Haire opposed, therefore, this motion did not pass.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the low bid of \$7,200 from Southeastern Signs for two 4'x 8' backlighted information sign for the Parks and Recreation Department (Accommodations Tax Funds).

Mayor Cheatham, Mayor Pro Tem Keitt, Councilmembers Rheney and Moore were appointed to meet with the county representatives to evaluate the Development Commission.

Council agreed to postpone all major capital items purchases until the new councilmembers can review the current budget.

Mayor Cheatham requested that the highway department be contacted to conduct an overall study of traffic conditions in the Orangeburg area. City Administrator Smith said that he knew that the county was already in the process of studying this and he would see if the city could go in with the county on studying the city's concerns.

A motion by Councilmember Parrott, seconded by Councilmember Rheney, unanimously approved the request of the SPCA to waive all charges except for janitorial fees concerning the 12-10-89 Christmas circus show to be held at Stevenson Auditorium.

Council agreed to the establishment of short range (1-3 years) and long range (4-10 years) goals for all departments. Council wanted these presented within three months. City Administrator Smith verified with Council that the information submitted would be given to Council and they would make suggestions as to their goals.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the first reading of an ordinance to lease hangar space at the Orangeburg Municipal Airport to the SC Forestry Commission. This includes an amendment to the ordinance that states that the hangar can be moved only to another location on airport property.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the first reading of an ordinance to lease hangar space at the Orangeburg Municipal Airport to Belk Hudson Company. This includes an amendment to the ordinance that states that the hangar can be moved only to another location on airport property.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the October 31st Halloween rules with masquerading from 6:00 P.M. to 9:00 P.M. with children not over the age of twelve being allowed to masquerade.

CITY COUNCIL MINUTES
PAGE 3
OCTOBER 17, 1989

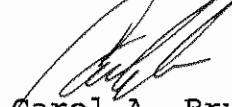
Under matters pertaining to the Department of Public Utilities, Council agreed for DPU Manager, Johnson, to proceed with a project concerning problems with the generator on the North Road. He was instructed to use his best judgement and to keep Mayor Cheatham informed on a daily basis.

Department of Public Safety Director Brant wanted to address Council concerning the results of the audit. He was concerned about the lack of personnel and emergency factors that would attribute deviations from the current policy.

A motion by Councilmember Moore, seconded by Councilmember Salley, unanimously agreed to enter into an executive session to receive legal advice. (This session was later postponed.)

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

ABB132

Orangeburg City Council held a special meeting on October 30, 1989, at 6:00 P.M., in City Hall Chambers with Mayor Cheatham presiding.

PRESENT: Martin C. Cheatham, Mayor
L. Zimmerman Keitt, Mayor Pro Tem
Bernard Haire
Marion F. Moore
Allen W. Parrott
Joyce W. Rheney
W. Everette Salley

Mr. Larry Wiker of J. W. Hunt and Company was present to discuss the special audit to certain payroll and accrued annual leave records of the City of Orangeburg (excluding the Department of Public Utilities). Mr. Wiker stated that they had had the complete cooperation of all the department heads. (A copy of their report is attached along with the City Administrator's response.)

Based on questions asked by Mayor Cheatham, Mr. Wiker stated that he was unaware of any other correspondence--written instructions--from City Administrator Smith after the 7-17-89 memorandum concerning the use of time clocks or any meeting prior to the hurricane concerning the procedures that would be followed.

Mr. Wiker stated that they believe that the City Administrator's procedures as stated in this memorandum are adequate if implemented.

Mr. Wiker stated that the minor exceptions noted when recomputing the hours were between .10 and .25 of an hour. He said this would be expected when there are informal instructions.

Mayor Cheatham wanted to know if there had been any meetings prior to the hurricane. City Administrator Smith said that there had been a meeting to be assured that the city's emergency procedures were ready to be implemented. No reporting of time was discussed at this meeting.

Councilmember Salley asked if there were any instances where 15 minutes had been rounded to one hour. Mr. Wiker said that they found none.

Mayor Cheatham wanted to know how long the "due day" procedure had been going on. The answer that he received was for as long back as could be remembered. Public Safety Director Brant said that his department is short of personnel. If he lets someone off so that he will not lose his day, then he will have to call someone else back in and pay overtime. He said that police and fire do not work like any other department in the city. Public Safety Director Brant said that when time off is requested, he tries to schedule it so that the patrol is not left too short.

Mayor Cheatham said that council was not criticizing the fact that "due days" exist, but that it needs to be looked at. If the city is going to use "due days" then a policy needs to be approved by council and made a part of the personnel policy.

Councilmember Haire wanted to know if this same task (audit) could have been performed by a layman. Mr. Wiker said that since this is the type work that they typically perform, he felt that they were the best qualified.

Mayor Cheatham wanted to know if, when the change from time sheets to time clocks occurred, there were meetings to discuss procedures or just the memorandum. City Administrator Smith said that there had been several meetings before, during and when needed. He said that the first week that the time sheets were not used to pay time, was the week of the hurricane. He had planned to have a meeting after this pay week, but then the audit was called for, to discuss all problems and issue the correcting instructions. He also planned to have an instruction class.

CITY COUNCIL MINUTES
PAGE 2
OCTOBER 30, 1989

Mayor Cheatham wanted to know if all departments were notified about the "double time". City Administrator Smith said that they were notified on Monday following the hurricane on early Friday morning.

Mr. Wiker said that they did not find any irregular reporting of time based on the department heads interpretation on the payment instructions.

Councilmember Rheney wanted to know if the department heads stayed with their employees the whole time. City Administrator Smith said that they were always there when he made his rounds. There was someone in charge at all times.

City Administrator Smith said that some other cities or counties used the same emergency payment procedure as the city. Others had other payment procedures. City Administrator Smith said the basis for his decision for the "double time" was that he felt that since he wasn't penalizing an employee because he was unable to work, that he felt that those that worked should receive more than a half a day for working.

Mayor Cheatham said that he was not sure that the recommendation that the extra money paid for the hurricane hours be either recovered in time or money was the right thing to do because these people had worked so hard. He felt that the policy should be looked at and establish procedures for emergency situations.

City Administrator Smith said that City Hall does not have an emergency generator, but he was having that situation corrected, so that City Hall would not be without power again in case this situation should occur again.

Mayor Pro Tem Keitt said that she hoped that council would take a good look at themselves as to criticizing so harshly when people are working so diligently to help the citizens of Orangeburg. She congratulated the City Administrator and department heads that worked hard during the storm away from their families. She hoped that council would not pay so much attention to hearsay and get the facts before addressing things of which council does not know.

Mayor Cheatham said that this was the basic reason for the audit--rumors. He felt that it was incumbent upon council to investigate these matters.

Councilmember Haire said that he totally supported the actions taken by the City Administrator and that council needs to address emergency situations as well as the findings of the auditor.

Mayor Cheatham said that he wants the City Administrator to make recommendations to council on policy decisions.

Councilmember Parrott said that council needs to give the City Administrator some direction. He felt that it was a tough decision for the City Administrator to make. He felt that the reason behind the "double time" was certainly worth noting. He felt that council needs to stand behind the City Administrator if they want him to do his job.

Councilmember Salley said that he was told that the generators from the fire department were taken out of the fire department. Public Safety Director Brant said that to his knowledge that the only generators taken out of the department were those owned by firemen.

ABB132

CITY COUNCIL MINUTES
PAGE 3
OCTOBER 30, 1989

Councilmember Moore was concerned that the employees of the the Department of Public Utilities need to be addressed as pertaining to hurricane overtime. Councilmember Parrott agreed that this situation needs to be addressed--keep the city and DPU together or separate them.

City Administrator Smith said that if this overtime had not been paid then the firemen would not have received overtime based on their work schedule. The city (not DPU) has eight different departments that operate on different wave lengths performing different functions. It is very difficult to expect all departments to work alike.

Councilmember Moore said that City Administrator Smith needs to be more heavily involved to get all departments to work more efficiently.

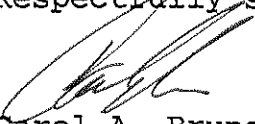
Councilmember Haire felt that this comment was unfair because council does not allow him the latitudes that he needs to do his job, yet council is criticizing him for doing his job. He felt that council needs to assure City Administrator Smith that he has the authority to act and make decisions and not have council dictate his every move.

Mayor Cheatham said that we have to operate under specified policies and procedures. If City Administrator Smith has to make a decision outside these policies and procedures he should get some type of support for it. He wants him to make decisions.

Pro Superintendent Vargo said that in his ten years as an employee of the city, he felt that in the last two to three years that there has been more cohesiveness between departments under City Administrator Smith's leadership.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

MARTIN C. CHEATHAM
MAYOR

BERNARD HAIRE
L. ZIMMERMAN KEITT
MARION F. MOORE
ALLEN W. PARROTT
JOYCE W. RHENEY
W. EVERETTE SALLEY, D.V.M.
MEMBERS OF COUNCIL



L. HUGH SMITH
CITY ADMINISTRATOR
P.O. DRAWER 387

City of Orangeburg

South Carolina

29116-0387

October 30, 1989

The Honorable Mayor and City Council
City of Orangeburg
P.O. Drawer 387
Orangeburg, SC 29116-0387

Dear Honorable Mayor and City Council:

The use of time cards was recently initiated by us and the fact that it is a new system should be considered when reviewing the results of our special audit. In fact the audit includes the very first time that we used time cards as the primary basis for preparing our payroll.

We began using time cards in order to accurately document the working hours of our employees mainly to ensure compliance with the Fair Labor Standards Act. There was never any suspicion that employees were being over or under paid using the old time sheet method.

The fact that there are "bugs" in the system should surprise no one and was certainly anticipated by me. My intention, after a payroll was completed by using the cards, was to meet with the department heads, discuss whatever problems were left and to adjust the system. When Council requested that an audit be conducted, I decided to wait and receive the benefit of the audit before corrective measures were taken.

I will not attempt to discuss the audit paragraph by paragraph but instead will address the findings by subject matter.

I. WRITTEN IN TIME AND OVERTIME

My memo of July 17, 1989, did state that an employee's supervisor should place his initials next to all overtime and manually written-in time. This was not done in all cases but every card was initialled by the secretary and the department head attesting to the accuracy of the hours to be paid to the employee. This can easily be corrected.

II. CARDS NOT BEING PUNCHED

While this was not found to be a problem by the auditor, I felt that it should be commented on by me.

This deals mostly with the Public Safety Department. Employees called back to respond to emergencies do not have time to go by their duty station to punch a card. They are asked to report directly to the scene of the emergency. In other cases they may be asked to report to fire station #1 when their time card is in station #2 or vice versa. In all cases manually prepared overtime slips are prepared, documented and filed. This time is added to the time card later.

During "Hugo" power was out to all of our facilities rendering the time clocks useless. The emergency power unit at our fire stations caused the time clocks to speed up making them inaccurate.

III. EXCEPTIONS ON COMPUTATION OF TIME

According to the auditor, the six minor exceptions were in the range of one to two tenths of an hour. Our time clocks record in military time using hundredths of an hour instead of minutes. This has created some confusion to say the least. For instance, 7 58 on the time card is not rounded to 8:00 A.M. but instead to 7:30 A.M. and 7 30 on the time card is not 7:30 A.M. but is rounded at 7:15 A.M. Time conversion sheets have been issued to the departments. More time needs to be taken to ensure that the correct time is listed using the time conversion sheet.

IV. DUE DAYS

(A) Service Department

No one from the Service Department is accruing "Due Days". The department head feels that he either misunderstood a question asked or that the auditor misunderstood his answer. There is only one employee at this time who is at his maximum time and he takes off his time per month which complies with the personnel policy.

(B) Public Safety

The accumulation of "Due Days" is a common practice in this department. There are several employees who have been with this department long enough to accrue the maximum annual leave days allowed by the personnel policy. Annual leave also includes sick leave. According to the policy an employee who has accrued the maximum allowable leave either takes his or her leave on a monthly basis or loses it.

The primary mission of this department is to protect the lives and property of the citizens of Orangeburg. We are operating, and have been for quite some time, with a minimum number of personnel. If an employee is required to take off two days per month we would have to bring in an off duty person, who is probably tired, to work the shift. This would necessitate paying overtime to the off duty person which costs us more than allowing one more day to accumulate as leave to be used later. I do not feel that it is fair to not allow a person to take his due time off and to make this person forfeit this time that he or she has earned. I await your advice on this matter.

- V. None of the above is intended as a rebuttal to the auditor's findings nor do I feel that I need to comment on the many procedures that were checked where no exceptions were noted.

The personnel manual on page 37 states that---"All departments shall keep daily attendance records of employees which shall be reported to the City Administrator or the Manager of the Department of Public Utilities on the form and on the dates they shall specify."

It also states on page 39 in the general regulations pertaining to leave regulation that "exceptions to this leave policy may be made by the City Administrator or the Manager of the Department of Public Utilities."

I do not wish to be in the position of having to make a lot of exceptions because of the unique nature of some of our departments. I would rather that you consider what has been the practice and either agree with it or tell me what you find to be acceptable.

VI. "HUGO" PAY

On the Friday after "Hugo" a lot of streets were blocked by fallen trees and or power lines. Everyone was being urged to stay home unless it was absolutely necessary to get out. There was no electricity in any of our buildings except the fire stations (emergency generators) and the telephones did not work in City Hall. We had two people staffing the Emergency Operations Center (EOC) and had notified Orangeburg citizens by radio on Thursday to contact the EOC in the event of an emergency other than police or fire. Some administrative personnel reported to work only to find that there was absolutely no way to do anything. They went back home. Service Department and Public Works personnel were clearing streets. Hillcrest employees were clearing trees off of fairways and greens. Parks and Recreation employees were working to restore their facilities.

The Honorable Mayor and City Council
October 24, 1989
Page 4

The Public Safety Department had mobilized their entire force and was on duty during the storm to assist those with emergencies and to prevent looting. These employees had left their wives and children at home not knowing what was really going to happen.

Considering the above scenario, the decision was made by me to pay those personnel who were not able to work Friday. The personnel policy did not cover emergency situations so I based my decision upon what I thought was fair at the time. Once the decision was made to pay those who could not work a day's pay, I paid those who did work an extra day's pay.

Upon reflection, I realize now that since the personnel policy did not address emergency situations, that there should have been no exceptions made. The over payment amounts to \$12,725.69.

I accept the responsibility for this and will recover these funds either in time or money.

Sincerely,

L. Hugh Smith
City Administrator

LHS/r

R. LEETON DAVIS, CPA
WILLIAM R. HUNT, CPA
BOBBY L. DAVIS, CPA
JOHN C. CREECH, JR., CPA
ANNE H. ROSS, CPA
WILLIAM F. QUATTLEBAUM, CPA

J. W. Hunt and Company

OF ORANGEBURG, P. A.

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AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS
PRIVATE COMPANIES PRACTICE SECTION

J. W. HUNT, CPA (1907-1987)
ZED V. SMITH, CPA

The Honorable Mayor and City Council
City of Orangeburg
Orangeburg, South Carolina

We have applied certain agreed upon procedures, as discussed below, to the payroll and accrued annual leave records of the City of Orangeburg, excluding the Department of Public Utilities, for the four week period ending September 26, 1989, solely to assist you in evaluating the City's payroll and accrued annual leave policies and procedures. This report is intended solely for the use of management and should not be used for any other purpose. This restriction is not intended to limit the distribution of this report, which, upon acceptance by the City of Orangeburg, Orangeburg, South Carolina, is a matter of public record. Our procedures are as follows:

- A. We reviewed the written policies and procedures of the City of Orangeburg related to its payroll and accrued annual leave.
- B. We interviewed each department head to determine how each specific department is currently implementing the City's payroll and accrued annual leave policies and procedures.
- C. We selected a sample of employees, excluding the Department of Public Utilities, from the City's payroll during the four week period ending September 26, 1989 as follows:

<u>Department</u>	<u>Number of Selections</u>	<u>% Tested</u>
Public Safety	19	25%
All Others	13	15%

- D. Our procedures, findings and recommendations, if any, for the sample selections noted in step C. are as follows:

1. PAYROLL

- a. Procedure - We reviewed the employee time cards for proper approval.

Finding - We noted five instances where time, which was manually written in, was not approved by the employee's immediate supervisor. All five exceptions were within the public safety department.

- We noted thirteen instances where overtime hours were not approved by the employee's immediate supervisor. All thirteen exceptions were within the public safety department.

- We noted twenty-five instances where overtime hours associated with Hurricane Hugo activities (Note: From 11:00 P.M. September 21, 1989 to 4:00 P.M. September 23, 1989) were not approved by the employee's immediate supervisor. The exceptions were split as follows: eighteen within the public safety department and seven for all other departments.

Background - The City Administrator's July 17, 1989 memo to all department heads regarding the use of time clocks requires the employee's immediate supervisor to document his approval of all overtime and manually written-in time recorded on the time card. This documentation is to be indicated by the supervisor placing his initials next to all overtime and written-in time. This approval is to ensure that the City only pays for legitimate work performed on behalf of the City.

Recommendation - Ensure that all overtime and written-in time recorded on the time cards is properly approved and documented.

- b. Procedures - We could not recompute the hours recorded on the employees' time cards using one standard method since the City has no written procedures on how time card hours are to be accumulated and grouped for payroll purposes. Our procedure was limited to recomputing the hours recorded on the time cards using the informal procedures communicated orally to us by each department head.

Findings - We noted six minor exceptions where our recomputed hours did not agree with hours reported for payroll purposes. The exceptions were split as follows: five within the public safety department and one for other departments.

- We noted that the City has no consistent procedures, either written or informal, for accumulating and grouping hours worked from the employees' time cards for payroll purposes.. Each department has a different approach to accumulating and grouping time card hours worked. In addition, we noted that several departments within the City used different criteria for accumulating and calculating hours associated with Hurricane Hugo activities.

- We noted that based upon informal instructions from the City Administrator "double time" was paid to most employees who worked during Hurricane Hugo activities. We could not find any written authorization for paying "double time" to City employees.

Recommendation - Prepare written policies and procedures to cover the accumulation and grouping of hours reported on the employee's time card for payroll purposes. In addition, City Council should clarify whether the currently written overtime policy covers emergency situations, such as Hurricane Hugo, and what pay structure is appropriate for such situations.

- c. Procedure - We compared the total hours from the time cards to the actual hours paid in the payroll register.

Finding - We noted one exception where the actual hours paid did not agree with the total hours from the time card. Upon further investigation we observed that the time card hours for two of the City employees were inadvertently switched when entered into the City's computer system.

Recommendation - Have a second employee compare all hours entered into the system to the total hours reported from the time cards before processing the payroll.

- d. Procedure - We compared the actual pay rates used to approved pay rates.

Findings - No exceptions were noted.

- e. Procedures - We recomputed the payroll and compared to actual wages paid.

Findings - No exceptions were noted except for the instance noted in step D.1.a. above.

- f. Procedure - For the two week period ending September 12, 1989 we compared the time sheet hours reported to the time card hours reported (Note: During this time period the City was using a parallel system to accumulate payroll hours worked. The time sheets were used as the source for the actual hours used to pay employees).

Finding - No exceptions were noted, except for minor rounding differences (See step D.1 b.).

2. Accrued Annual Leave

- a. Procedure - We examined the accrued annual leave documentation in the employee's personnel file for proper approvals.

Findings - No exceptions were noted.

- b. Procedure - We recomputed the accrued annual leave based on the City's policy and compared it to the actual accrued leave in the employee's personnel file.

Findings - No exceptions were noted regarding official accrued annual leave amounts. We did note that two departments had informal policies for accumulating "due days" in excess of the maximum allowed accrued annual leave. The departments with this informal policy are the public safety and service departments. We could not find any written policies that allow the use of "due days".

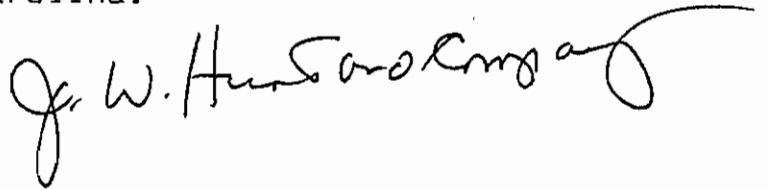
Recommendation - City Council should either amend the accrued annual leave policy to reflect situations in which "due days" can be accrued or direct the City Administrator to discontinue this practice.

- c. Procedure - We compared the accrued annual leave amounts in the employee's personnel file to the amounts recorded in the accrued annual leave records maintained in the City Treasurer's office.

Findings - We noted two exceptions in which the City Treasurer's office reported one additional annual leave day per exception.

Recommendation - We understand that the final fiscal year end reconciliation of accrued annual leave amounts had not been performed as of our field work. We believe that the current reconciliation procedure is sufficient for identifying any exceptions on a timely basis.

Because the above procedures do not constitute an audit conducted in accordance with generally accepted auditing standards, we do not express an opinion on any of the items referred to in the previous paragraphs. Had we performed additional procedures or had we conducted an audit in accordance with generally accepted auditing standards, other matters might have come to our attention that would have been reported to you. This report relates only to the items specified in the preceding paragraphs and does not extend to any other policies, procedures or record of the City of Orangeburg, Orangeburg, South Carolina.

A handwritten signature in cursive script, appearing to read "J. W. Henderson". The signature is written in dark ink and is positioned to the right of the typed text.

Orangeburg, South Carolina
October 12, 1989

R. LEETON DAVIS, CPA
WILLIAM R. HUNT, CPA
ROBBY L. DAVIS, CPA
JOHN C. CREECH, JR., CPA
ANNE H. ROSS, CPA
WILLIAM F. QUATTLEBAUM, CPA

J. W. Hunt and Company

OF ORANGEBURG, P. A.

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990 BENNETT STREET, N.E.
POST OFFICE BOX 1808
ORANGEBURG, S. C. 29116-1808
803-531-2035

J. W. HUNT, CPA (1907-1987)
ED V. SMITH, CPA

The Honorable Martin Cheatham, Mayor
City of Orangeburg
Orangeburg, SC

October 6, 1989

This letter is to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the services we will provide

We will perform the following services:

- A. Review the written policies of the City of Orangeburg related to payroll procedures and accrued annual leave.
- B. Interview City of Orangeburg Department heads regarding each specific departments implementation of the City's payroll and accrued annual leave policies.
- C. Select a sample (25% Public Safety Department; 15% all other departments) of employees, excluding the Department of Public Utilities, from the City's payroll for the two pay periods ending 09/27/89.
- D. For the employees selected in step 2 above, the following procedures will be performed:
 1. Payroll
 - a. Review employee time cards for proper approval.
 - b. Recompute proper hours worked.
 - c. Agree the recomputed hours to actual hours paid.
 - d. Agree actual pay rate used to approved pay rates.
 - e. Recompute payroll and agree to actual wages paid.
 - f. Compare time sheet hours reported to the time card hours reported.
 2. Accrued Annual Leave
 - a. Examine the employee's personnel file for documentation regarding annual leave and perform the following:
 - i. Ensure proper approvals.
 - ii. Recompute accrued annual leave per city policy and compare to actual.
 - iii. Compare accrued annual leave amounts per personnel file to the accrued annual leave records maintained in the City Treasurer's office.

Our report will document our work performed, compliance exceptions noted, and administrative and internal control recommendations, if any.

Our fee will range from \$1100.00 to \$1700.00. Our exact fee will be based on the number of hours spent and staff positions of the individuals assigned.

R. LETCHER DAVIS, CPA
WILLIAM R. HUNT, CPA
BOBBY L. DAVIS, CPA
JOHN C. CREECH, JR., CPA
ANNE H. ROSS, CPA
WILLIAM F. QUATTLEBAUM, CPA

J. W. Hunt and Company

OF ORANGEBURG, P. A.

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MEMBERS

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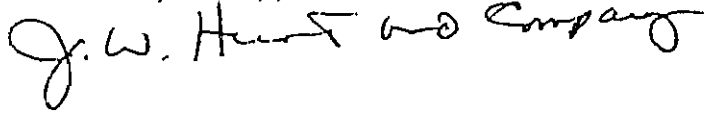
220 BENNETT STREET, N.E.
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ORANGEBURG, S. C. 29116-1505
803-531-2035

W. HUNT, CPA (1907-1987)
B. V. SMITH, CPA

The terms of this agreement shall remain in effect until changed or rescinded by either party in writing. Changes are subject to acceptance by the other party.

If the foregoing is in accordance with your understanding, please sign the copy of this letter in the space provided and return it to us.

Yours very truly,



ACKNOWLEDGE:

Signature and title

Date

CITY COUNCIL MINUTES
NOVEMBER 7, 1989

467

Orangeburg City Council held its regularly scheduled meeting on November 7, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Haire.

PRESENT: Martin C. Cheatham
L. Zimmerman Keitt
Bernard Haire
Marion F. Moore
Joyce W. Rheney
W. Everette Salley

ABSENT: Allen W. Parrott

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved the October 17, 1989, City Council Minutes as distributed.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unaniomously approved the October 30, 1989, Special City Council Minutes as distributed.

Mr. Jerry Calcutt of Piggly Wiggly made an appearance before council to protest his lost of discount on his utility bill. He stated that the bill was received on 9-21-89, the day of "Hugo" in the accounting department of the Charleston office. Their checks are usually processed on Fridays and mailed on the following Mondays. Their power in Charleston was restored on 9-29 and the check was mailed on 10-2. The last day to pay the net was 9-28. Mayor Pro Tem Keitt expressed her sympathy for his situation but felt that they must deal with this situation as they had dealt with previous requests. Councilmember Haire was in favor of the request because he felt that this was not a normal occurrence. A motion made by Mayor Cheatham, seconded by Councilmember Salley denied the request. Councilmember Haire opposed.

City Administrator Smith reported that he had met with FEMA officials in Charleston on this date. To date approximately \$63,000 will be requested in recovery damage reimbursement. He felt that it was best to wait and make one request since the debris removal has almost been completed.

A motion by mayor Pro Tem Keitt, seconded by Councilmember Rheney unanimously approved the third reading of the Loitering Ordinance.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved the second reading of an ordinance to lease hangar space at the Orangeburg Municipal Airport to the SC Forestry Commission as amended as follows:(see attachment)

Amendment #1--A motion by Councilmember Moore, seconded by Councilmember Rheney, amended with the ommission of "or future leases".

Amendment #2--A motion by Councilmember Salley, seconded by Councilmember Rheney, denied the amendment.

Amendment #3--A motion was made by Councilmember Salley, seconded by Councilmember Rheney to deny the amendment. Councilmembers Haire, Moore, Mayor Pro Tem Keitt and Mayor Cheatham opposed.

Amendment #4--A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, leave language in and extend for five years.

Amendment #5--A motion by Councilmember Rheney, seconded by Councilmember Moore, approved to grant the request. Councilmember Salley opposed.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the second reading of an ordinance to lease hangar space at the Orangeburg Municipal Airport to Belk Hudson.

ABB132

Concerning the matter of "Hugo" pay, Mayor Cheatham stated that he felt that a lot was learned through this experience and recommended that if the overage be recovered through comp time, annual leave, etc., he didn't want the employees to have to pay this back through monetary means. Councilmember Haire wanted to know if FEMA funds could be used to resolve this matter and just learn from this experience. Councilmember Rheney said that it was a bad decision and that this should be recovered in time.

Therefore, a motion by Mayor Cheatham, seconded by Councilmember Rheney, approved turning this matter over to City Administrator Smith for him to present a plan to council to recover the pay. DPU Manager Johnson, wanted this same consideration for his hourly employees. Mayor Pro Tem Keitt and Councilmember Haire opposed.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved a \$25 gift certificate for the eligible personnel and the barbecue dinner.

A motion by councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the consideration of land purchase from Bill Wise providing he pay all the closing costs involved.

Concerning the matter of removal of parking meter poles, Mayor Cheatham suggested that the Merchant's Association poll the downtown merchants before removing the poles. He wanted to know if they felt the plan was working.

A motion by Mayor Cheatham, seconded by Councilmember Haire, unanimously approved the release of right of first refusal to purchase Mosler property. This also authorized the Mayor to sign necessary documents.

DPU Manager Johnson brought no utility matters before council except that he wanted to commend Steve Tant for his actions concerning the gear problem with a generator.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved entering into an executive session for consideration of purchase of land and to receive legal advice.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r



South Carolina Forestry Commission

PO BOX 11727 COLUMBIA, SC 29221 803-737-8600

P. O. Box 1223
Orangeburg, S.C. 29116

November 1, 1989

Mr. L. Hugh Smith
City Administrator
City of Orangeburg
P. O. Drawer 387
Orangeburg, S. C. 29116

Dear Mr. Smith:

I would like for the city council to consider the following amendments to the Ordinance leasing a plot of land at the Orangeburg Municipal Airport to the S. C. Forestry Commission. These amendments will change the lease to reflect the original agreement between the airport commission and the SCFC.

Amendment #1: Page 3, Article 3: Delete the last sentence in the paragraph. The reason being is that this clause allows our lease to be changed at any time with no input by the SCFC.

Amendment #2: Page 4, Article 5: last paragraph, changed to read: Tenant shall pay in addition to ground rental and the charges specified, all water rates, utility charges, and building permits, if any, levied or assessed upon the demised premises, or any part thereof, or upon any buildings or improvements at any time situated thereon, or lawfully levied or assessed upon the leasehold interest created thereby during the term of the Agreement or any extended term.

This change will let us know up front what is to be paid with no surprises in the future.

Amendment #3: Page 4, Article 6: Delete the last sentence in the first paragraph. Since we are a state agency and will be building the hangar with state funds, we feel it in the best interest of the S. C. taxpayers to retain ownership of the hangar. If at some future date we need to move the structure, it will be ours to do so.

Mr. L. Hugh Smith
Page 2
November 1, 1989

Amendment #4: Page 5, Article 6, last paragraph; Delete the paragraph and replace with: In the event that the proposed development of the new runway is finished, the Lessee will have six (6) months from the time of runway opening to negotiate an alternate lease for the unexpired term of this Agreement, subject to the same terms and conditions set forth herein on a mutually agreeable site. Tenant may relocate all improvements and structures installed by Tenant on the demised premises, provided that after relocation the demised premises shall remain in good condition and repair, normal wear and tear excepted. Tenant shall be responsible for all costs and expenses incurred by reason of said relocation.

This change reflects the original agreement to lease a plot of land for five (5) years unless the proposed airport development occurs. If the development does occur, the SCFC will move the hangar to a mutually agreed upon location.

Amendment #5: Page 11, Article 14; change to read: Upon termination of this Agreement by lapse of time or for any other reason as provided for in this Agreement, including without limitation the reasons set forth in paragraphs 6 and 12 hereof, Tenant agrees to surrender the demised premises in good condition and repair, normal wear and tear excepted, without the receipt of any demand for rent, notice to quit or demand for possession whatsoever. The Tenant will have ninety (90) days from date of notice to remove all improvements. The reason for this change is the same as given for Amendment #3.

Mr. Smith, I will be happy to answer any questions you or the council might have regarding these proposed changes. I appreciate your help in this matter.

Sincerely,

S. Paul Watts for:

S. Paul Watts
District Forester

SPW:js

cc: Mr. James F. Walsh, Jr.
Mr. Reese Early
Mr. Charles Jones

STATE OF SOUTH CAROLINA

R E L E A S E

COUNTY OF ORANGEBURG

FOR AND IN CONSIDERATION of the sum of \$1.00, the undersigned does hereby release its Right to Repurchase as set forth in Paragraph 14 of the Declaration of Restrictive Covenants, Orangeburg Industrial Park, recorded in the office of the RMC for Orangeburg County on January 20, 1989, in Deed Book 543 at page 701 and specifically set forth, in that certain property deeded to Mosler, Inc. by deed of the City of Orangeburg, recorded in the aforesaid office in Deed Book 546 at page 479.

WITNESS the execution hereof this 7th day of November, 1989.

In the presence of:

CITY OF ORANGEBURG

[Signature]
[Signature]

BY Martin C. Cheatham
Martin C. Cheatham, Mayor

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG"

Personally appeared before me the undersigned witness and made oath that he saw the within named City of Orangeburg, by its duly authorized official, sign, seal and as its act and deed, deliver the within written Release, and that deponent with L. Hugh Smith witnessed the execution thereof.

SWORN to before me this 15th day of November, 1989.

(SEAL) Pauette J. Rush
Notary Public, S.C.
My commission expires August 26, 1987

CITY COUNCIL MINUTES
NOVEMBER 21, 1989

469

Orangeburg City Council held its regularly scheduled meeting on November 21, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Parrott.

PRESENT: Martin C. Cheatham, Mayor
Bernard Haire
Marion F. Moore
Joyce W. Rheney
W. Everette Salley
Allen W. Parrott

ABSENT: L. Zimmerman Keitt

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved the November 7, 1989, City Council Minutes as corrected.

Mayor Cheatham reported that the Merchant's Association had voted unanimously to request the city to remove parking meter poles and they want trees planted in their place. A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved to proceed with this request after the first of the year.

An appearance was made by Tom Ford of the County Industrial Development Commission. He discussed the increase in business demands on the Metal Leve plant and their plans are to double the size of the Orangeburg plant by early 1991. To do this they need to issue some industrial revenue bonds for which they would need assistance from the city. To do so they want to annex 1.9 acres in the city. They also are requesting a tax abatement for five years on this annexed property. A motion by Councilmember Salley, seconded by Councilmember Rheney, expressed the general approval of the concept until Attorney Walsh can study the situation as presented to Public Safety protection as one half of the building will be in the city and one half of the building outside of the city.

Mayor Cheatham reported that the Development Commission Board Committee met and are studying the matter and plan to make a recommendation at the next council meeting.

Mr. Steve Nettles of the Regional Housing Authority discussed plans for cleaning up drugs and other problems in public housing. He will be requesting \$200,000 grant from which he needs a letter of support from council. A motion by Councilmember Haire, seconded by Councilmember Salley, unanimously approved to support the project.

Sherrill Hampton, Director of Planning and Development requested approval from council to resubmit for \$500,000 to rehabilitate single family homes. A motion by Councilmember Salley, seconded by Councilmember Haire, unanimously approved this with the authorization for the Mayor to sign all necessary problems.

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved the third reading of an ordinance to lease hangar space at the Orangeburg Municipal Airport to Belk Hudson.

A motion by Councilmember Salley, seconded by Councilmember Rheney, unanimously approved the third reading of an ordinance to lease hangar space at the Orangeburg Municipal Airport to the South Carolina State Forestry Commission as amended.

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved the first reading of an ordinance concerning land purchase to Bill Wise.

ABB132

A motion by Councilmember Haire, seconded by Councilmember Parrott, to approve the recommendation of City Administrator Smith concerning "Hugo" time repayment. Councilmembers Rheney, Salley and Moore opposed, therefore, the motion did not carry. A motion was made by Councilmember Salley, seconded by Councilmember Rheney to accept items 1, 3, and 4 as recommended by City Administrator Smith. Councilmember Haire and Parrott opposed. Therefore, "Hugo" time repayment can be made through comp time, working extra time or reimbursement in cash. Forfeiting annual leave was not accepted.

Concerning the compensation and class study, DPU Manager, Ted Johnson, stated that he had met with three firms to discuss this study. He said that it would cost between \$35,000 and \$50,000 to conduct this study. There was some discussion about performing this study in-house. Councilmember Haire stated that an in-house study would not be beneficial to the employees and felt that this is what has them the low salaries that are in the city now. A motion by Councilmember Salley, seconded by Councilmember Moore, approved to conduct this study in-house. Councilmembers Parrott and Haire opposed.

A motion by Mayor Cheatham, seconded by Councilmember Haire, unanimously approved to stop accumulating "Due Days" by 11-30-89 and that employees that have accumulated "Due Days" must take these days by 1-1-91 or lose them. Councilmember Moore wanted to know why the Public Safety Department did not have full compliment and Public Safety Director Brant stated that he had not been given the authority to hire and the Public Safety ordinance has not received third reading as of yet. The majority of council agreed to proceed with the hire.

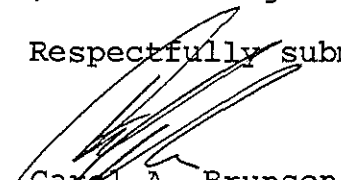
Concerning the matter of boarding houses in A-2 residential zone on Ellis Avenue, it was stated that the house in question does meet with A-2 standards but the parking regulations need to be enforced. Building Official Ott has talked with the land owners and they have agreed to comply.

Concerning the Department of Public Utilities matters, a motion by Councilmember Rheney, seconded by Councilmember Parrott, unanimously approved authorization to enter into an agreement with granting of right-of-way for sewer extension from Gulbrandsen's Manufacturing Inc.

A motion by Councilmember Salley, seconded by Councilmember Parrott, unanimously approved entering into an executive session for legal advice.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

RESOLUTION

WHEREAS, The City of Orangeburg has a desire that all employees should be informed as to the guidelines concerning employment with the City and,

WHEREAS, a Personnel Policy Manual has been prepared stating the policies which are ordinarily followed, and

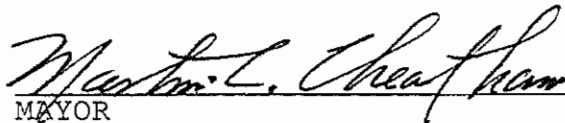
WHEREAS, this Personnel Policy was adopted by the Orangeburg City Council On July 19, 1989, and



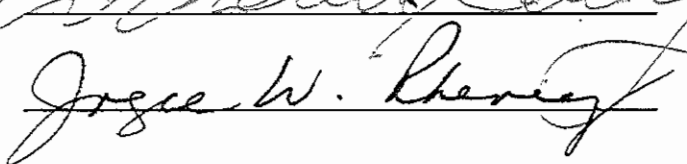
WHEREAS, it has been found that an amendment is needed to this Personnel Policy in order to amend a leave regulation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orangeburg hereby adopts the following amendment to the Personnel Policy Manual.

Page 39, Paragraph 1 - The third sentence is amended as follows: "Leave shall be charged against employees in not less than one hour units."


PASSED by the City Council of the City of Orangeburg, South Carolina, this fifth day of December, 1989.


MAYOR

MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

CITY COUNCIL MINUTES
DECEMBER 5, 1989

471

Orangeburg City Council held its regularly scheduled meeting on December 5, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT: Martin C. Cheatham, Mayor
Bernard Haire
L. Zimmerman Keitt
Joyce W. Rheney
W. Everette Salley

ABSENT: Marion F. Moore
Allen W. Parrott

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the November 21, 1989, City Council Minutes as distributed.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the second reading of an ordinance on land sale to Bill Wise.

Council heard reports from various department heads concerning continuing projects.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved the change orders at the Law Enforcement Complex concerning electrical situations and fire alarm system.

Council wanted to let the public know that there is a lease law and it would be enforced.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the personnel policy resolution concerning the change in using of annual leave in one hour increments.

A motion by Councilmember Haire, seconded by Councilmember Rheney, approved the bid of \$12,688.89 from Wannamaker Motor Company to purchase a one ton cab and chasis for the Service Department.

DPU Manager, Ted Johnson, brought no utility matters before council.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r

ABB132

Orangeburg City Council held its regularly scheduled meeting on December 19, 1989, at 7:00 P.M., in City Hall Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT: Martin C. Cheatham, Mayor
Bernard Haire
L. Zimmerman Keitt
Marion F. Moore
Joyce W. Rheney
W. Everette Salley

ABSENT: Allen W. Parrott

Public Hearings were held on the following:

Change A-1 Residential to B-1 Business.
Change A-2 Residential to O-I.
Classify B-1 Business.

No comments were received on these matters.

A motion by Mayor Pro Tem Keitt, seconded by Councilmember Haire, unanimously approved the December 5, 1989, City Council Minutes as distributed.

Mr. Jim Gordon and Mr. Jim Hunter presented a plaque to Mr. D. M. Zimmerman in appreciation for his fourteen years on the Law Enforcement Commission.

A motion by Councilmember Salley, seconded by Councilmember Rheney unanimously approved the third reading of an ordinance on the land sale to Bill Wise.

A motion by Councilmember Salley, seconded by Councilmember Rheney, unanimously agreed to the terms of the Edisto River land purchase.

A motion by Councilmember Rheney, seconded by Councilmember Haire, unanimously approved to re-appoint Mr. John C. Bond to the Planning Commission with his term expiring January 1, 1994.

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved the first reading of an ordinance to change A-1 Residential to B-1 Business on property owned by J. Leonard Sanford fronting on Chestnut, NE.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved the first reading of an ordinance to change A-2 Residential to O-I on property owned by Edward A. Inabinet on Broughton, NE.

A motion by Councilmember Salley, seconded by Councilmember Rheney, unanimously approved the first reading of an ordinance to classify B-1 Business property owned by Sherwin Glass dba Farmers Furniture on 301 North.

Planning and Development Director Sherrill Hampton presented a report to council concerning a traffic study.

Public Safety Director Brant discussed parking violations. Council agreed with Brant on strict enforcement. Public Safety Director Brant also discussed the blue laws and wanted to inform the public that they would be enforced.

A request was received from the Orangeburg County Mental Retardation Board that City Council consider giving reduced prices or possibly donating one or two plots to be used by their residential clients. Council requested more information.

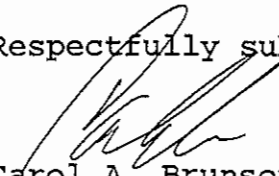
ABB132

A motion by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approved the low bid of \$4,060 from Park Built Body Company, Inc. for a dump body for a one ton cab and chasis for the Service Department.

DPU Manager, Ted Johnson, brought no utility matters before council.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol A. Brunson
City Clerk

/r