

CITY COUNCIL MINUTES
JANUARY 7, 1992

Orangeburg City Council held its regular scheduled meeting on January 7, 1992, at 7:00 P.M. in City Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Moore.

PRESENT:

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

Mayor Cheatham announced notification of \$700,000 grant for the extension of wastewater facilities at 301 and Brentwood Drive. These facilities will be extended to assist American Yard Products in the expansion of their industry. The Department of Public Utilities is matching this grant with \$400,000 to \$500,000.

A motion was made by Councilmember Moore, seconded by Councilmember Parrott to approve the December 17, 1991 City Council Minutes as corrected.

Concerning the Redistricting Plan, Councilmember Salley asked why there was only three plans posted and where the fourth plan was. Mr. Willie B. Owens, with the National Association for the Advancement of Colored People, stated that he had removed the plan to return it to the demographer's office as there was two incumbents in the same district. Mayor Cheatham stated that there were three white incumbents in the same district and not two. Councilmember Salley asked Mr. Owens, "The plan that was presented to Council is no longer here, have you withdrawn that plan?" Mr. Owens replied that the plan was not withdrawn but that corrections were being made. Councilmember Salley told Mr. Owens that the plan was removed from the City. Mr. Owens stated that Councilmember Moore's district would have been a majority black district which includes the students in the dormitories. Students are not eligible to vote, therefore, the district is approximately 35% black which designates that it is not a black district. Councilmember Moore stated, "The whole logic of the thing falls apart when you say take those students out because as I understand the law, and believe me I'm not an expert on the law, it deals with population. There are refinements of findings to deal with voting age population. My point being, if you are going to take the students out of my district or anybody's district, the City goes back to a 50/50 split. Then there should be three white districts and three black districts." Mr. Owens stated, "That there was not a fourth black majority district plan on either of the two plans proposed, it is far from being there. I am finished, I'll meet you in court." Mayor Cheatham asked Mr. Owens if he was going to submit another plan. Mr. Owens stated that he would resubmit his plan with very little variation in population and would be the best plan that City Council has. Councilmember Salley again objected to the plan being removed from City Hall. City Attorney Walsh advised City Council to accept the revised plan and review it before the plan is submitted to the Justice Department because the Justice Department would probably send it back and ask for their review with modifications. A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to delay the selection of a Redistricting Plan to the next City Council Meeting. Councilmember Moore opposed the resubmission of the revised plan from the National Association for the

Advancement of Colored People.

A motion was made by Councilmember Haire, seconded by Councilmember Salley approving the second reading of an Ordinance to convey property by lease to the Disabled American Veterans Chapter #33 for one year beginning March 1, 1992 through February 28, 1993.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Salley to table the third reading of an Ordinance to define the Fire Service Districts of the City of Orangeburg in order to review the rate structure proposal. Councilmember Salley questioned several category rate changes. Councilmember Moore opposed this motion.

Mr. Sam Frederick of the National Association for the Advancement of Colored People stated that the members were insulted by the insensitivity of the Mayor, City Council and the City Administrator due to the fact that there was no black individuals on the committee for the search for a Public Safety Director. They felt that the Public Safety Director position was a very important one and that the City should select a director from its own citizens. Mayor Cheatham stated that City Administrator Yow had put a lot of thought into the selection of the committee and he and City Council are very sensitive to the betterment of the City and all its citizens.

Mr. Robert Lambert, a concerned citizen, inquired as to the status of a grant for renovation of houses on Glover Street. Mr. Yow responded that he had been in contact with the Lower Savannah Council of Governments and the funds would be released the latter part of December, 1991. After funds are released, work will begin on the Glover Street Project.

Mayor Cheatham informed Council that the terms of the Aviation Commission, Board of Adjustments, and the Planning Commission were about to expire. Councilmembers are to bring new appointees or re-appointees to next Council meeting

Mr. B. Reese Earley, Director of Public Works, presented information concerning the relocation the non-directional radio beacon (NDB) at the Orangeburg Municipal Airport. The Aviation Commission recommended to Mr. Earley to relocate the NDB to avoid potential problems with the construction of the South Carolina Electric and Gas Company Power Plant in Cope, South Carolina. Mayor Cheatham made a motion, seconded by Councilmember Salley to accept the recommendation to move the non-directional radio beacon, but the expense for moving it be incurred by South Carolina Electric and Gas Company based on the estimate of \$12,560 plus any other costs that may be incurred. Councilmember Haire suggested that Mr. Earley, South Carolina Electric and Gas Company representatives and City Administrator Yow develop a final proposal and submit it to Council.

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

Councilmember Haire requested that Police Chief Robert L. Keith maintain citations for three months on the handicap parking. Also, Councilmember Rheney would like the parking in fire lanes to be re-enforced.

See attached statements of the Mayor and City Council concerning the Cable Television issues:

Mayor Cheatham stated there was an additional ten questions

in the January 5, 1992, issue of the Times and Democrat that he was going to answer. (see attachment)

Mr. Terry Roberson of Jones Intercable addressed City Council stating that the feasibility study, in its whole manner, was not presented in open session of City Council. He stated Jones Intercable has invested millions of dollars in the community. He also stated that he did not think that the citizens should be asked to help subsidize something that they do not have or do not want.

Department of Public Utilities Manager, Ted Johnson, stated that his purpose was to make affordable rates to the poor people who could not afford Jones Intercable rates. Mr. Johnson confirmed that he would stand by his statement that there would be a savings of one million dollars a year. Mr. Johnson stated that when rates go into effect there will be competition and competition is good for the community. The present cable company will have to lower their rates or lose customers.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to enter into an Executive Session for a legal briefing and personnel matters.

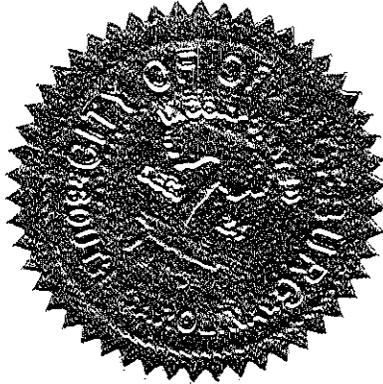
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



MAYOR'S STATEMENT

For weeks now the citizens of Orangeburg have been bombarded by advertisements and rigged telephone surveys full of half truths and unfounded inuendos. We as your elected officials have held our tongues for too long and I, as your elected chief executive, have had enough. It's high time that we clear the air and answer categorically and in detail these unwarranted attacks on our governmental intentions and our excellent Department of Public Utilities.

A project from which all the citizens of Orangeburg will benefit financially and from a full service standpoint has been consistently misrepresented by a last ditch effort by a large out-of-town company to warp the truth.

There are numerous cities and communities that provide community owned television systems to their citizens. The service is improved and rates are much cheaper. They are able to do this and still make a profit for the community. They've been able to produce improved viewing through modern techniques which would put the Jones Intercable Company to shame. We'll give you more channels, a better picture, free and desirable municipal outlets--all these things and more for less money. What more can you ask? And, let me remind you again, we didn't start this. Many other towns are way out ahead of us.

They've been taunting us all with loaded language in a highly expensive advertising campaign sponsored from outside our state. Now--let's rise to the challenge and answer their questions one by one.

CCOUNCILMEMBER BERNARD HAIRE

4. Will Council ever tell us why it is opposed to the public and the media's right to know everything about its Cable TV System?
 - A. The study was authorized by Council and when completed was presented to Council for approval. Copies of the study were made available to the news media and anyone else who desired a copy.

COUNCILMEMBER ALLEN W. PARROTT

5. Will Council ever explain why all its Cable TV planning has been done in secret without any public input?
- A. All decision involving Cable TV have been acted upon in open session of Council. Nothing has ever been done in secret nor will any decision affecting the City of Orangeburg ever be made in closed session. This would be false and tragic leadership. The City Council of Orangeburg, for decades, has been an honorable body of men and women. This Council has not lowered nor tarnished that image.

COUNCILMEMBER MARION F. MOORE

1. Will Council ever explain why it wants to bring more government to Orangeburg?

The City of Orangeburg through its national acclaimed Department of Public Utilities is expanding into cable television for the following reasons:

- A. Lower monthly rates for our citizens. \$4.64 less per month for basic service, or \$55.68 per year including taxes and franchise fees. \$11.12 less for basic service and two additional TV sets or \$133.44 per year.
- B. It will save the citizens of Orangeburg approximately \$1 million a year by changing to their community owned and operated TV system.
- C. Will initially offer 45 channels to our citizens.
- D. To provide educational channels for our schools and colleges.
- E. This is not more government, it is better government.

MAYOR PRO TEM KEITT

2. Will Council ever tell us why they want to levy a luxury tax's on the citizens's of Orangeburg?
 - A. At no time has the City ever indicated there would be a tax's of any kind, much less a luxury tax's.
 - B. Taxes will not be used to finance construction and no taxes for cable TV will be levied upon the citizens of Orangeburg.
 - C. Our Department of Public Utilities presently contributes \$2.7 million to the City budget and with additional revenue generated from cable TV, this will help the City to keep its tax's rate low.

COUNCILMEMBER SALLEY

3. Will Council ever release all of its studies so we will know the true cost of its Cable TV System?

- A. All of the information pertaining to the study is at the Department of Public Utilities and is available to anyone who wishes to see it. To our knowledge only one individual has come to look at it.
- B. We have nothing to hide. Both the Department of Public Utilities and the administrative side of the City have operated in a fair and open manner. To think or insinuate otherwise is an insult to the integrity and loyalty of Councilmembers elected by honorable and decent citizens who have confidence in our ability to make wise and prudent decisions.

COUNCILMEMBER JOYCE W. RHENEY

6. Will Council ever show us the actual areas its Cable TV System will cover?
 - A. Again, all of the information is at the Department of Public Utilities and is available to anyone. As the Mayor has stated, we will initially serve the City of Orangeburg and later seek a franchise from County Council to expand further.

MAYOR MARTIN C. CHEATHAM'S 10 QUESTIONS FROM 1-5-92 T & D

1. How much will the system cost to construct?
 - A. As provided by the study and as stated by the Manager of the Department of Public Utilities, the cost of the initial study area that includes the City of Orangeburg and a portion of the County, will not exceed \$ 3.7 million.
2. Does the construction cost include construction in the County?
 - A. Yes, it includes a portion of the County that was included in the initial study. It is the City's plan to serve the majority of its present electrical customers in the future.
3. Who will and won't get service after construction is complete?
 - A. As stated previously, City residences will first be served and after obtaining a franchise from the County, the majority of the electrical customers or DPU will be served.
4. How did the City's Feasibility Study reach its conclusions, and why does the City say the conclusions of objective, outside experts are wrong?
 - A. The Feasibility Study was based on facts. It is a fact that the cost of basic service to Jones Intercable, as well as DPU, was less than \$3.50 per month at the time of the study. From this it is easy to see that a community owned cable system providing basic service for less than \$17.20 is in the best interest of the citizens of Orangeburg
5. Was there another Feasibility Study performed for Council that concluded that the City would lose even more money than the current Feasibility Study predicts?
 - A. No. The Feasibility Study prepared by outside consultants, proves that a community owned system will produce a profit for the citizens of Orangeburg.
6. What effect will there be on other utility rates if the cable system is not as successful as the City predicts?
 - A. The operation of the cable system in conjunction with other utilities of DPU, will have a positive effect in that it will help provide better electric, water, gas and wastewater services at a lower rate.

7. Will DPU's contribution to the City in lieu of taxes be reduced if the cable system loses money?
 - A. The Department's contribution to the City will be increased by profits generated from the Community Cable TV System.
8. Why should 40 percent of the projected cost of construction of a cable system come from funds generated by bills paid by DPU's electric, gas, water and sewer customers-customers who might not want cable TV from the City or anyone else?
 - A. Most of our two-way communication and control system provides benefits to more than just the CATV Department. Because of this fact, the CATV Department should not necessarily be called upon to bear all of the cost associated with the system. This is all explained in the Feasibility Study.
9. Has a survey been performed by the City asking citizens whether they are willing to subscribe to a City cable service?
 - A. After reviewing results from other cities and the benefits derived from a community owned system, City Council authorized DPU to proceed with a study for Orangeburg.
10. Why should Council spend millions on a system that not everyone wants, can afford, or might even be able to get?
 - A. After reviewing all the facts, Council feels that a community owned system will be beneficial to all the citizens of Orangeburg. Lower rates, larger transfer to the City in lieu of taxes, more channels, and enhanced community participation.

CITY COUNCIL MINUTES
JANUARY 14, 1992

Orangeburg City Council held a Special City Council meeting on January 14, 1992, at 6:00 P.M., in City Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

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

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to relinquish all ownership in the Detention part of the Law Enforcement Complex and meet its commitment that was made for the maintenance of it through June 30, 1992, at which time the City will cease any other payments. Arrangements will be made with the handling of city prisoners in accordance with how other cities throughout the state operate.

City Administrator Yow presented to Council a survey of eight cities throughout the state which showed that municipalities do not pay for the upkeep of General Sessions Court prisoners. They only pay for those who violate city ordinances. On June 30, 1992, when the City stops funding the Detention Center it will also withdraw from the committee of governing bodies.

City Administrator Yow presented to Council a clarification that the State Department of Highways and Public Transportation has agreed to assist the City as the lead agency in the condemnation process in the Dukes Street area. The City will be responsible for paying for the property once its is condemned.

Mayor Cheatham stated that the redistricting plans, with modifications, were received from Mr. Willie B. Owens of the National Association for the Advancement of Colored People. This was the second time the plans had been received and both times they were late. Dr. Salley wanted to know if it was both plans or just one plan. Mr. Owens stated that he only submitted one plan, which was the initial plan, with modifications. Dr. Salley stated that, "There should be two plans, the initial plan and the one with modifications. This is the second plan." Mr. Owens stated that his plan best represents the changes in the population of the City of Orangeburg and he asked Council to support the plan and submit the plan to the Justice Department as the reapportionment plan for the City of Orangeburg. A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, that the plan submitted by the National Association for the Advancement of Colored People be accepted. Mayor Cheatham, Councilmembers Salley, Moore, and Rheney opposed, therefore, the motion did not carry.

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, to adopt Plan III, which was submitted by Councilmember Moore, because it fairly represents the breakdown of the City population and meets all ordinances and codes. Councilmembers Haire, Parrott, and Mayor Pro Tem Keitt, opposed this motion.

A motion was made by Councilmember Salley, seconded by Councilmember Moore approving the first reading of an Ordinance for the purpose of establishing six (6) Municipal Districts and setting the date for a Special Election to elect Council Members from each District. A date will be determined at the next City Council meeting.

Concerning cable television, Mayor Cheatham stated because of the gag order imposed by Jones Intercable and its supporters, prohibiting the expenditures of public funds and the use of public personnel, it is impossible for the City to obtain the necessary information to participate in a debate with Jones Intercable. A motion was made by Mayor Cheatham, seconded by Councilmember Haire, that the next regular City Council meeting on January 21, 1992, be held in the Stevenson Auditorium. This will allow citizens an opportunity to ask questions about a community owned cable television system. Mr. Macon Sheppard stated, "That the City is hiding behind a so called gag order which is nothing but a smoke screen. That Ninth Circuit Court Judge, Richard Fields, in his order states, the City can discuss the facts, talk about the issues and can answer questions and can even ask the County for a franchise. The City cannot use taxpayer's money to advertise its position." Mayor Cheatham stated to Mr. Sheppard that, "His side had been given a free reign to advertise, make statements, raise and spend money and make its position known. The City has been denied this opportunity. All information pertaining to the feasibility study is at the Department of Public Utilities. It took over a year to complete this study and how can the opponents call City consultants unqualified when their study was completed in one week and what makes that more qualified and now you have free advertising time on Jones Intercable." Mayor Cheatham asked Mr. Roberson, Manager of Jones Intercable, "If he would give the City free advertising?" Mayor Cheatham stated that, "They were using free time with Jones Intercable and you say that you serve the public and this is a public issue, so give the City free time. Let the City have advertising time that you are using to mislead our citizens, so give us an opportunity to tell the public about the truth. The Department of Public Utilities, in the past five years, has had three rate decreases. Since 1985 Jones Intercable have increased their rates and is this in the public interest."

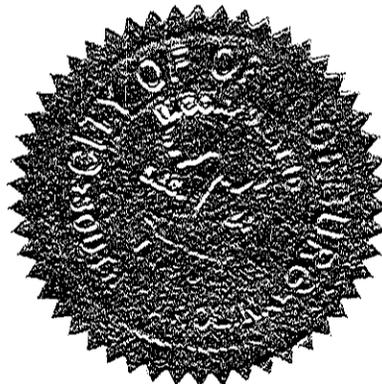
A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to adjourn the meeting.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
JANUARY 21, 1992

Orangeburg City Council held its regular scheduled meeting on January 21, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, approving the January 7, 1992, City Council Minutes as distributed.

A motion was made by Councilmember Rheney, seconded by Councilmember Moore, approving the January 14, 1992, Special City Council Minutes as distributed.

A motion was made by Councilmember Haire, seconded by Councilmember Parrott, approving the third reading of an Ordinance to convey property by lease to the Disabled American Veterans Chapter #33 with an amendment that any alterations to the building will become City property.

A motion was made by Councilmember Salley, seconded by Councilmember Parrott, approving the second reading of an Ordinance for the purpose of establishing six (6) Municipal Districts and setting a time frame of 120 days after the plan is approved for a Special Election to elect Councilmembers from each District.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, approving the reappointment of George Daniels, Dr. Donald R. Small and the Reverend W. J. Baxter to the Aviation Commission. Mr. L.R. Patrick and Desiree E. Chavis were re-elected to the Board of Adjustments. Mrs. Sara Alexander, Willie Hubbard and Eleese Baxter were re-elected to the Planning Commission.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to support the application for a Youth Sports Program Grant as requested by the People's Assault on Drugs.

City Administrator Yow updated Council on a \$3.8 million Federal Department of Housing and Urban Development new construction grant funds through the Regional Housing Authority #3 for fifty housing units and a community center in the City/County area.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, approving the first reading of an Ordinance to relinquish ownership in the Orangeburg-Calhoun Detention Center and to withdraw from the Law Enforcement Complex governing body.

Council received notification of receipt of \$45,000 in South Carolina Wildlife and Marine Resources Funds and \$45,000 in Water Recreation Resource Tax Funds for improvements in the North Edisto River.

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

The public forum was opened by Mayor Cheatham and he asked Mr. Ted Johnson to address the audience to give a summary of the history and current plans for the City of Orangeburg to develop a cable television system. After Mr. Johnson's summary, Mayor Cheatham opened the floor to questions from the audience.

QUESTION: Will each DPU subscriber have to pay \$168.00 and also would you explain about the \$3.7 million dollars for the system?

ANSWER: Mr. Johnson: It would be rather difficult to come up with that figure. We certainly are not going to charge each and every person whether they take cable TV or not a fee. Jones Intercable tried to guess at how many customers DPU had and divided that by \$3.7 million. They did not have the right number of customers. The system we are looking at came in with an estimate of approximately \$3.7 million. You that know me, know that I am rather conservative and I can assure you that \$3.7 million is a conservative figure. Even with it costing \$3.7 million, we will be able to turn a profit in approximately the first or second year. We will be able to do it with the rates we offered, pay the system back and we will be able to do this in a short while.

QUESTION: With all the money Jones Intercable has spent to advertise in the newspaper, how much have they spent to advertise and when will that money be cranked into my bill?

ANSWER: Mayor Cheatham: You need to contact Jones Intercable and get a figure from them.

QUESTION: I live in front of fire station #2 and I understand they have cable. I have been trying to get cable for three years. I live in the City limits and will I be able to get cable if this is passed?

ANSWER: Mr. Johnson: This is one reason we are looking into providing this service. When DPU starts this system we hope within one year to have everybody inside the City that wants cable served. We will not miss anybody. I can assure you if you want cable you will get it if you live inside the City. After the City is provided with cable we will move outside of the City limits.

STATEMENT TO MR. JOHNSON: I have been in Orangeburg three and a half years and dealt with utilities nation wide for twenty years. I commend DPU for their rates and services. If DPU provides cable and serves the people as well, we cannot ask for anything better.

STATEMENT: A gentleman stated five years ago he had to put his wife in a nursing home. Cable was within a block of it and Jones Intercable refused to put cable in the nursing home. He stated that if we had our own cable system he hopes we would take matters like this into consideration.

QUESTION: There was an article in the newspaper referring to a \$1.36 rate increase. I thought the rate was set at \$12.90 and also the article said the cable system would be paid for with our taxes. Is this true?

ANSWER: Mr. Johnson: Once we pay our system off we will be able to lower our rates, but until then the rate will be \$12.90. There will be no luxury tax nor any additional taxes. A portion of the profit from the cable system will be

transferred to the City. Mayor Cheatham stated no tax money will be used for cable TV.

STATEMENT: An individual stated, it was taxpayer's money being used to establish cable TV. Profit is taxpayer's money and Council decided to spend it without any input from you citizens. Courts are forcing them not to spend any more money.

STATEMENT: An individual stated that he is much in support of City cable. He pays his cable bill annually and from 1984--1991 his bill went up 266.3%. We need competition. Rates are getting out of reach.

QUESTION: What about premium channels. Will they be offered and how much will they cost?

ANSWER: Mr. Johnson: We will start with 45 channels and add the others as quickly as possible. We will have premium channels plus three viewer selection channels. The sound will be crisp and clear as disc players. Premium channels will cost less than Jones Intercable.

QUESTION: If something goes wrong after the system is installed, will there be any charges for service calls?

ANSWER: Mr. Johnson: As long as it is part of the DPU System there will be no service charge.

STATEMENT: Someone stated that DPU has done an excellent job. In 1990 profit from DPU were \$10 million. Donations to the City were \$2,430,000. Something real good has happened at DPU.

QUESTION: How long will it be before residents outside the City will have cable?

ANSWER: Mr. Johnson: We have court cases we have to dispose of first. It depends on when we are able to start. After we get started in about one year we will move outside the City.

QUESTION: Will Jones Intercable be able to operate after the City puts in cable?

ANSWER: Mayor Cheatham: Yes. We will not bother their franchise unless we were to get a lot of complaints. Then we would look into the matter.

QUESTION: Will DPU cut the cable off without notification and how much will a reconnection fee be? It is \$15.00 with Jones Intercable.

ANSWER: Mr. Johnson: You can pay your utilities and not pay cable and you would still have utilities. We do send out a reminder. Our charge to reconnect will not be that high.

STATEMENT: An individual stated he had been in Orangeburg for thirty years. He is proud of Council, proud of the way they run Orangeburg and proud of DPU. We elected you to Council and if we cannot stand behind you, something is wrong.

QUESTION: Will DPU guarantee that there will not be rate increases in the future like at Jones Intercable?

ANSWER: Mr. Johnson: We have the lowest rates in the state. I do not think I would last long in Orangeburg if I came to Council with increases. Ours will be the lowest rates in the

State of South Carolina as far as cable is concerned.

STATEMENT: Citizen of ten years: I am concerned over a campaign for both sides, but I have learned that you have to spend a little money to make money. I feel we are going in the right direction and I do hope we will give it a chance.

QUESTION: If we lose the election one week from today, are we dead? Do you have a feel for what the citizens want? Are we going to win?

ANSWER: Mayor Cheatham: That's Council's decision. Yes Sir, we will win. I have made 40 calls to people I know and 20 to people I do not know and 53 are in favor of the cable TV system and 7 stated they had not made up their minds but did not state a preference.

QUESTION: How much customer base would we have to produce a profit in the second year?

ANSWER: Mr. Johnson: DPU has 20,000 electric customers. If we can pick up 3,000 customers we will be doing real good. You have to remember there are a lot of people in Orangeburg who do not have cable. I feel that with the rates we will be charging, we will pick up a lot of those people.

QUESTION: Will your 45 channel system be addressable or non-addressable? If a person has a 13 channel TV set, will he have to buy a special piece of equipment to carry channels that a 13 channel TV will not carry? If that is the case, what will the price of the box be?

ANSWER: Mr. Johnson: The system will be more than addressable. A converter box would be necessary for televisions that are not cable ready at a very reasonable rate.

STATEMENT: A concerned citizen stated that Council is spending taxpayers money for the cable system it went to court in South Carolina and it was stopped. He feels his money is being spent for wrong doings. He thinks we need competition but private competition.

STATEMENT: Mayor Cheatham: The City has spent no tax money on the cable system.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



SPECIAL CITY COUNCIL
JANUARY 29, 1992

Orangeburg City Council held a Special City Council Meeting on January 29, 1992, at 6:30 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
Mayor Pro Tem Keitt
Marion F. Moore
Allen W. Parrott
Joyce W. Rheney

ABSENT:

W. Everette Salley

Mayor Cheatham thanked Councilmembers for their help during the Cable TV Referendum along with the Orangeburg Citizens' support. The Mayor stated he hopes to see the community grow and have a better quality of life for all its citizens.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to accept the recommendation of Mr. Reese Earley, Director of Public Works, to split between the City and the South Carolina Electric and Gas Company the cost of relocating the non-directional beacon (NDB) at the Orangeburg Municipal Airport. South Carolina Electric and Gas Company had previously requested the relocation to solve a potential conflict with the new utility facility in Cope, South Carolina. The South Carolina Electric and Gas Company will pay \$7,935.00 and the City will pay \$4,625.00. A planned emergency back-up system is also being implemented.

A motion was made by Councilmember Parrott, seconded by Councilmember Rheney, to accept Plan #1 to improve 1,200 feet of the flood-damaged Hess Branch Property by taking advantage of \$451,200 in emergency federal funding. Councilmember Moore abstained from voting. The South Carolina Department of Highways and Public Transportation agreed to fund \$56,400. The City will provide \$56,400, however, \$11,450 will be in-kind services, leaving the City's actual cost at \$44,950. Councilmember Haire expressed his concern about the "jumping around" approach that allows the Hess Branch Canal to be improved before work on Sunnyside Canal is completed. He, also, stated he would vote for it but with the understanding that the City would look at means of doing something with Sunnyside Canal. City Administrator Yow was also given the authority to sign the necessary documents.

A motion was made by Councilmember Moore, seconded by Councilmember Parrott, to approve the South Carolina Festival of Roses budget for 1992. Revenues were projected at \$14,600 and expenditures at \$13,865, which calls for a surplus of \$735. The fund balance is \$1,500.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to accept the recommendation made by the Parks and Recreation Department, to replace a mower deck at a cost of \$850. The cost will come from the interest portion of the cemetery fund.

A motion was made by Councilmember Haire, seconded by Councilmember Parrott, to accept the recommendation of the Parks and Recreation Department, to close the cement boat ramp adjacent to the 301 bridge in the Edisto Memorial

Gardens.

Mayor Cheatham announced to Council that an anonymous donor gave a significant contribution to complete funding for a lighted water spray fountain in the Edisto Memorial Gardens.

A motion was made by Councilmember Haire, seconded by Councilmember Parrott, to accept the recommendation of Mr. Reese Earley, Public Works Director, and Chief Robert L. Keith, Police Division, to not allow parking on the north side of Sellers Avenue from Broughton to Boulevard.

Mr. John Yow, City Administrator, presented to Council that fourteen employees of the Public Works Department required to obtain their commercial driver's licenses, have passed the knowledge portion of the test.

Mayor Pro Tem Keitt asked City officials to look into the problem of uncovered trucks traveling through the City.

A motion was made by Councilmember Haire, seconded by Mayor Cheatham to adjourn the meeting.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



The whole number of votes cast for City Referendum on Cable T.V.

was 3,142

of which the following question received: (see attached Ballot)

PRECINCTS	NO.	IN FAVOR OF	OPPOSED TO	
Orangeburg Ward 1	101	244	119	
Orangeburg Ward 2	102	104	67	
Orangeburg Ward 3	103	109	59	
Orangeburg Ward 4	104	87	63	
Orangeburg Ward 5	105	155	110	
Orangeburg Ward 6	106	194	113	
Orangeburg Ward 7	107	393	140	
Orangeburg Ward 8	108	207	104	
Orangeburg Ward 9	109	226	90	
Orangeburg Ward 10	110	323	119	
Absentee	750	73	43	
Challenged	800			
TOTALS		2115	1027	

We do hereby certify that the following statement is correct in all respects. IN WITNESS WHEREOF, we have hereunto subscribed our names this 30th day of January, in the year 1992.

Harold L. Robinson
Carol N. DeLoe
D. D. Scola

BOARD OF CANVASSERS

FOR THE

CITY OF ORANGEBURG

Certified True Copy: Harold L. Robinson

SPECIAL CITY COUNCIL MINUTES
JANUARY 30, 1992

Orangeburg City Council held a Special City Council Meeting on January 30, 1992, at 6:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

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

ABSENT:

Allen W. Parrott

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, approving the first reading of an Ordinance to adopt a budget for the Department of Public Utilities in the amount of \$48,794,200.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, approving an Ordinance to amend Code of Ordinances -- Chapter XXIII, Articles I and III, Section 23-2, Section 23-3 and Section 23-12.1. This is to create a communications division within the Department of Public Utilities.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to adjourn the meeting.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
FEBRUARY 4, 1992

Orangeburg City Council held its regularly scheduled meeting on February 4, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

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

ABSENT:

Allen W. Parrott

Mayor Cheatham welcomed the new Assistant City Administrator, Eric G. Budds, who is assuming the position of Planning Director along with expanded duties.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, approving the January 21, 1992, City Council Minutes as distributed.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, approving the January 29, 1992, Special City Council Minutes as distributed.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, approving the January 30, 1992, Special City Council Minutes as distributed.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, for Mayor Cheatham to send a letter of appreciation to the State's two U. S. Senate members thanking them for supporting a bill to re-regulate cable television.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, approving the third reading of an Ordinance for the purpose of establishing six (6) Municipal Districts and setting the date for a special election to elect Councilmembers from each district.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, approving the second reading of an Ordinance to authorize the release and conveyance of all interest in and to the Detention Facilities of the Law Enforcement Complex and to withdraw from its governing body.

Mayor Cheatham pointed out that the City is not concerned about the way that other municipalities are being treated but that the City will not pay for general sessions prisoners after June 30, 1992.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, approving the authorization of Project Agreement with the South Carolina Department of Highways and Public Transportation for the Dukes Street Project.

Council received the FY 1990-91 Audit Report for the City from J. W. Hunt and Company representative, Ann Ross. Councilmember Salley questioned whether the City was solvent. Mrs. Ross stated that the City was solvent and cited the City's fund balance of \$422,356. Mrs. Ross also stated that the City budgeted some of the fund balance but then used less than budgeted.

CITY COUNCIL MINUTES
PAGE 2

Council received as information a report from Mr. John Gadsden, Director of Small Business Development Center at South Carolina State College, on the new Metro Services Bus System. This operation is scheduled to begin operation in the City on February 19, 1992.

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, to renew a low bid lease purchase agreement with Club Car to replace golf carts at Hillcrest.

Councilmember Salley requested an update on the financial status at Hillcrest. Tom Vargo, Hillcrest Superintendent, stated that the golf facility had the best December it has ever had and has done well in January and February.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to accept the recommendation made by Parks and Recreation Director, Marion J. Smith, to accept the \$225,480 low bid construction contract submitted by Southern Vistas Incorporated of Columbia, SC for the Horne Wetlands Park.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to accept the recommendation of Parks and Recreation Director, Marion J. Smith, to accept the offer from Clemson University for a study and design of entrance signage into the City and thoroughfare landscaping. The only cost to the City will be transportation, meals and lodging for students and staff on approximately two trips to Orangeburg. The estimated cost would be \$1,000 to be requested from the Accommodations Tax Fund Committee.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to accept the recommendation of Fire Chief C. W. Glover, to accept the high bid of \$1,766.50 submitted by the Town of Woodford for the purchase of a 1965 American LaFrance Pumper.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to authorize the City Administrator and Department of Public Utilities Manager, to approve the sale of surplus property through bids or annual auction.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to approve the second reading of an Ordinance to adopt a budget for the Department of Public Utilities.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the second reading of an Ordinance to amend Code of Ordinances--Chapter XXIII, Articles I and III, Section 23-2, Section 23-3 and Section 23-12.1.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



600

CITY COUNCIL MINUTES
FEBRUARY 18, 1992

Orangeburg City Council held its regular scheduled meeting on February 18, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Haire.

PRESENT:

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

ABSENT:

Allen A. Parrott

Mayor Cheatham commended Police Chief Robert L. Keith, Major Joseph L. Keitt, and the Drug Enforcement Raid Team on the tremendous job that they performed on the drug raid which resulted in \$9,000 in confiscated funds, a van, gun and cocaine.

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, to accept the February 4, 1992, City Council Minutes as corrected.

Mayor Pro Tem Keitt raised the issue of the Redistricting Ordinance and stated that she was voting on the Ordinance at the February 4, 1992, City Council Meeting and not on Plan 3. Ms. Keitt stated, she wanted the paper to make it clear and not try to confuse people on the issue.

Mayor Cheatham asked City Administrator Yow to review the Sign Ordinance in the city limits before the election in June.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to negotiate with owners for an option to purchase property adjacent to the Park Operation Center. Councilmember Haire opposed.

Council received from City Administrator Yow an assessment report from the SC Downtown Development Association. Mr. Yow stated that the next step in this project is to contact other cities with successful programs and to form a steering committee. City Administrator Yow stated that the City of Orangeburg will need to take the lead.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to provide city employees with a school tuition reimbursement program that would allow full time city employees to be reimbursed at 70% of tuition for up to 130 credit hours. This tuition reimbursement program will be included in the City's personnel policy.

A motion was made by Mayor Cheatham, seconded by Councilmember Salley, to re-elect W. J. Stoudemire, Jr. to the Planning Commission.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, for the election to the Board of Adjustments to be carried over until the next City Council Meeting, March 3, 1992, for District #6 due to the absence of Councilmember Parrott.

CITY COUNCIL MINUTES
PAGE 2

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to adopt the official election results from the January 28, 1992, referendum on a city owned and operated cable television system.

City Council received as information progress reports from all city departments. Most of the discussion centered on the status of the paving and improvements on Boulevard. Mayor Cheatham stated that Council needs to convince the SC Dept. of Highways and Public Transportation to provide drainage, curb and gutter improvements before new paving on Boulevard begins. Councilmember Moore expressed his concerns that he hopes that the Highway Department does not get the message from Council that it wants no paving until the improvements are made. He stated, "they waited us out last time, and they can wait us out again."

City Administrator Yow reported to Council that fire contracts that are due March 1, 1992, will be extended until mid March because of a study being conducted by the Fire Department on the cost to provide service to suburban areas.

Council received as information a report from DPU Manger, Ted Johnson, on plans to fight recent legislation introduced by electric cooperatives. The affect of this would prohibit DPU from serving such large industries as Okonite and Utica. He also reported on recent successful efforts to stop the State Department of Health and Environmental Control from imposing water tests that would add cost to the bills of residential, commercial and industrial customers. The test can be done locally avoiding the added bureaucracy.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to adopt a budget for the Department of Public Utilities.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to amend Code of Ordinances Chapter XXIII, Articles I and III, Section 23-2, Section 23-3 and Section 23-12.1, which is an Ordinance to establish a Communications Division at the Department of Public Utilities.

A motion was made by Councilmember Rheney, seconded by Councilmember Moore, to enter into an Executive Session for personnel matters.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
MARCH 3, 1992

Orangeburg City Council held its regular scheduled meeting on March 3, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
Marion F. Moore
Allen W. Parrott
Joyce W. Rheney
W. Everette Salley

ABSENT:

L. Zimmerman Keitt

Mayor Cheatham welcomed Mrs. Susan Cuttino, the new Assistant Finance Director for the City.

A motion was made by Councilmember Salley, seconded by Councilmember Parrott, approving the February 18, 1992, City Council Minutes as distributed.

Mr. Marion J. Smith, Jr., Director of Parks and Recreation Department, introduced Miss Angela Clark an Orangeburg native and the 1992 South Carolina Queen of Roses. Council congratulated Miss Clark who will be representing Orangeburg in the Miss South Carolina Pageant to be held July 11, 1992. Council also recognized Tony and Mitzi DeAloia who were the pageant coordinators.

Parks and Recreation Director Marion J. Smith, Jr., informed Council that the Edisto Memorial Gardens has been included on the state's list of top twenty tourist attractions for 1991. He also reported that the Rose Gardens has received the All-American Rose Selection Achievement Award.

Mayor Cheatham requested that Council postpone the third reading of an Ordinance to authorize the release and conveyance of all interest in and to the Detention Facilities of the Law Enforcement Complex due to the fact that County Council authorized a contract with a survey firm to prepare necessary plats and prepare a deed for the property to be used for the Detention Center expansion.

Councilmember Parrott appointed Ms. Madlyn G. Salley, 481 Middleton Street, S.E., to the Board of Adjustments for a four year term ending January 1996.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to elect Ms. Carol Whisenhunt (tourist related) of the Orangeburg County Chamber of Commerce, and to re-elect Ms. Jackie Davis (tourist related), Marion J. Smith, Jr., (non-tourist related) of the Parks and Recreation Department, and Mr. Fred Broughton (non-tourist related) to the Accommodations Tax Advisory Committee for a four year term ending 3-96. Councilmember Haire opposed this motion and stated that he was not willing to be a part of a game to get rid of Charles E. Taylor, III. Councilmember Parrott abstained from voting.

A motion was made by Councilmember Rheney, seconded by Councilmember Parrott, approving the first reading of an Ordinance to establish a truck route in the City. Councilmember Salley opposed. He stated that the new ordinance should keep the prohibition against trucks in the

CITY COUNCIL MINUTES
PAGE 2

Edisto Memorial Gardens area. He also stated that no truck traffic originating in the City needs to take the route through the Gardens. Councilmember Haire abstained from voting.

Mr. Warren Dickey, a South Carolina State University student, requested that Council look into having pedestrian crossing signs at the intersection of Russell Street and U. S. Highway 601. He stated that the intersection is dangerous to pedestrians. Council agreed to refer this matter to the SC Department of Highways and Public Transportation.

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

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to enter into an Executive Session for a discussion on the Cable Television litigation.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
MARCH 17, 1992

Orangeburg City Council held its regular scheduled meeting on March 17, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Salley.

PRESENT:

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

ABSENT:

Allen W. Parrott

A motion was made by Councilmember Rheney, seconded by Councilmember Moore, unanimously approved the March 3, 1992, City Council Minutes as distributed.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, unanimously approved the third reading of an Ordinance to define the fire service areas of the City of Orangeburg and to establish annual rates.

City Administrator Yow presented the three (3) major objectives of the rate analysis changes, which were to cover the \$438,000 revenues budgeted, to see where the cost arise and take out any unfair charges. Fire Chief Glover presented the statistics showing that 60% of all fire calls are outside of the City limits, 60% of man hours go outside of the City, and 75.5% total miles are ran outside of the City. Councilmember Haire questioned why it is persons who have the least square footage that always pay the highest rates. Councilmember Moore explained that 75% of the cost is taking a truck to the location regardless of the size of the dwelling.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, unanimously approved to purchase a tractor for Hillcrest Golf Course for \$13,970, which is on state contract. Council gave City Administrator Yow approval for a line item budget transfer for this item.

A motion was made by Councilmember Moore, seconded by Mayor Pro Tem Keitt, unanimously approved the request from Orangeburg County to waive building permit fees for the expansion of the Orangeburg-Calhoun Detention Facility.

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, unanimously approved a \$5,000 Small Business Administration Tree Grant and fund sharing grants for tourism promotion from the South Carolina Department of Parks, Recreation and Tourism. The City's match for the Small Business Administration Grant, which will be used to plant sixty (60) trees at Hillcrest is \$1,500 and \$3,500 in in-kind services over a three year period. With the Parks, Recreation and Tourism Grants the City will develop a new brochure for the Edisto Memorial Gardens. The \$3,500 Grant would include a \$3,500 match. The second project will be to secure billboards for the 1993 Festival of Roses. The \$1,500 Grant will include a \$1,500 match. Also, the printing of the program book for the 1993 Festival of Roses will be a \$1,250 Grant with a local match of \$1,250.

THE MOORE CO.
REAL ESTATE SALES & MANAGEMENT

Marion F. Moore

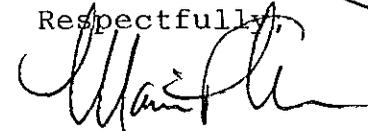
March 17, 1991

The Honorable Martin C. Cheatham
Mayor of Orangeburg
Orangeburg, SC

Dear Mr. Cheatham:

It is my understanding that the council will discuss in executive session this evening possible condemnation of property along Hess Creek. Since I do have an interest in property along the creek I would ask that you excuse me during discussion and voting on this matter.

Respectfully,



Marion F. Moore

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

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approved entering into an Executive Session for (1) legal matters pertaining to Cable TV litigation, (2) legal matters pertaining to proposed utility services to a potential industrial prospect, and (3) legal matters pertaining to condemnation of property/Hess Branch.

Council then entered into an open session again. A letter was read by Mayor Cheatham from Councilmember Moore asking to be excused from the discussion and voting on the matter of condemnation of property along Hess Branch due to the fact that he has interest in this property. Councilmember Moore was not present at this portion of the Council Meeting nor present in the Executive Session discussion on this matter. A motion was made by Councilmember Salley, seconded by Councilmember Haire, unanimously approved to authorize City Administrator Yow to negotiate for public easement for pipe installation as part of Hess Branch Project. If this attempt is unsuccessful, the City will then proceed with the condemnation process.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, for adjournment.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

SGF/r



CITY COUNCIL MINUTES
APRIL 7, 1992

Orangeburg City Council held its regular scheduled meeting on April 7, 1992, at 5:30 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Moore.

PRESENT:

Martin C. Cheatham
Bernard Haire
Marion F. Moore
Allen W. Parrott
Joyce W. Rheney
W. Everette Salley

ABSENT:

L. Zimmerman Keitt

A motion was made by Councilmember Rheney, seconded by Councilmember Moore, unanimously approving the March 17, 1992, City Council Minutes as distributed.

Mr. Holbrook Oliver reported to Council on the status of the renovations of the Disabled American Veterans Building. Materials and money in the excess of \$25,000 have been donated by approximately fifty (50) businesses in Orangeburg for the renovations. The building will be dedicated on May 16, 1992. The building is the first permanent home for the local Disabled American Veterans in forty-six (46) years.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, unanimously approving the second reading of an Ordinance pertaining to truck traffic regulations and routes incorporating the amendments made at the first reading. Councilmember Salley suggested that City Administrator Yow be instructed to have signs made to designate the truck route pending final approval.

Department of Public Utilities Manager, Ted Johnson, recognized water plant supervisor Henry (Hank) G. Rutland for receiving the Operator's Meritorious Service Award, the state's top honor for water-plant operators.

A motion was made by Councilmember Haire to increase Mayor Cheatham's salary for one year to compensate him for the time he was Acting City Administrator. There was no second to this motion. Councilmember Parrott asked Councilmember Haire to withdraw the motion at this time because this was the first time he had heard of Councilmember Haire's proposal. Councilmember Haire had no objection. City Attorney Walsh explained that Council could not pay the Mayor as Acting City Administrator, but they could approve a one year salary increase. The increase would not go into effect until after a new mayoral election. City Administrator Yow was instructed to place the item on the next agenda.

Public Works Director B. Reese Earley, provided information to Council on proposed participation in Santee Cooper's Give Oil For Energy Recovery Program (GOFER). The drop-off bins will be placed at the City's recycling sites.

A motion was made by Councilmember Rheney, seconded by Councilmember Moore, unanimously approving a request from the United Daughter's of the Confederacy to place Confederate flags on Memorial Plaza and three cemeteries in the City where Confederate soldiers were buried. The flags will be placed on Confederate Memorial Day, May 10, 1992, from 8:00 A.M. to 6:00 P.M.

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, to approve the first reading of a Wrecker Services Rotation Ordinance. Councilmember Haire abstained from voting. Councilmember Moore did not agree with the City setting the wrecker rates. Councilmember Haire had several questions about certain aspects concerning the Ordinance. Assistant City Administrator Budds and Police Chief Robert L. Keith were instructed to discuss Councilmember Haire's concerns before second reading. Mr. Charles Lee of Lee's Texaco, who operates a wrecker service, suggested that Council meet with wrecker service representatives to get their ideas.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to approve the first reading of an Ordinance to amend the Code of Ordinances for the City of Orangeburg concerning duties of the City Administrator and providing for the appointment of Department Directors and the City Attorney. Councilmember Haire abstained from voting. It clarifies that Department Directors and the City Attorney are employed "at will", serving at the discretion of the City and are appointed by the City Administrator. Councilmember Haire expressed his concern about the wording "at will". Attorney Walsh explained that before termination, certain procedures must be followed. Attorney Walsh will explain the procedures at the next council meeting.

Department of Public Utilities Manger, Ted Johnson, reported to Council on a proposal by the State Department of Health and Environmental Control to impose a per-customer surcharge to finance testing and monitoring for Federal Safe Drinking Water Act. Mr. Johnson stated that an unfair burden would be placed on the smaller water systems. Mayor Cheatham said he planned to contact both of our senators on this matter.

A motion was made by Councilmember Haire, seconded by Councilmember Parrott, unanimously approving entering into an executive session for contractual matters concerning Orangeburg County and the Detention Center as well as Aiken Electric Co-Op. and legal matters concerning the cable television litigation.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
APRIL 21, 1992

Orangeburg City Council held its regular scheduled meeting on April 21, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Councilmember Parrott, seconded by Councilmember Moore, unanimously approving the April 7, 1992, City Council Minutes as distributed.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, authorizing City Administrator Yow to to exercise the option to purchase property on Seaboard Avenue between the Parks Operation Center and property owned by the Department of Public Utilities for \$12,000. The property was appraised at \$13,000. The vote was 6-1, Councilmember Haire opposed this motion.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, unanimously approving the third reading of an Ordinance pertaining to truck traffic regulations and routes. Assistant City Administrator Budds stated to Council that he had received a letter from the SC Department of Highways and Public Transportation stating that they will place the signs as soon as the Ordinance is passed.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approving the third reading of an Ordinance to authorize the release and conveyance of all interest in and to the Detention Facilities of the Law Enforcement Complex.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, approving the second reading of an Ordinance to amend the Code of Ordinances for the City of Orangeburg concerning duties of the City Administrator and providing for the appointment of Department Directors and City Attorney. This was a 4-3 vote in favor of the motion. Councilmembers Haire, Parrott, and Mayor Pro Tem Keitt opposed this motion. Councilmember Haire and Mayor Pro Tem Keitt had an unreadiness about the section of the Ordinance which states that department directors can removed from their positions "with or without cause." City Attorney Walsh explained to Council the procedures involved in terminating a department director.

A motion was made by Councilmember Parrott, seconded by Councilmember Haire, to give Mayor Cheatham a one-time salary increase of \$12,000 after the next election to compensate him for the period of time he was interim city administrator. The 2-4 vote failed. Councilmembers Rheney, Salley, Moore and Mayor Pro Tem Keitt, opposed this motion. Mayor Cheatham excused himself during the proceedings.

Department of Public Utilities Manager, Ted Johnson, presented to Council the latest financial statistical

report. He also, stated to council that there was a successful ruling in the lawsuit concerning Department of Public Utilities rates challenged by central electrical cooperatives.

A motion was made by Councilmember Haire, seconded by Councilmember Parrott, to enter into an executive session for legal matters pertaining to condemnation for the Department of Public Utilities.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
MAY 5, 1992

Orangeburg City Council held its regular scheduled meeting on May 5, 1992, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Keitt presiding. An invocation was given by Councilmember Haire.

PRESENT :

Bernard Haire
L. Zimmerman Keitt
Marion F. Moore
Joyce W. Rheney
W. Everette Salley

ABSENT:

Martin C. Cheatham
Allen W. Parrott

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, unanimously approving the April 21, 1992, City Council Minutes as distributed.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, in a three to two vote, to approve the third reading of an Ordinance to amend the Code of Ordinances for the City of Orangeburg concerning duties of the City Administrator and providing for the appointment of Department Directors and City Attorney. Councilmember Haire and Mayor Pro Tem Keitt opposed. Councilmember Haire expressed concern about the terms "with or without causes" for termination clauses. He stated that the City would have Department Directors under pressure or with threat that they could be dismissed without any cause.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, approving the second reading of a Wrecker Services Rotation Ordinance. Councilmember Haire abstained from voting.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to deny payment to Mayor Cheatham for the time that he was interim City Administrator. This was a three to two vote with Councilmembers Moore and Haire opposing.

Council received notification from the Orangeburg Mental Retardation Board for the intent to construct four (4) group homes within the City limits. Executive Director Gene Marlowe explained to Council that each of the homes would house four (4) adults with staff members on duty twenty-four hours. State law requires that the City respond to this notification within fifteen (15) days. Councilmember Salley expressed that a location should be publicized to give citizens a chance to be heard.

Councilmember Salley made a motion to deny the request from the County of Orangeburg for additional funds at the Orangeburg-Calhoun Detention Facility. There was no second to this motion. A motion was made by Councilmember Moore, seconded by Councilmember Haire granting additional funds from the governing bodies for the Orangeburg-Calhoun Detention Facility. This was a four to one vote with Councilmember Salley opposing.

City Administrator Yow presented to Council the budget calendar for the FY 1992-93.

CITY COUNCIL MINUTES
MAY 5, 1992
PAGE 2

City Administrator Yow presented to Council recommendations for forming a Downtown Revitalization Steering Committee. City Council will appoint seven (7) members/one per councilmember. The Chamber of Commerce will appoint two (2) members and the Merchant's Association will appoint three (3) members. A motion was made by Councilmember Moore, seconded by Mayor Pro Tem Keitt, unanimously approving Mr. Yow's recommendations.

Grievance Committee appointments were postponed until the May 19, 1992, City Council Meeting.

Department of Public Utilities Director Ted Johnson brought no utility matters before Council.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, for adjournment.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
MAY 19, 1992

Orangeburg City Council held its regular scheduled meeting on May 19, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Haire.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Joyce W. Rheney
W. Everette Salley

ABSENT:

Marion F. Moore
Allen W. Parrott

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, unanimously approving the May 5, 1992, City Council Minutes as corrected.

Ms. Barbara Ford, President of the Orangeburg Council of Garden Clubs, told Council that the club would be donating money to place lights in the trees in the Edisto Memorial Gardens during the Christmas season. The Garden Club will donate \$10,000 for forty trees (40) and the City will be responsible for installation, maintenance, and the electrical bills. The City will also place a plaque at the Orangeburg Arts Center stating that the Council of Garden Clubs made the donation.

Mr. Alexander Gardner asked for City Council's support on a "Midnight Basketball" program. Mr. Gardner also stated that community efforts were being made by the Kappa Alpha PSI Fraternity to promote role models for third through fifth graders in our community.

A Proclamation was mentioned by Mayor Cheatham designating the week of May 4--8, 1992, as National Nurses' Week.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, unanimously approving the third reading of a Wrecker Services Rotation Ordinance.

Councilmember Haire questioned the order of the businesses on the wrecker rotation list. Assistant City Administrator Budds responded that the list would stay in the current order with the new businesses being added to the bottom.

Appointments to the Downtown Revitalization Steering Committee was postponed until the June 2, 1992, City Council Meeting when all appointees could be contacted.

City Administrator Yow told Council that he had received a letter from County Administrator Gary Smoak requesting that the City appoint two (2) representatives to be on the Solid Waste Advisory Committee. These appointments were postponed until the June 2, 1992, City Council Meeting.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney to appoint Major Freddie Antley, Public Safety Officer (Fire Division), William Cartwright, Public Safety Officer (Police Division) and Susan Cuttino, Executive Department, to the Grievance Committee. Councilmember Haire abstained from voting.

A motion was made by Councilmember Salley, seconded by

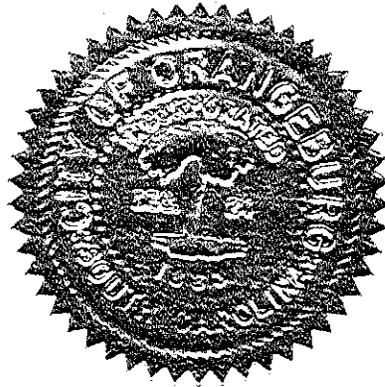
Councilmember Haire to approve the Resolution--Agreement with Aiken Electric Cooperative, Inc., concerning electrical service areas North and West of the City of Orangeburg.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk



R E S O L U T I O N

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina has after due negotiations and deliberations with the Aiken Electric Cooperative, Inc., a rural electric cooperative reached an agreement with said Electric Cooperative as to certain electrical service areas North and West of the City of Orangeburg.

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 City enter into an agreement with the Aiken Electric Cooperative, Inc., whereby the said areas agreed upon are described and identified, and

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

PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this 19th day of May, 1992.



Signed:

Martin C. Cheatham
Mayor

James W. [Signature]
W. Keith [Signature]
[Signature]
[Signature]

Members of Council

ATTEST:

Sharon M. Fanning
City Clerk and Treasurer

CITY COUNCIL MINUTES
JUNE 2, 1992

Orangeburg City Council held its regular scheduled meeting on June 2, 1992, at 7:00 P.M., Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

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

ABSENT:

Allen W. Parrott

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approving the May 19, 1992, City Council Minutes as distributed.

Council heard from Mrs. Joe Ashley, spokesperson for a group of concerned citizens that live on Ellis Avenue. They requested that Council look into the crowded boarding homes for the college students in their neighborhood. They asked for better police response, enforcement of the parking ordinance, and a change in the zoning ordinance that now allows ten (10) to twelve (12) students to live as a single family, because they cook together. City Administrator Yow said the problems would be addressed in the next two (2) to three (3) months while school was out for the summer.

Council appointed the following persons to the Downtown Revitalization Steering Committee:

Gussie Austin
Pernetta Brice
Dean Livingston
Frank W. Farnum, III
Haskell Johnson
Floyd Gordon
Roy Chandler
George Dean
Henry Allen
Charlie Boswell
Paul Miller

Mr. Ben Boozer, Executive Director of the South Carolina Downtown Development Association, will meet with committee members on June 15, 1992, at 6:00 P.M., in Council Chambers.

A motion was made by Mayor Cheatham seconded by Councilmember Moore, unanimously appointing Reese Earley, Public Works Director of the City and Fred Boatwright, Director of the Water/Wastewater Division of the Department of Public Utilities, to the Orangeburg County Solid Waste Advisory Committee.

Council received as information a report from Allan Ott, Building Official of the City, on the status of 911 street renaming and renumbering in the City. Seventy (70) streets or street sections must be renamed and twenty (20) must be renumbered in order to facilitate Orangeburg County's 911 emergency telephone system.

A Proclamation designating June 14, 1992, as Flag Day was passed.

616

A petition to close one block of Crystal Street will be held in abeyance until further notice.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, approving a request from Putter Path residents to remove a street light. This was a two to four vote. The motion was opposed by Mayor Pro Tem Keitt, Councilmember Rheney, Councilmember Salley, and Councilmember Haire. Department of Public Utilities Manager, Ted Johnson, suggested that his department would repaint the light to reduce the glare into the homes.

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

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, unanimously approving entering into an Executive Session for a legal briefing on the Cable Television Ruling and also a personnel matter.

Before the Executive Session, Mayor Cheatham wanted to comment on three points about the cable television situation. First, the referendum in January showed the solid support that was received from the citizens to improve efforts for quality television. Second, more than twenty (20) states in the United States have allowed cities to go into cable television and thirdly, the cost of the litigation was due to the plaintiffs wanting to go through the Circuit Court instead of the Supreme Court.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, unanimously approving authorization of the City Attorney to file a legal appeal after the cable television ruling.

Councilmember Haire asked that City Administrator Yow survey other cities on their sick leave policies and bring a report to Council for their review. It was generally agreed upon that Department of Public Utilities Manager, Ted Johnson, would also take part in conducting the survey and making the report to Council.

A motion was made by Councilmember Haire, seconded by Mayor Cheatham, for adjournment.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk



CITY COUNCIL MINUTES
JUNE 16, 1992

Orangeburg City Council held its regular scheduled meeting on June 16, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Salley.

PRESENT:

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

Mayor Cheatham announced the resignation of Councilmember Allen W. Parrott. He has been re-assigned to a church in Charleston. Mayor Cheatham wished him well and was very appreciative of all he did on City Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, unanimously approving the June 2, 1992, City Council Minutes as distributed.

Assistant City Administrator Eric G. Budds, gave a report to Council on the status of efforts to address concerns raised by Ellis Avenue area residents on the student housing problem. He explained that the A-2 zoning in the area allows both single and multiple family dwellings. He further explained that city staff was aware that modifications of the zoning ordinances are needed, however, that a number of legal issues needed to be resolved before the ordinance could be modified. As for code violations such as noise, litter, alcohol or parking, he recommended that the City proceed with writing uniform traffic tickets. One warning would be issued and then a ticket with a fine up to \$200 to the violator may be issued. On the third offense or continuation of the problem, a second ticket would be issued or an arrest would be made. Mrs. Joe Ashley, the spokesperson for the Ellis Avenue Area of Concerned Citizens, expressed her concerns that Council was emphasizing the minor issue of parking when there were more serious behavioral issues. The biggest problem she stated is the ordinance that allows a number of people to live in one house. Mayor Cheatham said he felt all Councilmembers were concerned with their problems and would be working together to solve them.

Director of Public Works, B. Reese Earley, requested that Council hire an aircraft maintenance mechanic to operate at the Orangeburg Municipal Airport. According to his survey figures, a budget of \$66,745 expenditures would be needed with a revenue total of \$61,000. Councilmember Salley suggested that some capital improvements be made to make the operation more attractive for someone to want to operate it as a private business. He stated that to offer a really good competitive service, a mechanic has to be self-employed, rather than receiving a guaranteed city salary.

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, unanimously approving to hold the airport mechanic issue in abeyance until the next City Council Meeting.

A motion was made by Councilmember Moore, seconded by Mayor Pro Tem Keitt, unanimously approving Mayor Cheatham to write a letter of support for the People's Assault on Drugs to seek a \$250,000 Drug Elimination grant.

A motion was made by Councilmember Salley, seconded by

Councilmember Moore, approving the first reading of an Ordinance to amend the City of Orangeburg's Business License Rate Schedule for the purpose of establishing business license fees for concessionaires.

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, approving a recommendation from Parks and Recreation Director, Marion J. Smith, to authorize the filing of an application with the South Carolina Forestry Commission to complete a master plan for tree planting. It is a \$10,000 grant whereas the City would have to match this. If the grant is approved, monies would come from the FY 1992-93 Parks and Recreation operating budget and from the Accommodations Tax Fund.

City Administrator Yow confirmed to Council that a Goal Setting Retreat was scheduled at Santee State Park on Saturday, June 20, 1992.

City Administrator Yow told Council that he was pleased to announce the new Director of Public Safety, Richard Singleton. Director Singleton will begin his duties on July 20, 1992.

There were no utility matters brought to Council.

City Attorney Walsh presented to Council copies of a June 8, 1992, letter from the United States Justice Department requesting additional information before required pre-clearance of a City re-districting plan is given.

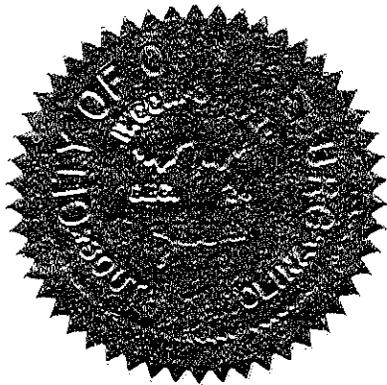
A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, for adjournment.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
JULY 7, 1992

Orangeburg City Council held its regular scheduled meeting on July 7, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Joyce W. Rheney
W. Everette Salley

ABSENT:

Marion F. Moore

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, unanimously approving the June 16, 1992, City Council Minutes as distributed.

Mayor Cheatham presented a certificate of appreciation to Harry L. McCullohs, Jr., for his outstanding service and contribution to the Law Enforcement Commission from April 1987 through June 1992. Detention Center Director James Gordon also presented Mr. McCullohs a certificate of appreciation. Mr. Allen Flemming also received a certificate of appreciation but was unable to attend the meeting.

Mayor Cheatham presented Jack A. Gramling, Jr., with a Resolution of appreciation of his devotion of duty to the City from March 21, 1969 until his retirement on June 30, 1992.

Mayor Cheatham and Mayor Pro Tem Keitt presented Robert L. Keith a Resolution of appreciation for his devotion of duty to the City from September 15, 1960, until his retirement on June 30, 1992. Mayor Cheatham also commended him on a job well done and praised him for being a loyal and dedicated public servant.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, unanimously approving a Resolution for the lease purchase of municipal equipment. The lease purchase contract amount of \$243,000 is with Orangeburg National Bank at an interest rate of 4.97%.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, unanimously approving a Resolution amending the City's Housing Rehabilitation Procedures and Guidelines Manual. Assistant City Administrator Budds explained that this would eliminate a seven member board and put the decisions in the hands of City Council. This would enable the City to progress and expedite the process. This would only hold true for this particular grant.

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, approving the recommendation of Assistant City Administrator Budds to form a student housing task force. Councilmember Haire abstained from voting. Assistant City Administrator Budds suggested that the members be as follows:

SOUTH CAROLINA STATE UNIVERSITY

Two members to be appointed by President
One administration/faculty representative
One student government representative

CLAFLIN COLLEGE

Two members to be appointed by President
One administration/faculty representative
One student government representative

ELLIS AVENUE HOME OWNERS ASSOCIATION

Two members appointed by Association

RENTAL PROPERTY OWNERS

Two members appointed by City Administrator with consent of Mayor

CITY OF ORANGEBURG

Mayor Martin C. Cheatham

Also, ex-officio members are City Administrator, Assistant City Administrator and Director of Public Safety.

Councilmember Haire voiced his concern of not placing enough priority on other areas of the City with the same problems and asked that these areas receive similar consideration.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, unanimously approving a request by Annie Ruth D. Livingston to relinquish the implied easement of the City Of Orangeburg for the right-of-way on the unused portion of Crystal Street.

Public Works Director Reese Earley informed Council that the relocation site of the nondirectional radio beacon at the Orangeburg Municipal Airport was not available for sale, but the owner was willing to sign a ten year lease for \$350 per year. Councilmember Salley and Councilmember Haire expressed their concerns about what would happen to the site if the lease could not be renewed in ten years. Councilmember Salley suggested that the FAA be contacted to see if the beacon could be located in the other direction (NE Quadrant), where property might be available for purchase. This matter was tabled until a special meeting on Monday, July 13, 1992.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, unanimously approving the second reading of an Ordinance to amend the City of Orangeburg's Business License Ordinance for the purpose of establishing business license fees for concessionaires.

A motion was made by Councilmember Haire, seconded by Councilmember Salley, unanimously approving a Resolution for decreasing electric rates. Department of Public Utilities Manager, Ted Johnson, told Council the rate cut will benefit customers who use between 65 kilowatt hours and 500 kilowatt hours per month.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal briefing on the following:

- A. Zoning Ordinance Amendments
- B. Cable Television
- C. Condemnation Proceedings

Council returned from Executive Session and reconvened the meeting. Mayor Cheatham then informed the public as to the actions to be taken regarding the concerns expressed by the Ellis Avenue Home Owner's Association. He reported that as a result of legal barriers that no immediate amendments to the zoning ordinance were recommended; however, the City would vigorously enforce noise and other general code violations. Additionally, the City would proceed as rapidly as possible with the formation of the Student Housing Task Force.

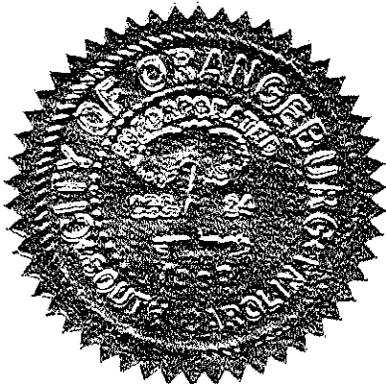
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



BUDGET WORKSHOP MINUTES
JULY 8, 1992

Orangeburg City Council held a budget workshop meeting on July 8, 1992, at 6:00 P.M., in Council Chambers at City Hall.

PRESENT:

Martin C. Cheatham
Bernard Haire
Joyce W. Rheney
W. Everette Salley
John H. Yow, City Administrator
Eric G. Budds, Assistant City Administrator
Sharon G. Fanning, Finance Director

The purpose of the meeting was to conduct a budget workshop on FY-1992-93 budget.

Mike Sells from the Department of Public Utilities spoke to Council on changes that need to be made in our insurance coverage policy. South Carolina Local Government Assurance Group suggested several modifications in our plan. Council did not vote on these modifications at this meeting. Council did agree on changing our group long term disability carrier due to lower premiums.

City Administrator Yow summarized all revenues for Council. Changes in certain line items were discussed but not voted on.

The Executive Department and Administrative Department presented their expenditure budgets to Council.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



R E S O L U T I O N

WHEREAS, Robert L. Keith, became an employee of the Orangeburg Department of Public Safety/Police Division on September 15, 1960, and faithfully served this Department and the City until June 30, 1992; and

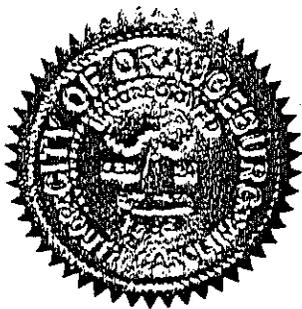
WHEREAS, he, through his long and faithful service, contributed greatly to the successful operation of the Department of Public Safety; and

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 recognize the faithful service rendered to the Department of Public Safety in the capacities in which he served the Department for the past thirty-one years, nine 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. Keith in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 7th day of July 1992.



Martin C. Thompson
Mayor
George W. Roney
W. J. [unclear]
[unclear]
[unclear]
[unclear]
MEMBERS OF COUNCIL

ATTEST:

Sharon H. Jamnig
CITY CLERK

R E S O L U T I O N

WHEREAS, Jack A. Gramling, Jr., became an employee of the Orangeburg Department of Public Safety/Fire Division on March 21, 1969, and faithfully served this Department and the City until June 30, 1992; and

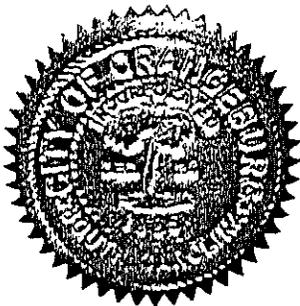
WHEREAS, he, through his long and faithful service, contributed greatly to the successful operation of the Department of Public Safety; and

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 recognize the faithful service rendered to the Department of Public Safety in the capacities in which he served the Department for the past twenty-three years, three months and nine 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. Gramling in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 7th day of July 1992.



Martin C. Cheatham
Mayor

James W. Rhee
W. J. Fennell
W. J. Fennell
James W. Rhee
James W. Rhee
MEMBERS OF COUNCIL

ATTEST:

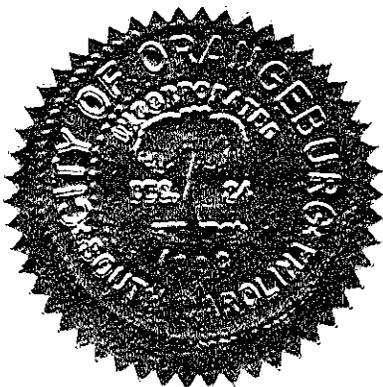
Sharon M. Fanning
CITY CLERK

**RESOLUTION OF CITY COUNCIL
AUTHORIZING EXECUTION OF FINANCING SALES CONTRACT OF
MUNICIPAL EQUIPMENT**

I, Sharon G. Fanning, do hereby certify that I am the duly appointed and qualified City Clerk of the City of Orangeburg, a body politic, political subdivision and municipal corporation, that the following is a true and correct copy of a Resolution duly adopted by the City Council of said City at a meeting of said City Council, convened and held in accordance with both the law of said State of Incorporation and the by-laws of said City, on the 7th day of July 1992, that said Resolution is now in full force and effect and that the terms of the Financing Sales Contract of Municipal Equipment with Orangeburg National Bank attached hereto is the contract referred to in said Resolution.

RESOLVED, that Martin C. Cheatham, Mayor of the City of Orangeburg, be, and he hereby is, authorized and directed to enter into, execute and deliver on behalf on the City of Orangeburg, Financing Sales Contract of Municipal Equipment (at an annual percentage rate of 4.97%), and such other documentation required with Orangeburg National Bank whereby this City will purchase the equipment described in said Financing Sales Contract of Municipal Equipment.

IN WITNESS WHEREOF, I have affixed my name as City Clerk of said City and have caused the seal of said City to be hereunto affixed this 7th day of July, 1992.



Martin C. Cheatham
Mayor

James Haire
J. J. [unclear]
[unclear]
[unclear]

Members of Council

Sharon G. Fanning
City Clerk

RESOLUTION NO. _____

WHEREAS, the Governor's Office, Division of Economic Development (DED), requires recipients of Community Development Block Grant (CDBG) funds to establish written rules and procedures to govern the administration and implementation of CDBG funded projects, and,

WHEREAS, DED requires that said policy and procedures specify how the City plans to monitor the project and to ensure that the recipient carries out its general duties and responsibilities, and,

WHEREAS, the City of Orangeburg administratively approved in June 1992, a set of policy and procedures prepared by the Lower Savannah Council of Governments, which called for the establishment of an autonomous seven member Housing Committee, and,

WHEREAS, the City of Orangeburg has determined that the creation of an autonomous Housing Committee would create a more cumbersome and inefficient implementation process for the Housing Rehabilitation Project,

NOW THEREFORE BE IT RESOLVED by the Orangeburg City Council duly assembled, that the City of Orangeburg Community Development, Housing Rehabilitation Procedures and Guidelines Manual, dated January 1992, be amended to read as follows:

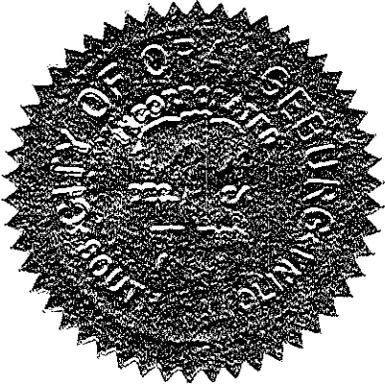
SECTION IV. IMPLEMENTATION OF COMMUNITY DEVELOPMENT PROGRAMS

3. City of Orangeburg

The implementation of housing rehabilitation projects funded through Community Development Block Grant Assistance shall be monitored by City Council, which shall be responsible for ensuring that the City's administrative staff carries out the general duties and responsibilities as set forth below:

- a. To establish criteria, guidelines and procedures for the administration and disbursement of housing assistance funds provided by the Community Development Block Grant.
- b. To approve or disapprove any application for housing assistance based on fair and equitable evaluation of the application in relation to adopted criteria, guidelines and procedures.
- c. To approve all contractors and establish a register of contractors to work in the Community Development Program. Take affirmative steps to solicit proposals from local, minority-owned and women-owned firms.
- d. To inspect or have inspected all completed work and certify to the satisfaction of such work before authorizing payment.
- e. To encourage home improvements through conventional financing and, to assist applicants where possible.
- f. To perform and assist in all other related housing activities, as deemed necessary, to encourage the rehabilitation of substandard housing and the preservation of standard housing.

PASSED, this 7th day of July 1992.



Martin C. Sheehan
Mayor

Sam Hare

James Katz

Robert Kelly

John W. Kenney

Members of Council

ATTEST:

Sharon D. Lanning
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 Rate 2A (Residential Service) and Rate 2B (Residential Service - All Electric) 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 15, 1992 billings.

PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this 7th day of July, 1992.



Signed:

Martin C. Thompson
Mayor
James W. Anderson
Bo Heath
L. J. Smith
Edmund H. Hare

Members of Council

ATTEST:

Sharon M. Jamnicky
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 @ \$0.1130 per kwhr
Next	200 kwhr @ \$0.0725 per kwhr
Next	250 kwhr @ \$0.0660 per kwhr
All in excess of 500 kwhr	@ \$0.0620 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 15, 1992

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 @ \$0.1130 per kwhr
Next	200 kwhr @ \$0.0725 per kwhr
Next	250 kwhr @ \$0.0660 per kwhr
All in excess of 500 kwhr	@ \$0.0620 per kwhr

Winter Season

First	50 kwhr @ \$0.1130 per kwhr
Next	200 kwhr @ \$0.0725 per kwhr
Next	250 kwhr @ \$0.0660 per kwhr
Next	500 kwhr @ \$0.0620 per kwhr
All in excess of 1,000 kwhr	@ \$0.0510 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 15, 1992

BUDGET WORKSHOP MINUTES
JULY 9, 1992

Orangeburg City Council held a Budget Workshop Meeting on July 9, 1992, at 6:00 P.M., in Council Chambers at City Hall.

PRESENT:

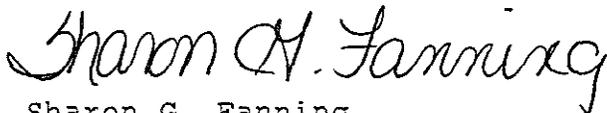
Martin C. Cheatham
Joyce W. Rheney
W. Everette Salley
John H. Yow, City Administrator
Eric G. Budds, Assistant City Administrator
Sharon G. Fanning, Finance Director

The purpose of the meeting was to conduct a budget workshop on FY 1992-93 budget.

Service Department Director, Roger Brant, presented to Council his expenditure budget at 6:00 P.M. The durability of several types of mowers were discussed. City Administrator Yow presented to Council the Department of Public Safety's expenditure budget, excluding the fire division.

Director of Public Works, Reese Earley, presented to Council his expenditure budget. Certain items were discussed to improve the Orangeburg Municipal Airport. Signs are needed at the entrance and on the terminal building.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/r



BUDGET WORKSHOP MINUTES
JULY 13, 1992

Orangeburg City Council held a Budget Workshop meeting on July 13, 1992, at 6:00 P.M., in Council Chambers at City Hall.

PRESENT:

Martin C. Cheatham, Mayor
Bernard Haire
Marion F. Moore
Joyce W. Rheney
W. Everette Salley
John H. Yow, City Administrator
Eric G. Budds, Assistant City Administrator

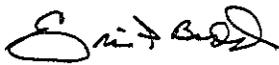
The purpose of the meeting was to conduct a budget workshop on FY 1992-93 budget.

Fire Chief C. W. Glover presented to Council his expenditure budget at 6:00 P.M. A discussion on the impact of personnel and equipment expenditures as they relate to the ISO ratings was held. No substantial changes were made to the administrator's recommendation for the department.

At 6:40 P.M., Tom Vargo, Hillcrest Golf Course Manager, presented his revenue and expenditure budget to Council. A discussion regarding the departments personnel requirements, miscellaneous operating expenditures, i.e., chemicals and utilities, as well as capital expenditures was conducted. Additionally, a comparison of revenues and expenditures was presented at which time the pros and cons of the user fee structure was discussed. No substantial changes were made to either revenue projections or the administrator's recommended expenditure levels.

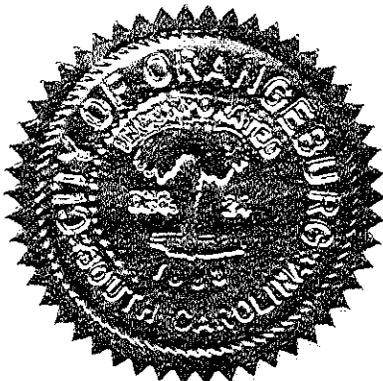
The Parks and Recreation budget was presented at 7:30 P.M., by Buster Smith. A review of the various division expenditure request was conducted. Council also discussed the need for additional manpower in the Parks and Cemetery Division during the summer months and agreed to add \$6,000 to operational pay for part time summer help. Next, a review of revenue projections which included a proposed adjustment in user fees was conducted. After a lengthy discussion, Council agreed not to amend the user fee structure. No other substantial changes were made.

Respectfully submitted,



Eric G. Budds
Assistant City Administrator

/r



CITY COUNCIL MINUTES
JULY 28, 1992

Orangeburg City Council held a meeting on July 28, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney to approve the July 7, 1992, City Council Minutes as distributed. The motion was unanimously approved.

City Administrator Yow formally introduced to Council Mr. Richard Singleton, the new Director of Public Safety.

Council heard from citizens of Dogwood and Cherry Streets about their concerns of the proposed street name changes due to Orangeburg County's implementation of the E-911 emergency telephone system. According to County policy, any duplication of street names is prohibited, with the street with fewer residents being required to change its name. The citizens questioned the necessity of changing the street names when the County could hire emergency crews who should be able to respond to the right address. Tommy Doyle, who is in charge of mapping for the County's E-911 System, explained that the problem lies in emergencies when someone calls from a pay telephone to give directions. He also explained that other localities that tried to keep similarly named streets are having problems and are now changing the street names. Mayor Cheatham explained that the City's quadrant system initially caused problems and 8,000 houses faced street name changes. Alternatives, including no duplication of street names, minimized the changes to 1,639 houses. Mayor Cheatham noted that Council had voted and adopted the plan as the official position of the City and he wanted Councilmembers to think about this until the August 4, 1992, meeting. DPU Manager, Ted Johnson, said that DPU would offer the County its expertise in pinpointing physical locations.

Council heard from Mr. John Nettles, spokesman for the Lakeside Street area residents. He told Council about an incident that occurred on July 9, 1992, where a power surge went through five homes and damaged appliances. DPU Manager, Ted Johnson, responded to Council that a "neutral had burned in half." He stated that this could have happened for any number of reasons. Lightning is a prime suspect. He told Council the matter had been reported to the utility company's insurance carrier for them to determine if DPU was at fault and if the damages would be covered.

A motion was made by Councilmember Moore, seconded by Councilmember Rheney to accept a P.R.T. Fund Sharing Grant of \$3,300 for the development of a new brochure for the Edisto Memorial Gardens. The motion was unanimously approved. The City will budget the match to the grant in the next round of Accommodations Tax Fund allocations.

A motion was made by Councilmember Salley, seconded by Councilmember Haire to approve the third reading of an Ordinance to amend the City of Orangeburg's Business License Ordinance for the purpose of establishing business license fees for concessionaires. The motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire to approve a Resolution in support of South Carolina State University's application for public transportation funding. The motion was unanimously approved. Funding is requested through the South Carolina Department of Highways and Public Transportation to help in compliance with the American Disabilities Act and to improve in house maintenance capabilities.

Council received as information from John Gadsen, a report on the first four months of operation of the Metro Transportation project. The system had passengers between 130 to 200 persons per day in June and has operated in the black with a net income of \$3,233 through June 30, 1992.

A motion was made by Councilmember Haire, seconded by Councilmember Moore to approve the authorization to proceed with the Glover Street Rehabilitation Project based on the concept of reducing the scope of the project from twenty-five houses to twenty houses allowing for an average of \$12,000 per house. The motion was unanimously approved. Council accepted staff's recommendation that a public hearing be set for August 18, 1992, City Council Meeting to receive public comment and take action on reducing the scope of the project.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore to approve the recommendation to establish a scope of work limited to the following repairs or improvements.

1. All code violations will be repaired and approval obtained from City Building Inspector and DPU.
2. All bathrooms and kitchens will receive vinyl flooring.
3. Kitchens and baths will be painted.
4. Exterior of all homes will be painted to provide visible impact in community.

The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt to approve the criteria to prioritize houses for inclusion. The motion was unanimously approved.

1. Elderly low to moderate income (LMI), disabled, (Owner Occupied Units).
2. Elderly (LMI) with young children in household.
3. Adult (LMI) with young children.
4. Total number of LMI occupants.
5. LMI rental units and mobile homes

A motion was made by Councilmember Rheney, seconded by Councilmember Haire to approve the authorization to enter into project agreements with the owners of units 01, 02, 03, 04, and 08 and that staff be further authorized to execute contracts with the contractors submitting low bid on each of the recommended houses. (See Attachment I) The motion was unanimously approved. Prior to the motion, Council noted that unit 04 exceeded the \$12,000 maximum average by \$2,993. Action on units 06 and 09 will be reconsidered with the next group of houses presented to Council for consideration.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire to approve the authorization to allow a representative from Lower Savannah of Governments to make change orders in correcting code violations with concurrence of the City Administrator or the Assistant City Administrator. The motion was unanimously approved.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore to approve a Resolution to apply for the next cycle of Federal Housing and Urban Development money for fifty scattered site housing units for the City. The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, approving the first reading of an Ordinance for the FY 1992-93 City of Orangeburg Budget. This was a five to one vote. Councilmember Salley opposed.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney to approve a Resolution to submit a Local Government Recycling Program Application for \$100,000 to purchase initial equipment needed for curbside recycling. The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore to accept the low bid of \$9,870 for a one-half ton fire truck from Horne Motors for the Public Safety Department (Fire Division). The motion was unanimously approved. The vehicle will be paid for from the self-insurance fund.

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

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal briefing on Department of Public Utilities Condemnations and a response from the United States Justice Department.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
AUGUST 4, 1992

Orangeburg City Council held a Budget Hearing on August 4, 1992, at 6:00 P.M., in Council Chambers with Mayor Pro Tem Keitt presiding. This hearing was to discuss the proposed FY 1992-93 Budget. There were no questions involving this budget, therefore the Public Hearing was adjourned and followed by the regularly scheduled City Council Meeting at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Mayor Pro Tem Keitt.

PRESENT:

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

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt to approve the July 28, 1992, City Council Minutes as distributed. The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore to accept the second reading of an Ordinance for the FY 1992-93 City of Orangeburg Budget. The motion was approved with a five to one vote. Councilmember Salley opposed this motion.

Council heard from citizens of Riverside Drive about their concerns of the proposed street name change due to Orangeburg County's implementation of the E-911 emergency telephone system. Joe Usatine was the spokesman for the group that encompasses Riverside Drive from Pinehill Street to Lake Edisto Road. He pointed out that Riverside is very well known and suggested that it would be easier to train the dispatchers to know where Riverside was than to change the street name. Usatine stated that he knew that Riverside also went from Glover Street through the Edisto Memorial Gardens to Pinehill Street. Usatine suggested that Riverside, from Pinehill Street to Lake Edisto Road, be called Riverside Extension. If a street name change was mandatory, this group wanted input into the new name. Mayor Cheatham explained that the City's quadrant system initially caused problems and 8,000 houses faced street name changes, but that through alternatives that number had been reduced to 1,639 houses. Mayor Cheatham noted that Orangeburg County wants to avoid the duplication of any street names. Mayor Cheatham also noted that Council would take the citizen's request into consideration and respect their wishes where possible.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve the first reading of an Ordinance to amend the FY 1991-92 City of Orangeburg Budget. The motion was unanimously approved. City Administrator Yow explained to Council that the year-end projection figures would reflect more accurately the FY 1991-92 Budget.

Council received an update on the 1990 Rental Rehabilitation Grant from Assistant City Administrator Budds. Budds stated that the \$75,000 grant, which was to be used to upgrade sub-standard rental properties to meet the local building code, would be provided as a match for up to 50% of the eligible rehabilitation cost provided that the grant match did not exceed a pre-established maximum, based on the number of bedrooms per dwelling unit. These match funds were to be provided in the form of a deferred loan, meaning that the principal of the loan was to be amortized over a ten year period with one tenth of the principle forgiven each year,

ATTACHMENT I

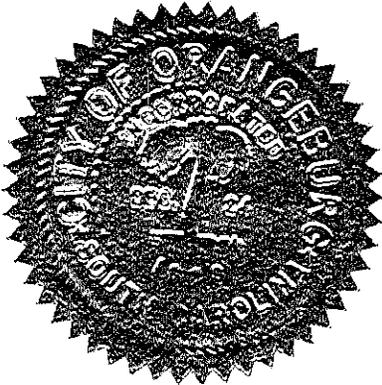
Unit #	Location of House	# of Occup.	Age of Occupants			Income of Occupants		Negotiation Bid Price
			Elderly or Disabled	Elderly + Children	Adult + Children	Adults	VLI	
01	292 Glover	1	X				X	\$ 7,711
02	252 Glover	1	X				X	9,292
03	335 Glover	3	X			X(2)	X	9,427
04	256 Glover	1	X				X	14,993
06	282 Glover	2		X			X	18,870
08	281 Glover	1		X			?	8,509
09	289 Glover	1	X			X	X	17,694
								86,496

RESOLUTION

A RESOLUTION IN SUPPORT OF THE APPLICATION OF SOUTH CAROLINA STATE UNIVERSITY FOR PUBLIC TRANSPORTATION FUNDING

BE IT RESOLVED by City Council duly assembled that the City of Orangeburg supports and endorses the application of South Carolina State University for funding of public transportation in the City and County of Orangeburg pursuant to the provisions of Act. No. 197 of the 1987 regular session of the General Assembly of the State of South Carolina.

DONE AND RATIFIED BY Council duly assembled this 28th day of July 1992.



Marion C. Chatham
Mayor

Sam Haire
Marion F. Moore

A. J. [unclear]
W. Keith [unclear]
James W. [unclear]
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Gannix
CITY CLERK

RESOLUTION

- WHEREAS, The City of Orangeburg has a severe shortage of decent, safe and affordable low-to-moderate income housing, and;
- WHEREAS, Orangeburg City Council established the provision of low-to-moderate income housing as one of its top five goals for Fiscal Year 1992-1993, and;
- WHEREAS, the City of Orangeburg is currently demonstrating this commitment to provide low-to-moderate income housing by participating in programs to rehabilitate both owner occupied, as well as investor owner housing units, and;
- WHEREAS, the receipt of a U.S. Department of Housing and Urban Development (HUD) New Construction Grant to provide fifty (50) new scattered site housing units would complement the City's existing housing initiatives, as well as be a positive step toward the goal of eradicating substandard housing units in the City of Orangeburg,

NOW THEREFORE BE IT RESOLVED that the Mayor and City Council duly assembled this 28th day of July, 1992, authorize the following:

1. Preparation and submission of a HUD New Construction Grant by the South Carolina Regional Housing Authority Number 3 on behalf of the City of Orangeburg.
2. Authorize City staff to provide the necessary support to the Housing Authority to facilitate submission of the Grant Application.

Adopted this 28th day of July, 1992.



Martin C. Chapman
Mayor

Sam Haine
W. F. Moore
A. J. Simpson
J. P. Smith
James W. Kennedy
Councilmembers

ATTEST:

Sharon M. Ganning
City Clerk

RESOLUTION

A RESOLUTION AUTHORIZING THE SUBMISSION OF A
LOCAL GOVERNMENT RECYCLING PROGRAM GRANT
APPLICATION TO ESTABLISH A CURBSIDE RECYCLING
PROJECT

WHEREAS, recycling of solid waste has been proven in other communities to be an effective method of reducing the volume of the solid waste stream that reaches our landfills and is an environmentally sound alternative, and;

WHEREAS, the cost of conventional waste disposal methods have begun to escalate rapidly as a result of the Solid Waste Act of 1991, which mandates reductions in the volume of landfilled solid waste, and the construction of environmentally sound landfills, and;

WHEREAS, the City of Orangeburg has the opportunity to expand its existing recycling programs to include the implementation of a curbside recycling program with assistance through a Local Government Recycle Program Grant.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Orangeburg, South Carolina, in Council duly assembled, approve the following actions:

1. Authorizes staff to prepare and submit a Local Government Recycle Program Grant Application executed on behalf of the City by the Mayor;
2. Agrees to provide the necessary labor and funds to support operation of the curbside recycling program, as provided in the Fiscal Year 1992-1993 Budget proposal.
3. Reaffirms its support for implementation of a curbside recycling program as a method of reducing solid waste disposal volumes, and as an environmentally responsible method of solid waste disposal;

ADOPTED THIS 28RD DAY OF JULY 1992.



Martin C. Cheatham
MAYOR

Sam Haire
Marion F. Wood

Liz Jennings Keitt
Charles J. Kelly

James W. Kenney
Members of Council

ATTEST:

Sharon M. Ganning
CITY CLERK

and no interest would be charged. A condition of accepting a deferred loan was that the rental property owner must agree to make the property available to low to moderate income individuals at or below the established fair market rental rate for the ten year period. Budds outlined to Council that in January 1991, the City contracted with the Lower Savannah Council of Governments to administer and market the Rental Rehabilitation Program however, only one of the dozens of applications that they received was interested and eligible for the grant. Negotiations began with this one participant. In April 1992, the City was notified by LSCOG of its intent to withdraw as administering agency for the City of Orangeburg's RRP. The City staff decided to continue with this if enough interested participants could be located; however, the State notified the City staff that all 1990 grant funds would be deobligated if the funds were not committed prior to the end of the summer of 1992. Due to a lack of interest by property owners, Budds recommended that the City proceed with the one project, which consists of the renovation of one, two bedroom and one, three bedroom house on Maxcy Street. This project would utilize \$16,000 of the \$75,000 grant; and that the balance of the grant be relinquished to the State.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to continue with the one project which would utilize \$16,000 of the \$75,000 grant, and relinquish the balance of the grant to the State. The motion was approved with a five to one vote, Councilmember Haire opposed.

A presentation of Christmas lighting and displays through the Edisto Memorial Gardens was made by Marion J. Smith, Parks and Recreation Director. After the presentation, Councilmember Haire inquired into the cost of this plan. Smith described the three year lease purchase agreement of three payments of \$12,000 per payment. Smith also outlined that \$10,000 was donated by the Orangeburg Council of Garden Clubs to put string lights in the trees. Councilmember Haire expressed concern that the upper and lower ends of Russell Street should first be decorated. Councilmember Rheney stated that this would increase tourism in Orangeburg during the holiday season as well as supply a family outing for Orangeburg residents. She also stated that the center of Christmas was the nativity scene and that she did not see a nativity scene in the proposed plan. After further discussion, a recommendation was made by Council to pursue a PARD Grant and Accommodations Tax monies before making a final decision.

A motion was made by Councilmember Salley, seconded by Councilmember Moore to clarify the Truck Route Ordinance. Councilmember Salley stated that it was not the legislative intent of the Ordinance to restrict intermediate size trucks engaged in local deliveries of business activities. Staff was instructed to prepare an amendment to the Ordinance to exclude intermediate trucks. Staff was further instructed to suspend enforcement of the Ordinance with regard to intermediate trucks engaged in local deliveries or business activities pending the amendment of the Ordinance. Intermediate trucks shall be defined as trucks having not more than six wheels or having a combined body load weight or body weight exceeding 23,000 pounds. The motion passed with a 5-0 vote. Councilmember Haire abstained from voting.

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

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for personnel matters.

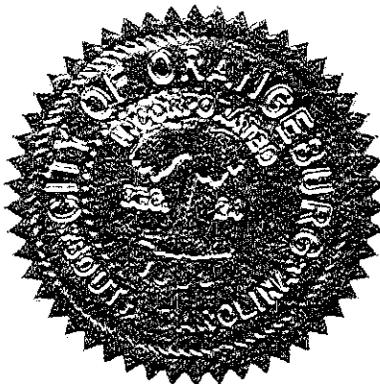
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
AUGUST 18, 1992

Orangeburg City Council held its regularly scheduled meeting on August 18, 1992, at 7:00 P.M., in Stevenson Auditorium with Mayor Cheatham presiding. An invocation was given by Councilmember Haire.

PRESENT:

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

Mayor Cheatham opened the council session by reading a letter from Ms. Linda Lassiter. Ms. Lassiter had been passing through Orangeburg and stopped at the Edisto Memorial Gardens. She wrote to say how much she enjoyed the Gardens and to thank those whose efforts kept the Gardens so attractive.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the August 4, 1992, City Council Minutes as corrected. The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore to approve the second reading of an Ordinance to amend the FY 1991-92 City of Orangeburg Budget. The motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the third reading of an Ordinance for the FY 1992-93 City of Orangeburg Budget. The motion was approved with a 5 to 1 vote. Councilmember Salley opposed this motion.

City Attorney Walsh presented to Council a review of additional information requested from the U. S. Justice Department relating to single member redistricting. A copy of Mr. Walsh's report was given to Councilmembers in their agenda packets. A motion was made by Councilmember Salley, seconded by Councilmember Rheney to accept the City Attorney's response to the U. S. Justice Department's request for additional redistricting information. The motion was approved with a 4 to 2 vote. Mayor Pro Tem Keitt and Councilmember Haire opposed this motion.

Parks and Recreation Director Marion J. Smith presented to Council the details concerning an Urban and Community Forestry Grant. Mr. Smith stated that he had received acceptance for the \$10,000 grant, which was to be used for the hiring of an architect to prepare a masterplan for street tree planting on the major thoroughfares of the City. A \$5,000 local match from the FY 1992-93 budget will be obtained along with \$5,000 from the Accommodations Tax Fund.

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to accept the Urban and Community Forestry Grant and authorize the City Administrator to execute the agreement. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, not to grant a business license for a poolroom that would be located at 1193 Boulevard, NE. Councilmember Moore asked to be excused from discussion and voting because

CITY COUNCIL MINUTES

632

his company handles the lease on the building. Councilmember Rheney explained that her motion to not grant the business license was based on the fact that it would be located too close to the public school on Bennett Avenue. The motion was approved unanimously with a 5 to 0 vote.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to accept the proposed reduction of the scope of Glover Street Housing Rehabilitation Project from twenty-five (25) to twenty (20) houses. The motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Salley to approve the first reading of an Ordinance to adopt a budget for the Department of Public Utilities for FY 10-1-92 through 9-30-93. The motion was unanimously approved.

Mr. Ted Johnson, DPU Manager, asked Councilmembers to meet with him on August 27, 1992, at 5:30 P.M., to review the proposed budget for FY 10-1-92 through 9-30-93 in detail.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire to enter into an Executive Session for a legal briefing on one-percent money, DPU Condemnations, and the purchase of property.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



PUBLIC HEARING MEETING
AUGUST 18, 1992

Orangeburg City Council held a Public Hearing on August 18, 1992, at 6:30 P.M., in the Stevenson Auditorium with Mayor Cheatham presiding. This Public Hearing was held to discuss comments from citizens on a request to operate a poolroom located at 1193 Boulevard, NE.

PRESENT:

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

Mr. Watt Smith, a local business owner told Council that a poolroom had previously been located at 1193 Boulevard, NE and he protested because of the noise and the litter that it had caused.

The owner of the proposed poolroom, Mr. Wheeler, asked Council to grant a license on a trial basis. Council expressed concern that the owner would not be the manager.

A Public Hearing was also held at 7:00 P.M., to discuss a proposal to reduce the scope of the Glover Street Housing Rehabilitation Project from twenty-five (25) to twenty (20) houses.

Mr. Lambright, a Glover Street property owner, asked Council when the work on the project would begin. Assistant City Administrator Budds stated that the first five (5) houses should begin construction within fifteen (15) days.

There being no further business, the Public Hearing was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



SPECIAL SESSION
CITY COUNCIL MINUTES

AUGUST 27, 1992

Orangeburg City Council held a Special Session Meeting on August 27, 1992, at 5:30 P.M. in the Conference Room of the Department of Public Utilities, 195 Russell S.W. with Mayor Martin C. Cheatham presiding. An invocation was given by Mayor Martin C. Cheatham.

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

ABSENT: W. Everette Salley

Mayor Cheatham 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 for the discussion and presentation of the annual budget and capital improvement projects for the Department of Public Utilities for its fiscal year October 1, 1992 thru September 30, 1993. He explained the Department was preparing for the 21st Century and that many of the projects were aimed for future growth. He then proceeded with his presentation of the Department's 29 proposed and on-going projects totalling approximately \$51 million.

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, to accept the second reading of an Ordinance to adopt the 1992-1993 Annual Budget for the Department of Public Utilities. The motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

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



CITY COUNCIL MINUTES
 SEPTEMBER 1, 1992

Orangeburg City Council held its regularly scheduled meeting on September 1, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
 Bernard Haire
 L. Zimmerman Keitt
 Marion F. Moore
 W. Everette Salley

ABSENT:

Joyce W. Rheney

Mayor Cheatham opened the Council session by giving an update on the City Administrator and the twelve City employees who went to Homestead, Florida, to lend aid from the results of Hurricane Andrew. The Mayor expressed how proud he was of their help and how glad Council was to have them available to go.

Mayor Cheatham read a letter from Mickey Durden commending and congratulating the City on the continued improvements at Hillcrest Golf Facility.

A letter from Tim Brown concerning the truck route, was deferred until the next Council meeting.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to approve the August 18, 1992, City Council Minutes as distributed. The motion was unanimously approved.

A motion was made by Councilmember Moore, seconded by Councilmember Haire, to approve the August 18, 1992, Public Hearing Minutes as distributed. The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to approve the August 27, 1992, Department of Public Utilities Special Session Minutes as distributed. The motion was unanimously approved.

Council heard an appeal from Van Gaffney, spokesman for Riley Street residents, concerning the proposed street name change. Mr. Gaffney cited a financial burden to fixed income residents as one of the reasons for their protest. Council received a written petition from these residents protesting this change. Mr. Gaffney stated that if there had to be a street name change, the residents would like input into the new name.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the third reading of an Ordinance to amend the FY 1991-92 City of Orangeburg Budget. The motion was unanimously approved.

Mr. Bill Sandifer, spokesman for residents from the Berry Woods area, asked that Council look into putting a traffic light at the intersection of Bennett Avenue and Columbia Road. He stated how badly a light is needed due to increased traffic, especially during the school year.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, to request the SC Department of Highways

CITY COUNCIL MINUTES

PAGE 2

SEPTEMBER 1, 1992

and Public Transportation to do a traffic study at the Bennett Avenue and Columbia Road intersection with due haste. The motion was unanimously approved.

Mayor Cheatham asked Council to review a letter from the SC Municipal Association discussing a cap being put on all municipalities fund balance. This matter will be discussed at the next Council meeting.

Assistant City Administrator Budds presented to Council an update and recommendation on the 1990 Rental Rehabilitation Program Grant. As authorized by Council, staff moved forward on the closing of the rehabilitation of two (2) houses on Maxcy Street. During the closing, it became apparent to staff that the property owner felt reluctance in signing the legal documents. After closing, staff met with the rental property owner and it was requested that the signature pages be destroyed. Staff again contacted the owner and was informed she did not desire to move forward with participation in the Rental Rehabilitation Program. Assistant City Administrator Budds recommended that Council authorize staff to notify the SC Housing Finance and Development Authority of its intent to relinquish control of the Grant balance of \$16,000 and the \$1,000 reserved for administrative expenses. He stated that rapid action by Council may allow the funds to be reallocated to another SC city rather than be returned to Washington. The state agency's deadline to commit funds is September 30, 1992.

A motion was made by Councilmember Moore, seconded by Mayor Cheatham, to approve the relinquishing of the \$16,000 Grant balance and the \$1,000 reserved for administrative expenses to the SC Housing Finance and Development Authority before the September 30, 1992 deadline. The motion was unanimously approved.

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to approve the authorization of staff to file an application for a \$28,000 grant through the Parks and Recreation Development Fund program administered by the SC Department of Parks, Recreation and Tourism. The motion was unanimously approved.

Parks and Recreation Director, Marion J. Smith, explained to Council that there is a 20% match required in the amount of \$7,000 for a total project cost of \$35,000. The grant would accomplish various jobs in the Gardens such as replacing wooden bridges, putting in electrical supply lines, purchasing Christmas display equipment, installing signage and plant material in the Horne Wetlands Park and constructing a Garden for the blind.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to approve the first reading of an Ordinance amending the Truck Route Ordinance. This was done by title only. The motion was unanimously approved.

Assistant City Administrator Budds presented to Council that he recommends five major changes to the Ordinance be made:

- (1) To redefine local truck traffic to include area businesses located inside the bypass loop but outside the incorporated area.
- (2) To change the definition of a regulated truck to mean a truck having more than six wheels and/or having a gross

vehicle weight rating in excess of 26,000 pounds.

- (3) To reword and clarify operation of street destination and to provide allowances for multiple deliveries.
- (4) To preserve the prohibition of truck traffic on Riverside for all but personal, utility or emergency vehicles.
- (5) To add a section of Glover Street from the by-pass to the Edisto River to accommodate industries off Cannon Bridge Road.

Budds stated before a second reading, businesses' input would be sought, including a meeting with representatives of community businesses that have expressed concerns.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to pass a Resolution of appreciation to John McDonald Wray, who is retiring as Director of the SC Municipal Association. The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to approve the third reading of an Ordinance to adopt a budget for the Department of Public Utilities for FY 10-1-92 through 9-30-93. The motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, to approve entering into an Executive Session to discuss the condemnation of property.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/x



CITY COUNCIL MINUTES
SEPTEMBER 15, 1992

Orangeburg City Council held its regularly scheduled meeting on September 15, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Salley.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, to approve the September 1, 1992, City Council Minutes as distributed. The motion was unanimously approved.

Council heard from Ms. Linda Keith concerning a complaint that the Department of Public Utilities had cut down twelve pine trees in her front yard without her permission. She was requesting compensation for the loss of the trees. She had contacted Shady Grove Nursery and they had estimated the trees to be worth \$1,500 to \$2,000 a tree. She has documentation of phone calls she had made to the Department of Public Utilities employees about this situation.

Sox Freeman Company, a private contractor for the Department of Public Utilities, actually cut the trees. Ira Lee Craft, an employee of Sox Freeman Company, told the Department of Public Utilities Manager, Ted Johnson, that he had gotten permission from Ms. Keith's sixteen year old son. Ms. Keith argued that they should not have gotten permission from a minor. Her son denies giving permission to cut the trees. Mayor Cheatham asked that Ms. Keith try to resolve the problem with Sox Freeman Company and if she was unable to work out the problem to come back to the next Council meeting. Mayor Pro Tem Keitt stated she thought the Department of Public Utilities needed to contact Sox Freeman Company, not Ms. Keith.

Mr. Chuck Fickling, a representative from the Hillcrest Men's Golf Association presented to Council a letter of support and a petition supporting Hillcrest Manager, Tom Vargo. Mr. Fickling offered the signatures on behalf of the Men's and Ladies' Golf Association and interested individuals.

Dr. Gordon Halfacre, head of the Department of Horticulture, at Clemson University presented to Council sampled drawings for right-of-way landscaping and entrance signage to the City prepared by his Landscape Design Class. Council accepted these plans as information.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to approve the second reading of an Ordinance amending the Truck Route Ordinance. The motion was unanimously approved.

Assistant City Administrator Budds said he received some comments from individuals who wanted the section of U.S. Highway 601 from Chestnut Street to Highway 301 included as a designated truck route; however, he indicated that staff had not endorsed this recommendation. Minor modifications were made to include comments from the Municipal Judge, City Attorney and Department of Public Safety.

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, giving City Administrator Yow

permission to write a letter to the South Carolina Tax Commission opposing the Commission wanting to define a "reasonable" fund balance. As it stands now, each municipality has a different fund balance. The motion was unanimously approved.

Council gave their unanimous approval of a Proclamation for Beach Sweep/River Sweep Day on September 19, 1992.

Assistant City Administrator Budds presented to Council an appeal of administrative denial to operate a bus service at 433 Hillsboro, NE, the residence of Tim Brown. Budds stated this business would not qualify as a "customary home occupation" under the City's Zoning Ordinance. Councilmember Haire asked if Reverend Brown could operate the business at another location and park the bus at his residence. Budds responded that this was permissible. Council referred Reverend Brown to the Zoning Board of Adjustments for a ruling as recommended by Budds.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to re-schedule the October 6, 1992, City Council Meeting to October 13, 1992, at 6:00 P.M. The motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to approve a Resolution--conveyance of a right-of-way to the County of Orangeburg for a drainage ditch. This was a 5-0 vote. Mayor Pro Tem Keitt abstained from voting.

City Administrator Yow presented to Council, as information, an updated census report. Also, Council received a letter from Edward V. Fenton, written to Norfolk Southern Railway about the excessive horn blowing by the train.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to enter into an Executive Session for personnel matters. This motion was unanimously approved.

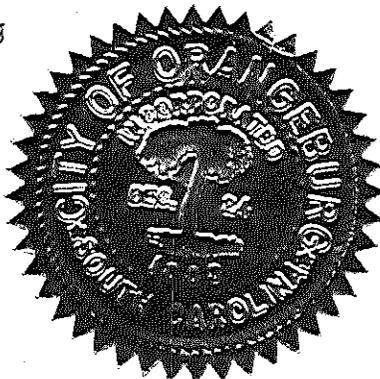
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



R E S O L U T I O N

WHEREAS, the City of Orangeburg is the owner of a certain parcel of land upon which the Department of Public Utilities' Wastewater Treatment Plant is located and is recorded in the office of the Clerk of Court for Orangeburg County, South Carolina, in Deed Book 389 at Page 109 and,

WHEREAS, the Department of Public Utilities has been requested by the County of Orangeburg to provide an easement for the construction of a drainage ditch,

WHEREAS, such improvement will be built in accordance with plans prepared by Edisto Engineering and Surveying dated January 24, 1992,

WHEREAS, such improvement will benefit the Department of Public Utilities in its operation of its wastewater facilities.

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Council of the City of Orangeburg, State of South Carolina, in council assembled, and by authority of the same, that Ted M. Johnson, Jr., Manager of the Department of Public Utilities, of the City of Orangeburg is hereby authorized and directed to execute a right-of-way for a drainage ditch for the County of Orangeburg. The right-of-way is more fully described by a drawing prepared by the Department of Public Utilities, Orangeburg, South Carolina, dated April 1, 1992, which is incorporated within and made a part of the right-of-way agreement.

PASSED by City Council, in Council assembled at Orangeburg, South Carolina, this 15th day of September, 1992.



Signed:

Martin C. Cheatham
Mayor

Edward Hare
Allen F. Wood
W. Keith Selby
Jose W. Pherey

Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

City Of Orangeburg)
Department of Public)
Utilities)

To)

County of Orangeburg)

RIGHT OF WAY FOR DRAINAGE DITCH

KNOW ALL MEN BY THESE PRESENTS That we, the City of Orangeburg, Department of Public Utilities for and in consideration of the sum of One and no/100 (\$1.00) Dollar, to us in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and for other valuable consideration, do hereby grant and convey unto the County of Orangeburg, a right-of-way in, through and over our real estate and lands, situate, lying and being near the said City and in the County of Orangeburg, in said State, for the purpose of a drainage ditch, which is to be built in accordance with plans prepared by Edisto Engineering and Surveying dated January 24, 1992, which right-of-way hereby conveyed is more particularly described as follows:

All that certain strip of land varying in width, situate, lying and being in or near the City of Orangeburg, Orangeburg County, South Carolina, beginning on a point on the eastern most property line at a station designated 0+00 feet on the attached drawing running S 40 degrees 42' W, a distance of ninety (90') feet more or less to a point designated as station 0 + 90 feet and running S 6 degrees 18' E, a distance of six hundred thirty (630') feet being sixty five (65') feet in width, parallel with and contiguous to the right of way of Southern Railroad, to a point designated as station 7+20 feet, thence turning and running S 82 degrees 43' 14" W, a distance of nine hundred forty (940') feet and being seventy-five (75') feet in width on the southern most property line of the City of Orangeburg and adjacent to the northern most property line of now or formerly Greenwood Mills Inc., to a station designated as 16+60 feet, thence increasing in width to ninety (90') feet and continuing to run S 82 degrees 43' 14" W, a distance of 1000 feet parallel with and contiguous to the property line of Greenwood Mills Inc., to a point designated as station 26+60 feet, thence decreasing in width to seventy five (75') feet and running, a distance of two hundred (200') feet S 82 degrees 43' 14" W to a point designated as station 28+60 feet, thence decreasing in width to fifty (50') feet and running S 81 degrees 53' 35" W, a distance of nine hundred (900') feet to a station

designated as 36+60 feet all of which will more fully appear by reference to the attached drawing thereof prepared by the Department of Public Utilities, Orangeburg South Carolina, dated April 1, 1992, which is incorporated herein and made a part of this description by records.

Also a 100 foot wide construction easement, said construction easement including the area granted as the permanent easement and being measured from the eastern most and southern most property lines respectively, being more fully set forth and shown on the attached drawing as a proposed construction easement, for the purpose of constructing and building the drainage ditch. This construction easement shall be temporary in nature and shall cease to exist one year from the date of execution of this document, or the completion of construction, whichever occurs first.

Together with all and singular the right, members and appurtenances of the said right-of-way hereby granted, belonging, incident, or appertaining and especially the right and privilege of entry upon our lands at all times for the purpose of locating, laying, repairing, maintaining, constructing, and building its drainage ditch, and for all other purposes whatsoever necessary and proper in and about the said drainage system. Also, the right to cut trees, remove stumps and other debris from the right-of-way. The Grantee here with agrees to maintain the ditch in safe and good working order.

The grantor also expressly reserves the right to use the drainage ditch for its own drainage purposes and also reserves the right to improve the ditch at any time, so long as the improvements do not interfere with the original intended drainage purpose of the ditch. In this connection, grantor may close any existing drainage ditches located on its property and divert said drainage to the within described drainage ditch, notwithstanding that said diversions may increase the volume of water and/or its rate of runoff. The improvements to said drainage ditch and/or the closing and abandonment of existing drainage ditches on the property of grantor shall not require any permit from the grantee or compliance by grantor of any ordinances or regulations of the grantee.

Grantee shall keep, protect, indemnify and save harmless grantor from any loss, cost or expense of any sort or nature, and from any liability to any person, natural or artificial, on account of any damages to person or property arising out of any failure of grantee in any respect to comply with any perform all of the requirements and provisions contained herein or resulting from the grantor exercising its rights contained herein.

The grantee also agrees with the following special provisions:

1. The ditch shall be constructed in accordance with plans prepared by Edisto Engineering and Surveying dated January 24, 1992.

2. The City of Orangeburg shall have the right to claim any or all of the "spoil dirt" that will be generated as result of the construction of the ditch. The grantee or his representatives shall make the spoil dirt available to the City and the City or its agents shall remove the quantity it wishes to claim from the site.

3. Any spoil dirt not claimed by the City of Orangeburg shall be removed from the grantors property by the Grantee at the Grantee's expense.

4. The Grantee agrees to fill a portion of the old ditch from the junction of the old and new ditch to the Grantor's fence.

To have and to hold all and singular the said right-of-way and the rights, powers and privileges unto the said County of Orangeburg its successors and assigns, so long as the said drainage ditch shall be continued, kept, operated and maintained by the said County of Orangeburg its successors and assigns.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this
day of _____, 19__ .

Signed, Sealed and Delivered _____ (L.S.)

in the Presence of:

STATE OF SOUTH CAROLINA

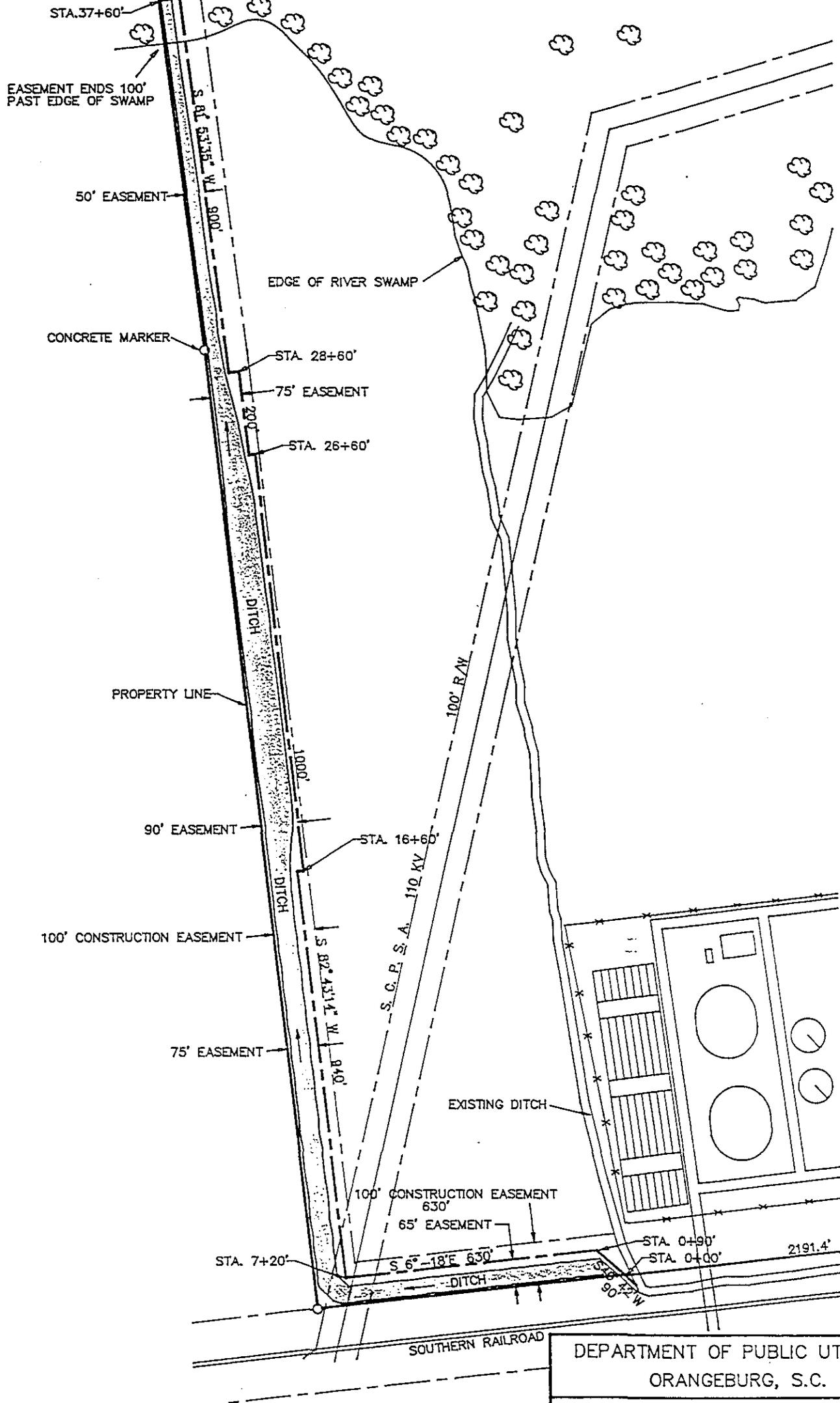
COUNTY OF ORANGEBURG

PERSONALLY appeared before me _____ and made oath that
he saw the within named County of Orangeburg sign, seal and as his act
and deed, deliver the within written Right of Way, and that he with
_____, witnessed the execution thereof.

Sworn to before me this _____

_____ day of _____, 19__ .

Notary Public for South Carolina (L.S.)
My Commission Expires:



DEPARTMENT OF PUBLIC UTILITIES
ORANGEBURG, S.C.

SKETCH SHOWING EASEMENT TO
THE COUNTY OF ORANGEBURG
ACROSS PROPERTY OF THE
DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG

DATE: 4/1/92

SCALE: 1"=300'

CITY COUNCIL MINUTES
OCTOBER 13, 1992

Orangeburg City Council held its regularly scheduled meeting on October 13, 1992, at 6:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Moore.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, to approve the September 15, 1992, City Council Minutes as distributed. The motion was unanimously approved.

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, to approve the third reading of an Ordinance amending the Truck Route Ordinance. The motion was unanimously approved.

Mayor Cheatham recognized Marion J. (Buster) Smith, Jr., as South Carolina's Recreation and Park Association's "Professional Recreator of the Year" He stated that since Buster had joined the City of Orangeburg's staff significant improvements had taken place. He sited a recreation program that was bursting at the seams and the Horne Wetlands Park in the Edisto Memorial Gardens as such improvements.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, unanimously approving to authorize the City of Orangeburg and the Department of Public Utilities to participate in a Setoff Debt Collection Program and designate the Municipal Association of South Carolina to serve as the claimant agent. This program will allow the City and the Department of Public Utilities to send a list of debt claims to the Municipal Association who will in turn send this list to the South Carolina Tax Commission. The Tax Commission will match the list of debt claims against the refunds due to taxpayers. If there is a match the Tax Commission will setoff the debt, notify the taxpayer of the setoff and forward the amount to the Municipal Association. The Municipal Association will in turn forward the amount collected to the municipality making the claim.

Councilmember Salley asked Council to defer two (2) items on the agenda until next City Council meeting so City Attorney Walsh could review the documents. These items were the discussion of a FAA Grant preapplication for a new runway 17/35 for the Orangeburg Municipal Airport and for consultation selection for a multi-year agreement for the Orangeburg Municipal Airport.

Reverend W. J. Baxter, Chairman of the Aviation Commission, urged Council to proceed with the grant preapplication. He stated the funds were ready to be allocated.

Public Works Director, Reese Earley, presented a report to Council increasing the hangar and tie down fee about 50% at the Orangeburg Municipal Airport. These fees had not been raised in ten years. He told Council he inadvertently omitted the recommendation of the Aviation Commission that the increase in fees be earmarked for future hangar construction.

A motion was made by Councilmember Salley, seconded by councilmember Rheney, to adopt the recommendation as originally made in the memorandum, with the funds not designated for a specific purpose. There was no second.

Councilmember Haire made a substitute motion, seconded by Mayor Pro Tem Keitt, to adopt the recommendation to increase hangar and tie down rentals with the funds being earmarked for hangar construction. This was a three to three vote with Councilmembers Rheney, Salley, and Moore opposing.

After the tie vote, Reverend J. W. Baxter, told Council that airplanes would start going to Bamberg.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to increase the hanger and tie down fees without earmarking the funds. This was Councilmembers' Salley's original motion. This was a four to two vote with Mayor Pro Tem Keitt and Councilmember Haire opposing.

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to change Peasley and Sifly Streets back to one-way traffic. Peasley will be one-way West toward Boulevard and Sifly will be one-way East toward 601. This motion was unanimously approved.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, to appoint Harold Guinyard and re-appoint George Easterlin and Fred Yandle to the Department of Public Utilities' Grievance Committee. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to approve a Resolution for a right-of-way agreement for sewer Main with CSX Transportation, Incorporation. This motion was unanimously approved.

Council received as information a presentation from Mike Sells of the Department of Public Utilities, a recommendation to change employee long-term disability insurance from Aetna to Provident Insurance Company. The change in companies would provide lower costs, better benefits and better protection. Council deferred this matter until the next City Council meeting.

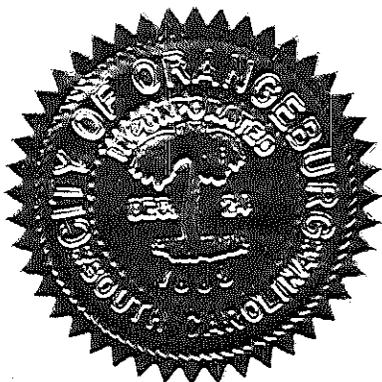
A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to enter into an Executive Session to discuss the purchase of real property, and an appeal from the Municipal Court and a personnel matter.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk
/r



AGREEMENT

(STATE OF SOUTH CAROLINA
(
(COUNTY OF ORANGEBURG

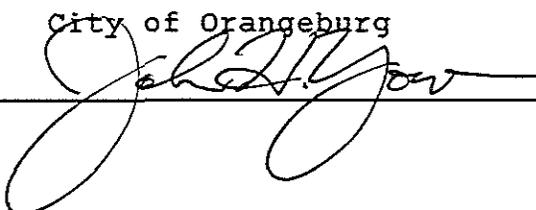
This Agreement made and entered into this 13th day of October, 1992, between the Municipal Association of South Carolina and the City of Orangeburg

Witnesseth: That for the consideration hereinafter set forth, the Association and the City agree that:

1. The Association will act as claimant agent for the City of Orangeburg in accordance with the Setoff Debt Collection Act of 1988 (Section 12-54-410).
2. The City will notify each debtor by certified mail to the last known address of its intention to submit to the Association for collection of the debt owed and the intention of using the Setoff Debt Collection Act of 1988 for collection. The debtor will be given thirty-days notice to pay the debt.
3. The City will establish a procedure for review of protest by the debtor, both prior to submission of the debt and after setoff collection.
4. The City will provide the Association, in a form prescribed by the Association, a certified list of claims before December 1 of each year.
5. The Association will compile the claims from municipalities and submit them to the South Carolina Tax Commission prior to December 31 of each year.
6. The South Carolina Tax Commission may retain up to \$25.00 to defray its administrative cost.
7. The Association will retain \$15.00 for each successful setoff.
8. The Association will return to the City the amount of the claim minus collection cost.
9. The City indemnifies the Association against any injuries, actions, liabilities or proceedings arising from performance under the debt offset provisions.
10. This Agreement shall remain in full force and effect until terminated by either party upon giving at least ninety (90) days notice in writing to the other party. Any claims being processed shall remain covered by this Agreement until canceled by the South Carolina Tax Commission.

MUNICIPAL ASSOCIATION OF SOUTH CAROLINA

By: 
Executive Director

City of Orangeburg
By: 

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 sewer main, a sixteen (16") 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 4,609 feet north, measured along the center line of said track, from Milepost AK-372, as shown on drawing dated July 7, 1992 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 Martin C. Cheatham, be, and he hereby is, authorized and directed to sign said agreement on behalf of the City of Orangeburg.

PASSED this 13th day of October, 1992.

Signed:

Martin C. Cheatham
Mayor

Allison F. Moore

Greg S. Haire

William D. Kelly

Gene N. Hendrix

Erin M. Hart
Members of Council



ATTEST:

Sharon A. Lanning
City Clerk and Treasurer

RESOLUTION NO 1992-

TO AUTHORIZE THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA TO ACT AS CLAIMANT AGENT FOR THE CITY OF ORANGEBURG FOR THE COLLECTION OF DEBT IN ACCORDANCE WITH THE SETOFF DEBT COLLECTION ACT OF 1988

WHEREAS, the Setoff Debt Collection Act of 1988 (Section 12-54-410) allows the South Carolina Tax Commission to render assistance in the collection of debt owed to political subdivisions of the State; and

WHEREAS, the Municipal Association of South Carolina will act as the claimant agent for municipalities in South Carolina; and

WHEREAS, the City of Orangeburg desires to participate in the Setoff Debt Collection Program of the Municipal Association;

Now, Therefore, Be It

RESOLVED, That the City of Orangeburg authorizes the City Administrator and Manager of the Department of Public Utilities to enter into agreements with the Municipal Association of South Carolina for the collection of debt owed this municipality.

BE IT FURTHER RESOLVED, that the City of Orangeburg indemnifies the Municipal Association of South Carolina against any injuries, actions, liabilities or proceedings arising from performance under the debt offset provisions.

Resolved by the Mayor and Council of Orangeburg this 13th day of October, 1992.

Attest:

Sharon M. Fannin
Clerk

Mark C. Heather
Mayor

Marion F. Moore

James H. Hines

James W. R. R. R.

James W. R. R. R.

James W. R. R. R.

Members of Council



SPECIAL CITY COUNCIL MINUTES
OCTOBER 19, 1992

Orangeburg City Council and the Aviation Commission held a special joint meeting on October 19, 1992, at 2:00 P.M. , at the Orangeburg Municipal Airport with Reverend W. J. Baxter presiding. An invocation was given by Mr. Carroll Joye.

PRESENT:

Martin C. Cheatham
Joyce W. Rheney
Bernard Haire
L. Zimmerman Keitt
Marion F. Moore
Reverend W. J. Baxter
W. C. Wannamaker
George Daniels
E. O. Hudson
Everette Griffin

ABSENT:

W. Everette Salley
Henry Sims, II
Donald R. Small

Reverend W. J. Baxter had requested the special session to address concerns raised at the October 13, 1992, City Council Meeting by Councilmember Salley. Councilmember Salley's concerns on the FAA Grant Preapplication were significant changes including an increase of \$1.3 million and some wetlands litigation.

Public Works Director, Reese Earley stated he and the LPA consultants met with Councilmember Salley and provided him additional information.

Mayor Cheatham told Council and the Aviation Commission that he and Councilmember Salley were ready to proceed, their questions had been satisfied.

Mayor Cheatham asked about the wetlands issue and one of the representatives of LPA, Susan Stiner, explained that the permitting had been received and the City will replace some thirty acres of impacted wetlands.

City Administrator Yow questioned if the monies already spent for the proposed runway would be credited to the City's portion of the balance. Public Works Director Earley, stated the \$109,000 spent by the City in 1986 should be credited toward the City's 5% share of project cost.

This issue is on the City Council agenda for the October 20, 1992, meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
OCTOBER 20, 1992

Orangeburg City Council held its regularly scheduled meeting on October 20, 1992, at 6:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, to approve the October 13, 1992, City Council Minutes as amended. The motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to accept a \$106,285 bid for a commercial garbage truck from Shealy's Truck Center, Incorporated. Nu-Life Environmental, Incorporated was low bid but did not meet the warranty specifications. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the FAA Grant preapplication for new runway 17/35. The motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to authorize the City Administrator to agree to the selection of a multi-year agreement for engineering services at the Orangeburg Municipal Airport after the documents have been reviewed by the City Administrator and the City Attorney. The motion was unanimously approved.

Council received a status report from Assistant City Administrator Eric Budds on the Glover Street Housing Rehabilitation Project. On the first five (5 houses) being rehabilitated work is steadily progressing.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to accept the recommendation of Assistant City Administrator Budds to move forward on the next six (6) houses, units 07, 10, 10R, 16, 17 and 18 for participation in the Glover Street Housing Rehabilitation Project and authorize staff to proceed with rehabilitation of said units utilizing the low bid contractors.

Assistant City Administrator Budds told Council a recent bid opening brought an average low bid of \$11,075, which is below the \$12,000 maximum average allowed. Included in the next six, Budds explained, is one unit for a handicapped owner that will cost \$20,455 or \$8,455 above the maximum allowable average. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to authorize staff to proceed with unit #7 despite its high cost for rehabilitation due to extenuating circumstances. The motion was unanimously approved.

City Administrator Budds also explained to Council that staff had reviewed the two (2) units deferred from consideration in the first group of houses. Staff remains of the opinion that units number 08 and 09, at \$18,870 and \$17,694 respectively, can be included in the scope of the project. He recommended that these two (2) units be deferred to the final group of houses.

After hearing concerns from residents of Berry Woods Subdivison, Council requested that the South Carolina Department of Highways and Public Transportation place a traffic signal at Columbia Road and Bennett Avenue. Council also requested that the SCDHPT forego a traffic study. After conducting a study, the SCDHPT rejected the City's request as unwarranted. Mayor Cheatham stated that the City needs to pursue this further. He said, "We've needed a light there for a long time and it bothers me that the one thing not considered in the study is the safety of our citizens." Mayor Cheatham explained hat a signal would reduce the speed and ease congestion. Council considered approaching the district highway commissioner and City Administrator Yow said District Engineering Administrator Dean Campbell has been cooperative with other projects and should be approached first.

Robert Lambright, a participant in the Glover Street Housing Project, asked Council why his house was not provided with central heat or more than one space heater. Assistant City Administrator Budds responded that the cost of central heat was substantial and that the City was simply doing the best they could with the given funds available. He stated it was an improvement over previous conditions. Lambright also questioned why the leaking roof over an added room was not included in the repairs. Budds stated he would look into the matter and stated "There are serious questions if the addition is even a legal addition."

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to request, in writing, to the South Carolina Department of Highways and Public Transportation to put left-turn signals at key congested intersections. This motion was unanimously approved. Mayor Cheatham proposed left turn signals at U.S. Highway 301 and Boulevard, U.S. Highway 21 Bypass and St. Matthews Road, U.S. Highway 601 and U.S. 21 Bypass and John C. Calhoun and Broughton Streets. He stated that we need to consider the safety of our citizens and see they get through the intersections safely and cut down on accidents. He also said "The City pays for these lights and it's no cost to the state highway department." Mayor Cheatham sited increased activity in the City with construction of the new South Carolina Electric and Gas Plant, the Okonite expansion, the colleges and the University.

Council reaffirmed its previous resolution to rename confusing City streets to facilitate Orangeburg County's implementation of the E-911 emergency telephone system. Residents whose street names must be changed will be allowed input in name changes. Mayor Cheatham recommended Council stick with its original plan and move forward. Councilmember Moore sited the complaints of several citizens' groups who were critical of efforts to rename their streets. Councilmember Moore stated he had serious reservations about a E-911 system that depends solely on the operator at the control board.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to install flashing lights at U.S. 21 (Columbia Road) and S-826 (Marshall Street) by Marshall Elementary School. The Highway Department will provide flashing signal equipment and signs. The City will install the signs and will ask Orangeburg School District #5 officials to provide the cost of the electricity. Also, crosswalks will be painted on approaches to the school. The motion was unanimously approved.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to approve the request of the SPCA to waive the fee for the rental of the Stevenson Auditorium for the annual Christmas circus show fund-raiser. Proceeds will go towards the support of the Orangeburg County animal shelter. The motion was unanimously approved.

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for legal matters and the discussion of the purchase of real property. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
NOVEMBER 3, 1992

Orangeburg City Council held its regularly scheduled meeting on November 3, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
Marion F. Moore
W. Everette Salley

ABSENT:

L. Zimmerman Keitt
Joyce W. Rheney

A motion was made by Councilmember Moore, seconded by Councilmember Haire, to approve the October 19, 1992, Special City Council Minutes as distributed. The motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the October 20, 1992, City Council Minutes as distributed. The motion was unanimously approved.

Mayor Cheatham and Councilmember's honored the City's employee volunteer relief effort team with plaques of appreciation. The team had gone to Homestead, Florida, which was devastated by Hurricane Andrew. Receiving plaques were City Administrator John Yow, Service Department employees, Andy Rickenbaker, Jay Turner and Jude Elliott; Sanitation employees, Willie Brown, Franklin Haigler and Tyrone Frederick; Garage employees, Milton Kittrell and David Stevenson; and Parks and Recreation Department employees, James Jenkins, Isadore Thomas, Dennis Brothers and Luke Nettles. Council thanked each employee and commended them on a job well done.

Mayor Cheatham called the employees "The backbone of our organization. The fellows who get out and work in the trenches, so to speak." He also stated that we sent good quality people down to Florida and we got a good quality report back.

Mayor Cheatham also thanked Plax, Inc., for reducing its price on the mementos for these employees.

Mr. Mike Sells, Administrative Director for the Department of Public Utilities, presented to Council a proposal to change the City's group long term disability from Aetna Insurance Company to Provident Insurance Company on December 1, 1992. The reasons he cited for this proposal were lower costs, better benefits, better protection and Provident is the largest disability carrier in the Nation.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to change the City's group long term disability to Provident Insurance Company and to authorize City Administrator Yow to sign all documents. The motion was unanimously approved.

City Administrator Yow presented to Council an employee leave survey on eleven (11) cities. City Council had instructed City Administrator Yow and Department of Public Utilities Manager Johnson to survey sick leave from other municipalities and utilities. At this time, no

CITY COUNCIL MINUTES

NOVEMBER 3, 1992

648 PAGE 2

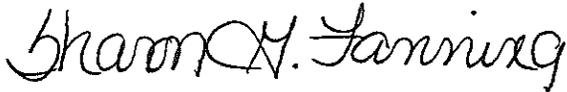
recommendation had been formulated. Councilmember Haire asked if they would bring a recommendation to the next Council meeting.

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

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to enter into an Executive Session for the discussion of the purchase of real property. The motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/r



SPECIAL CITY COUNCIL MINUTES
NOVEMBER 9, 1992

Orangeburg City Council held a Special City Council Meeting on November 9, 1992, at 6:30 P.M, in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

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

City Attorney James Walsh announced to Council that the United States Justice Department approved the City of Orangeburg's Redistricting Plan #3. This Redistricting Plan was created due to the 1990 census results. This would mean an election for districts #1, #2, #3, #4, #5, and #6 would be held on March 9, 1993. District members #1, #3, and #5 will have to run again in September, 1993, while districts members #2, #4, and #6 terms will not expire until October, 1995.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to have the election of Councilmembers from Districts #1, #3, and #5 in September, 1993. Also, the City Attorney was instructed to discuss this matter with the United States Justice Department and report to Council at its next meeting. This was a four to two vote. Councilmember Haire and Councilmember Salley opposed the motion.

Councilmember Haire stated that because the district lines have changed, people are not being represented by the Councilmember they voted for. He also stated that such problems were bound to arise each time there was redistricting because of the use of staggered terms.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to enter into an Executive Session for the discussion of the purchase of real property. Mayor Cheatham acknowledged a letter from Councilmember Moore asking that he be excused from the session due to his agency, the Moore Company and its relationship with the property owner. The motion was unanimously approved. There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
NOVEMBER 17, 1992

Orangeburg City Council held its regularly scheduled meeting on November 17, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Salley.

PRESENT:

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

Mayor Cheatham and City Council asked City Administrator Yow to write a letter to court officials and local legislative delegates about concerns over reports that no court will be held during the first six months of 1993.

Mayor Cheatham expressed his concern about the increase in crime in the City and County. He stated that we already have a tremendous backlog of cases and to accumulate an additional backlog would create a catastrophic situation.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, to approve the November 3, 1992, City Council Minutes as distributed. The motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, to approve the November 9, 1992, Special City Council Minutes as distributed. The motion was unanimously approved.

City Attorney Walsh told Council that he contacted the U.S. Justice Department in regards to changing the election of Districts #1, #3, and #5 to September instead of electing them in March 1993, and again in September 1993. City Attorney Walsh advised Council that to change what had been approved would take another submission and then the U.S. Justice Department would have a sixty (60) day period to give its approval. The Federal Officials did not think there would be an early decision. City Attorney Walsh told Council to change the dates would be almost impossible. He recommended that the City proceed with the election as approved by the Justice Department.

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to proceed with a non-partisan municipal election for all six single member district seats on March 9, 1993. This was a five to one vote. Councilmember Rheney opposed this motion.

City Administrator Yow recommended to Council the Orangeburg Womens' Farmer's Market Cooperatives request that the City take ownership of their property located at the corner of Louis and Fair Streets and in turn lease the building to Orangeburg Alano. The women would still use the facility on Saturday mornings to market their goods. Orangeburg Alano would pay for the title search and other legal costs and would make the necessary repairs, long-term maintenance and pay the utilities. The City would pay the \$1,000 tax lien on the property, of which approximately \$166 is City taxes. Orangeburg County will be asked to waive \$2,000 interest in the property dating back to 1947. A motion was made by Councilmember Salley, seconded by Councilmember Moore, to accept the transfer of property located at the corner of

Louis and Fair Streets contingent upon the County writing off the \$2,000 owed. The motion was unanimously approved.

City Administrator Yow and Department of Public Utilities Manager Johnson brought to Council recommendations on a sick leave policy. Councilmember Haire stated he was very disappointed in the recommendations on the sick leave policy and that sick leave benefits should be allowed separately from annual leave. Mayor Pro Tem Keitt reiterated this and added this was needed in order to attract and keep quality employees.

DPU Manager Johnson stated that a recent position opening brought one-hundred and twenty (120) applicants who looked at the pay and benefits. He stated many taxpayers and citizens do not have the annual leave that City employees have, although some governments do have outstanding leave at the expense of the citizens. He noted that since Council consolidated annual and sick leave, a change back would penalize the retirement of any employee with over fifteen (15) years of service.

Council deferred action on the leave policy until additional information submitted by Councilmember Haire on state government leave could be studied.

City Administrator Yow and Department of Public Utilities Manager, Johnson recommended to Council to allow City and DPU employees to choose two (2) additional holidays from a list of six (6) holidays not already observed. This would bring a total of nine (9) paid holidays to employees. City Administrator Yow explained that the eleven (11) cities or utilities surveyed revealed the City and DPU has fewer holidays than any other City or utility checked.

Mayor Pro Tem Keitt raised concerns that Martin Luther King's birthday should be a recognized holiday for everyone and not on the optional list for a vote. She stated it was the only day recognized as a black man's holiday and should not be voted on.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, to accept the recommendation of City Administrator Yow and DPU Manager Johnson to allow employees to vote on two (2) additional holidays.

DPU Manager Johnson noted that it cost DPU \$17,000 a day for each paid holiday. He suggested that the entire leave and holiday proposal be considered as a package.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to table the discussion of leave and holidays until the next meeting. This was a two to four vote. Mayor Cheatham, Councilmembers Moore, Haire and Mayor Pro Tem Keitt opposed this motion. A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to observe Martin Luther King's birthday as one of the additional holidays and for employees to vote on the other holiday. This was a two to four vote. The motion was opposed by Mayor Cheatham, Councilmembers Moore, Salley and Rheney.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, to go back to the original motion to accept the recommendations of City Administrator Yow and DPU Manager Johnson to allow employees to vote on two (2) additional holidays. This was a five to one vote. Mayor Pro

Tem Keitt opposed this motion.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to accept a resolution for conveyance of a right-of-way to the County of Orangeburg for a drainage ditch. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Salley, to accept a resolution for the conveyance of a right-of-way for a water line. This motion was unanimously approved. This property is owned by the City and the easement will be acquired from ourselves.

A motion was made by Councilmember Rheney, seconded by Councilmember Salley, to enter into an Executive Session for discussion of real property.

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, to purchase 5.2 acres bordered by Middleton Street, NE, Henley Street, NE, and Green Street, NE, at a cost of \$187,500 conditioned upon favorable GEO technical survey and a favorable environmental assessment of the real property and improvements and that the Mayor be authorized to sign the contract for purchase of this property. This motion was unanimously approved.

Councilmember Moore did not participate in the Executive Session nor in the discussion or voting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



THE MOORE CO.

REAL ESTATE SALES & MANAGEMENT

Marion F. Moore

November 9, 1992

The Honorable Martin C. Cheatham
PO Box 636
Orangeburg, SC 29116

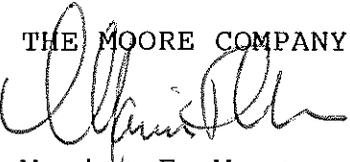
Dear Martin:

Because of my agency relationship with Mr. Henry Tecklenburg please excuse me from any discussion and/or voting on the property acquisition issue before counsel tonight. I will, of course, be glad to answer any questions concerning the property itself.

Thanking you in advance, I remain

Yours very truly,

THE MOORE COMPANY



Marion F. Moore

pc

A RESOLUTION ADOPTING THE FRIDAY AFTER THANKSGIVING
AND GOOD FRIDAY AS LEGAL HOLIDAYS

WHEREAS, that the City of Orangeburg and the Department of Public Utilities pursuant to City Council's authorization has surveyed all City employees to determine their preference for two (2) additional paid holidays;

WHEREAS, said survey resulted in the selection of Friday after Thanksgiving and Good Friday.

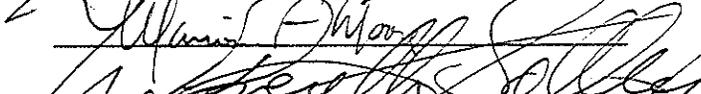
BE IT RESOLVED BY THE Mayor and Members of Council of the City of Orangeburg, South Carolina, in Council assembled, and by authority of the same that the Friday after Thanksgiving and Good Friday be added as legally observed holidays for the City of Orangeburg and the Department of Public Utilities.

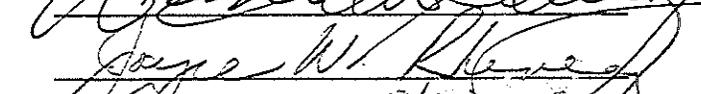
DONE AND RATIFIED by the City Council of the City of Orangeburg, State of South Carolina, this 17th day of November, 1992.

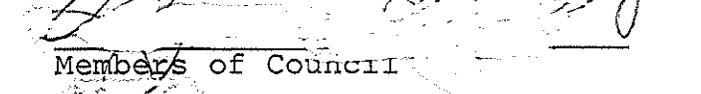


Mayor

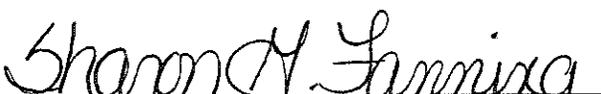






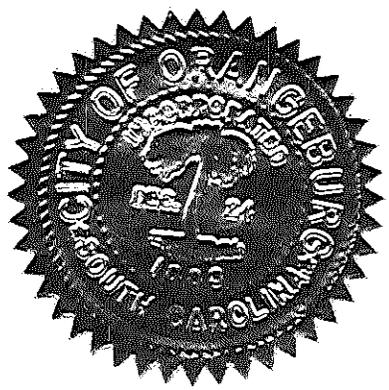


Members of Council



City Clerk

/r



CITY OF ORANGEBURG
VOTE COUNT
FOR ADDITIONAL HOLIDAYS

VETERAN'S DAY-----	14
PRESIDENT'S DAY-----	1
MARTIN LUTHER KING'S BIRTHDAY-----	63
FRIDAY AFTER THANKSGIVING-----	139
GOOD FRIDAY-----	84
EMPLOYEE'S BIRTHDAY-----	37

November 20, 1992

DEPARTMENT OF PUBLIC UTILITIES
VOTE COUNT
FOR ADDITIONAL HOLIDAYS

VETERAN'S DAY -----	3
PRESIDENT'S DAY -----	0
MARTIN LUTHER KING'S BIRTHDAY -----	25
FRIDAY AFTER THANKSGIVING -----	135
GOOD FRIDAY -----	110
EMPLOYEE'S BIRTHDAY -----	15

November 19, 1992

NOV 20 1992

R E S O L U T I O N

WHEREAS, the City of Orangeburg is the owner of a certain parcel of land upon which the Department of Public Utilities' Wastewater Treatment Plant is located and is recorded in the office of the Clerk of Court for Orangeburg County, South Carolina, in Deed Book 389 at Page 109 and,

WHEREAS, the Department of Public Utilities has been requested by the County of Orangeburg to provide an easement for the construction of a drainage ditch,

WHEREAS, such improvement will be built in accordance with plans prepared by Edisto Engineering and Surveying dated January 24, 1992,

WHEREAS, such improvement will benefit the Department of Public Utilities in its operation of its wastewater facilities.

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Council of the City of Orangeburg, State of South Carolina, in council assembled, and by authority of the same, that Ted M. Johnson, Jr., Manager of the Department of Public Utilities, of the City of Orangeburg is hereby authorized and directed to execute a right-of-way for a drainage ditch for the County of Orangeburg. The right-of-way is more fully described by a drawing prepared by the Department of Public Utilities, Orangeburg, South Carolina, dated October 12, 1992, which is incorporated within and made a part of the right-of-way agreement.

PASSED by City Council, in Council assembled at Orangeburg, South Carolina, this 17th day of November, 1992.



Signed:

Martin C. Thompson
Mayor

Allan F. Moore

L. J. Henderson

D. Roberts

James W. Phares

James H. Hays

Members of Council

ATTEST:

Sharon M. Gannings
City Clerk and Treasurer

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

City Of Orangeburg)
Department of Public)
Utilities)

To)

County of Orangeburg)

RIGHT OF WAY FOR DRAINAGE DITCH

KNOW ALL MEN BY THESE PRESENTS That we, the City of Orangeburg, Department of Public Utilities for and in consideration of the sum of One and no/100 (\$1.00) Dollar, to us in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and for other valuable consideration, do hereby grant and convey unto the County of Orangeburg, a right-of-way in, through and over our real estate and lands, situate, lying and being near the said City and in the County of Orangeburg, in said State, for the purpose of a drainage ditch, which is to be built in accordance with plans prepared by Edisto Engineering and Surveying dated January 24, 1992, which right-of-way hereby conveyed is more particularly described as follows:

All that certain strip of land varying in width, situate, lying and being in or near the City of Orangeburg, Orangeburg County, South Carolina, beginning on a point on the eastern most property line at a station designated 0+00 feet on the attached drawing running S 25 degrees 18' W, a distance of sixty eight (68') feet more or less to a point designated as station 0 + 68 feet and running S 6 degrees 18' E, a distance of six hundred eighty (680') feet being sixty five (65') feet in width, parallel with and contiguous to the right of way of Southern Railroad, to a point designated as station 7+48 feet, thence turning and running S 82 degrees 43' 14" W, a distance of nine hundred forty (940') feet and being seventy-five (75') feet in width on the southern most property line of the City of Orangeburg and adjacent to the northern most property line of now or formerly Greenwood Mills Inc., to a station designated as 17+23 feet, thence increasing in width to ninety (90') feet and continuing to run S 82 degrees 43' 14" W, a distance of 1000 feet parallel with and contiguous to the property line of Greenwood Mills Inc., to a point designated as station 27+23 feet, thence decreasing in width to seventy five (75') feet and running, a distance of two hundred (200') feet S 82 degrees 43' 14" W to a point designated as station 29+23 feet, thence decreasing in width to fifty (50') feet and running S 81 degrees 53' 35" W, a distance of nine hundred (900') feet to a station

designated as 38+23 feet all of which will more fully appear by reference to the attached drawing thereof prepared by the Department of Public Utilities, Orangeburg South Carolina, dated April 1, 1992, which is incorporated herein and made a part of this description by records.

Also a 100 foot wide construction easement, said construction easement including the area granted as the permanent easement and being measured from the eastern most and southern most property lines respectively, being more fully set forth and shown on the attached drawing as a proposed construction easement, for the purpose of constructing and building the drainage ditch. This construction easement shall be temporary in nature and shall cease to exist one year from the date of execution of this document, or the completion of construction, whichever occurs first.

Together with all and singular the right, members and appurtenances of the said right-of-way hereby granted, belonging, incident, or appertaining and especially the right and privilege of entry upon our lands at all times for the purpose of locating, laying, repairing, maintaining, constructing, and building its drainage ditch, and for all other purposes whatsoever necessary and proper in and about the said drainage system. Also, the right to cut trees, remove stumps and other debris from the right-of-way. The Grantee here with agrees to maintain the ditch in safe and good working order.

The grantor also expressly reserves the right to use the drainage ditch for its own drainage purposes and also reserves the right to improve the ditch at any time, so long as the improvements do not interfere with the original intended drainage purpose of the ditch. In this connection, grantor may close any existing drainage ditches located on its property and divert said drainage to the within described drainage ditch, notwithstanding that said diversions may increase the volume of water and/or its rate of runoff. The improvements to said drainage ditch and/or the closing and abandonment of existing drainage ditches on the property of grantor shall not require any permit from the grantee or compliance by grantor of any ordinances or regulations of the grantee.

Grantee shall keep, protect, indemnify and save harmless grantor from any loss, cost or expense of any sort or nature, and from any liability to any person, natural or artificial, on account of any damages to person or property arising out of any failure of grantee in any respect to comply with any perform all of the requirements and provisions contained herein or resulting from the grantor exercising its rights contained herein.

The grantee also agrees with the following special provisions:

1. The ditch shall be constructed in accordance with plans prepared by Edisto Engineering and Surveying dated January 24, 1992.

2. The City of Orangeburg shall have the right to claim any or all of the "spoil dirt" that will be generated as result of the construction of the ditch. The grantee or his representatives shall make the spoil dirt available to the City and the City or its agents shall remove the quantity it wishes to claim from the site.

3. Any spoil dirt not claimed by the City of Orangeburg shall be removed from the grantors property by the Grantee at the Grantee's expense.

4. The Grantee agrees to fill a portion of the old ditch from the junction of the old and new ditch to the Grantor's fence.

To have and to hold all and singular the said right-of-way and the rights, powers and privileges unto the said County of Orangeburg its successors and assigns, so long as the said drainage ditch shall be continued, kept, operated and maintained by the said County of Orangeburg its successors and assigns.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this
18th day of November, 1992

Signed, Sealed and Delivered

_____ (L.S.)

in the Presence of:

Michael G. Selby

Becky A. Austin

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

PERSONALLY appeared before me Michael G. Selby and made oath that
he saw the within named City of Orangeburg sign, seal and as his act
and deed, deliver the within written Right of Way, and that he with
Becky A. Austin, witnessed the execution thereof.

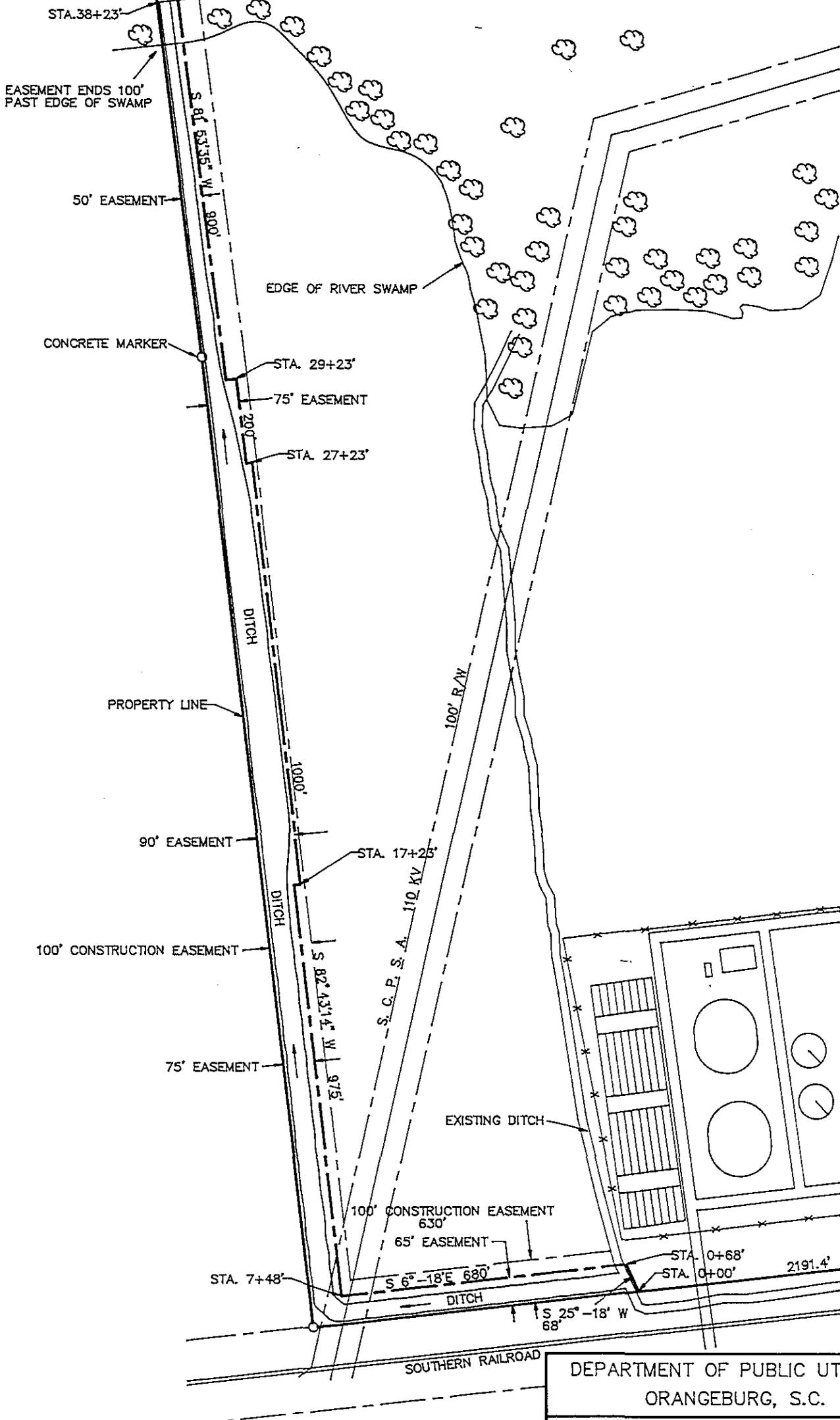
Sworn to before me this

Michael G. Selby

18th day of November, 1992

_____ (L.S.)
Becky A. Austin

Notary Public for South Carolina
My Commission Expires:



DEPARTMENT OF PUBLIC UTILITIES
 ORANGEBURG, S.C.
 SKETCH SHOWING EASEMENT TO
 THE COUNTY OF ORANGEBURG
 ACROSS PROPERTY OF THE
 DEPARTMENT OF PUBLIC UTILITIES
 CITY OF ORANGEBURG

DATE: 10/12/92 SCALE: 1"=300'

Resolution No. 92-

A RESOLUTION TO DECLARE RIGHTS-OF-WAY FOR WATER

BE IT RESOLVED by City Council duly assembled this 17th day of November, 1992, that the City of Orangeburg does hereby declare rights-of-way in, through, and over its real estate described generally as Orangeburg County tax map numbers TMS 170-08-01-01 and TMS 170-08-04-01. Said real estate and rights-of-way are more particularly set forth and described on the attached three (3) Declarations.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute said Declarations attached hereto and made a part hereof by reference.

DONE AND RATIFIED this 17th day of November, 1992.



Martin C. Cheatham
Mayor

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Members of Council

ATTEST: Sharon A. Fanning
City Clerk

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)
Ex Parte:)
) DECLARATION AS TO
) RIGHT OF WAY FOR WATER
City of Orangeburg)

Whereas, the City of Orangeburg is the owner of certain property off S-38-1061 (Bull Street), and whereas, the City of Orangeburg has determined the necessity for establishing a right-of-way for water respecting a portion of said property as will appear by reference to the plat hereto attached, and desires to make such a right-of-way a matter of public record; now, therefore,

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the premises, the City of Orangeburg does hereby declare a right-of-way in, through, and over the aforesaid real estate, situate, lying and being in the said City and County of Orangeburg, in said State, for the purpose of a water line, which right-of-way is set forth and shown as the "proposed easement" on the attached sketch dated October, 1992 and is more particularly described as follows:

All that certain piece, parcel or strip of land situate, lying and being near Orangeburg, in the County of Orangeburg, State of South Carolina, containing the below described portion of that lot designated as TMS 170-08-04-01 and also know as a permanent easement, thirty-five (35) feet in width beginning at the property corner of the City of Orangeburg which is also the southernmost right-of-way of Bull Street and the westernmost right-of-way of Seaboard Avenue; thence extending southeast, parallel and adjacent to the property line of the aforementioned property for a distance of one hundred ten (110) feet; thence terminating with all distances being a little more or less.

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

To have and to hold all and singular the said right-of-way, and the said appurtenances, rights, powers, and privileges unto the said City of Orangeburg, its successors and assigns, so long as the said system of water shall be continued, kept, operated and maintained by the said City of Orangeburg, its successors and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

17th day of November, 1992.

Signed, Sealed and Delivered

in the Presence of:

William C. Heathman (L.S.)
Mayor

Sharon A. Gunning (L.S.)
Attest: Clerk

Samuel Jada

Becky A. Austin

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

Personally appeared before me Samuel Jarlow and made oath that he saw the within named City of Orangeburg sign, seal and as his act and deed, deliver the within written Right of Way, and that he with Becky A. Austin, witnessed the execution thereof.

Sworn to before me this

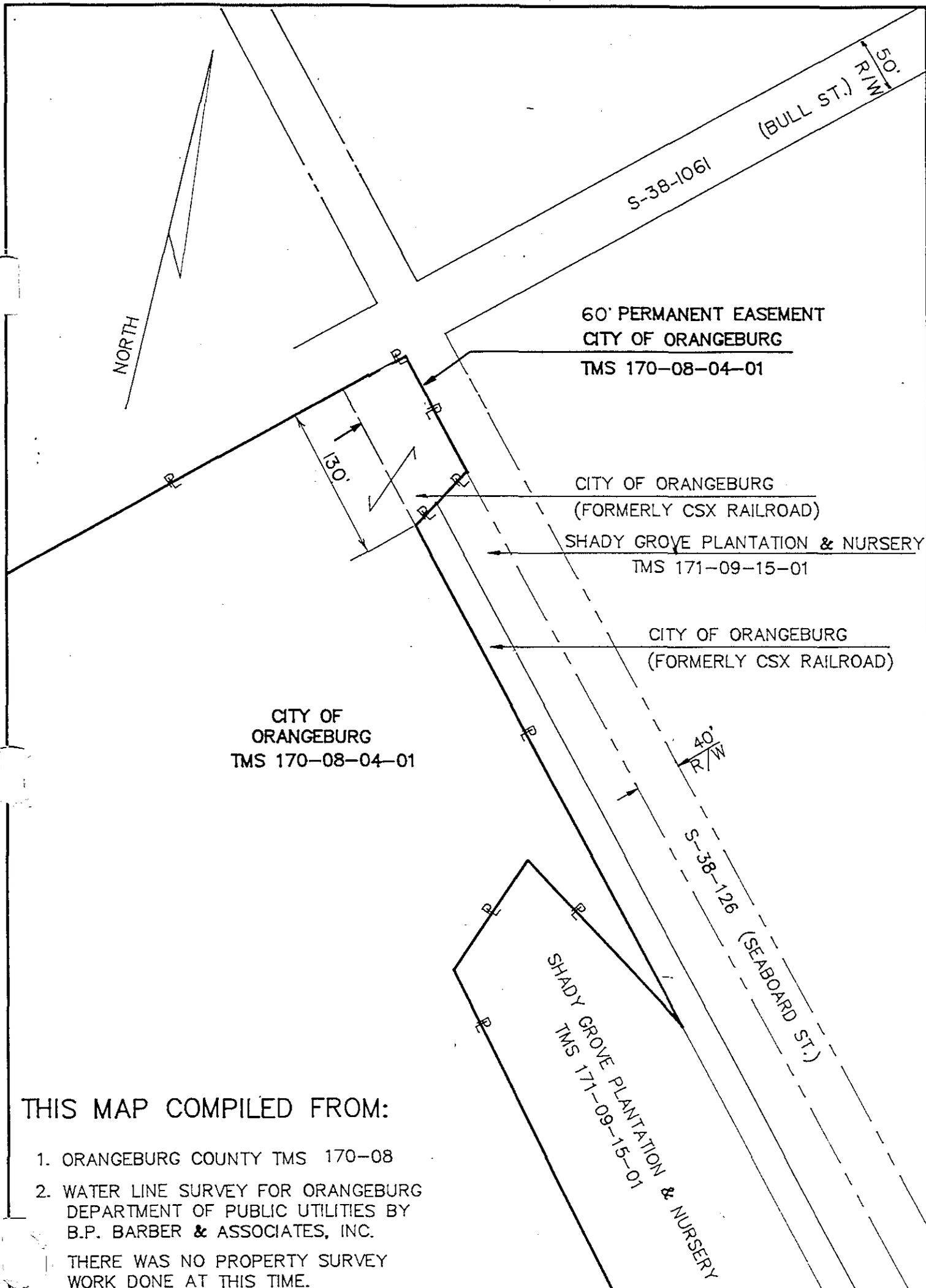
Samuel Jarlow

17th day of November, 19 92.

Becky A. Austin (L.S.)

Notary Public for South Carolina

My Commission Expires: 4/8/93



THIS MAP COMPILED FROM:

- 1. ORANGEBURG COUNTY TMS 170-08
 - 2. WATER LINE SURVEY FOR ORANGEBURG DEPARTMENT OF PUBLIC UTILITIES BY B.P. BARBER & ASSOCIATES, INC.
- THERE WAS NO PROPERTY SURVEY WORK DONE AT THIS TIME.

**ORANGEBURG DEPARTMENT
OF PUBLIC UTILITIES**

SKETCH OF A
WATER EASEMENT
ACROSS THE PROPERTY OF
CITY OF ORANGEBURG

MAP PREPARED BY
B.P. BARBER & ASSOCIATES, INC.
ENGINEERS-SURVEYORS-PLANNERS
COLUMBIA, S.C.

DATE: OCTOBER, 1992

SCALE: 1" = 100'

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)
Ex Parte:)
) DECLARATION AS TO
) RIGHT OF WAY FOR WATER
City of Orangeburg)

Whereas, the City of Orangeburg is the owner of certain property at the southeast corner of S. C. Highway S-38-507 (Glover Street) and S.C. Highway 4 (Stonewall Jackson Boulevard), and whereas, the City of Orangeburg has determined the necessity for establishing a right-of-way for water respecting a portion of said property as will appear by reference to the plat hereto attached, and desires to make such a right-of-way a matter of public record; now, therefore,

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the premises, the City of Orangeburg does hereby declare a right-of-way in, through, and over the aforesaid real estate, situate, lying and being in the said City and County of Orangeburg, in said State, for the purpose of a water line, which right-of-way is set forth and shown as the "proposed easement" on the attached sketch dated October, 1992 and is more particularly described as follows:

All that certain piece, parcel or strip of land situate, lying and being near Orangeburg, in the County of Orangeburg, State of South Carolina, containing the below described portion of that lot designated as TMS 170-08-01-01 and also know as a permanent easement, sixty-five (65) feet in width beginning at the northernmost property corner of the City of Orangeburg and extending southeast, parallel and adjacent to the easternmost property line for sixty-five (65) feet; thence terminating with all distances being a little more or less.

Also a temporary construction easement to run parallel with and adjacent to the permanent easement with varied widths as shown on the attached drawing.

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

To have and to hold all and singular the said right-of-way, and the said appurtenances, rights, powers, and privileges unto the said City of Orangeburg, its successors and assigns, so long as the said system of water shall be continued, kept, operated and maintained by the said City of Orangeburg, its successors and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

17th day of November, 1992.

Signed, Sealed and Delivered

in the Presence of:

W. L. Thornton (L.S.)
Mayor
Sharon M. Fanning (L.S.)
Attest: Clerk

Samuel Jordan

Becky A. Austin

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

Personally appeared before me Samuel Farlow and made oath that he saw the within named City of Orangeburg sign, seal and as his act and deed, deliver the within written Right of Way, and that he with Becky A. Austin, witnessed the execution thereof.

Sworn to before me this

Samuel Farlow

17th day of November, 19 92.

Becky A. Austin (L.S.)

Notary Public for South Carolina

My Commission Expires: 4/2/93

S.C. HIGHWAY 4 (STONEWALL JACKSON BLVD)

100' R/W

65' PERMANENT EASEMENT
PARALLEL & ADJACENT TO R

35' TEMPORARY CONSTRUCTION EASEMENT
PARALLEL & ADJACENT TO R

CITY OF ORANGEBURG
TMS 170-08-01-01

S-38-507 (GLOVER ST.)

100' R/W

50' R/W

COUNCIL ST.

SEABOARD COASTLINE RAILROAD

130' R/W

THIS MAP COMPILED FROM:

1. ORANGEBURG COUNTY TMS 170-08
2. WATER LINE SURVEY FOR ORANGEBURG DEPARTMENT OF PUBLIC UTILITIES BY B.P. BARBER & ASSOCIATES, INC.
3. THERE WAS NO PROPERTY SURVEY WORK DONE AT THIS TIME.

NORTH

ORANGEBURG DEPARTMENT
OF PUBLIC UTILITIES

SKETCH OF A
WATER EASEMENT
ACROSS THE PROPERTY OF

CITY OF ORANGEBURG

MAP PREPARED BY
B.P. BARBER & ASSOCIATES, INC.
ENGINEERS-SURVEYORS-PLANNERS

DATE: OCTOBER, 1992

SCALE: 1" = 100'

26,528-A8

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)
Ex Parte:)
) DECLARATION AS TO
) RIGHT OF WAY FOR WATER
City of Orangeburg)

Whereas, the City of Orangeburg is the owner of certain property at the northeast corner of S. C. Highway 33 (Russell Street) and S-38-125 (Riverside Drive), and whereas, the City of Orangeburg has determined the necessity for establishing a right-of-way for water respecting a portion of said property as will appear by reference to the plat hereto attached, and desires to make such a right-of-way a matter of public record; now, therefore,

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the premises, the City of Orangeburg does hereby declare a right-of-way in, through, and over the aforesaid real estate, situate, lying and being in the said City and County of Orangeburg, in said State, for the purpose of a water line, which right-of-way is set forth and shown as the "proposed easement" on the attached sketch dated October, 1992 and is more particularly described as follows:

All that certain piece, parcel or strip of land situate, lying and being near Orangeburg, in the County of Orangeburg, State of South Carolina, containing the below described portion of that lot designated as TMS 170-08-04-01 and also know as a permanent easement, twenty (20) feet in width beginning at the northernmost property line of the City of Orangeburg forty (40) feet west of the northeasternmost property corner; thence extending south for three hundred forty-five (345) feet and ending at the southernmost property line of the City of Orangeburg forty (40) feet west of the southeasternmost property corner; thence terminating with all distances being a little more or less.

Also a temporary construction easement to run parallel with and adjacent to the permanent easement with varied widths as shown on the attached drawing.

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

To have and to hold all and singular the said right-of-way, and the said appurtenances, rights, powers, and privileges unto the said City of Orangeburg, its successors and assigns, so long as the said system of water shall be continued, kept, operated and maintained by the said City of Orangeburg, its successors and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

17th day of November, 1902.

Signed, Sealed and Delivered

in the Presence of:

Monte H. Hill (L.S.)
Mayor
Harold M. Gammag (L.S.)
Attest: Clerk

Samuel Jordan
Becky A. Austin

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

Personally appeared before me Samuel Jarbo and made oath that he saw the within named City of Orangeburg sign, seal and as his act and deed, deliver the within written Right of Way, and that he with Becky A. Austin, witnessed the execution thereof.

Sworn to before me this

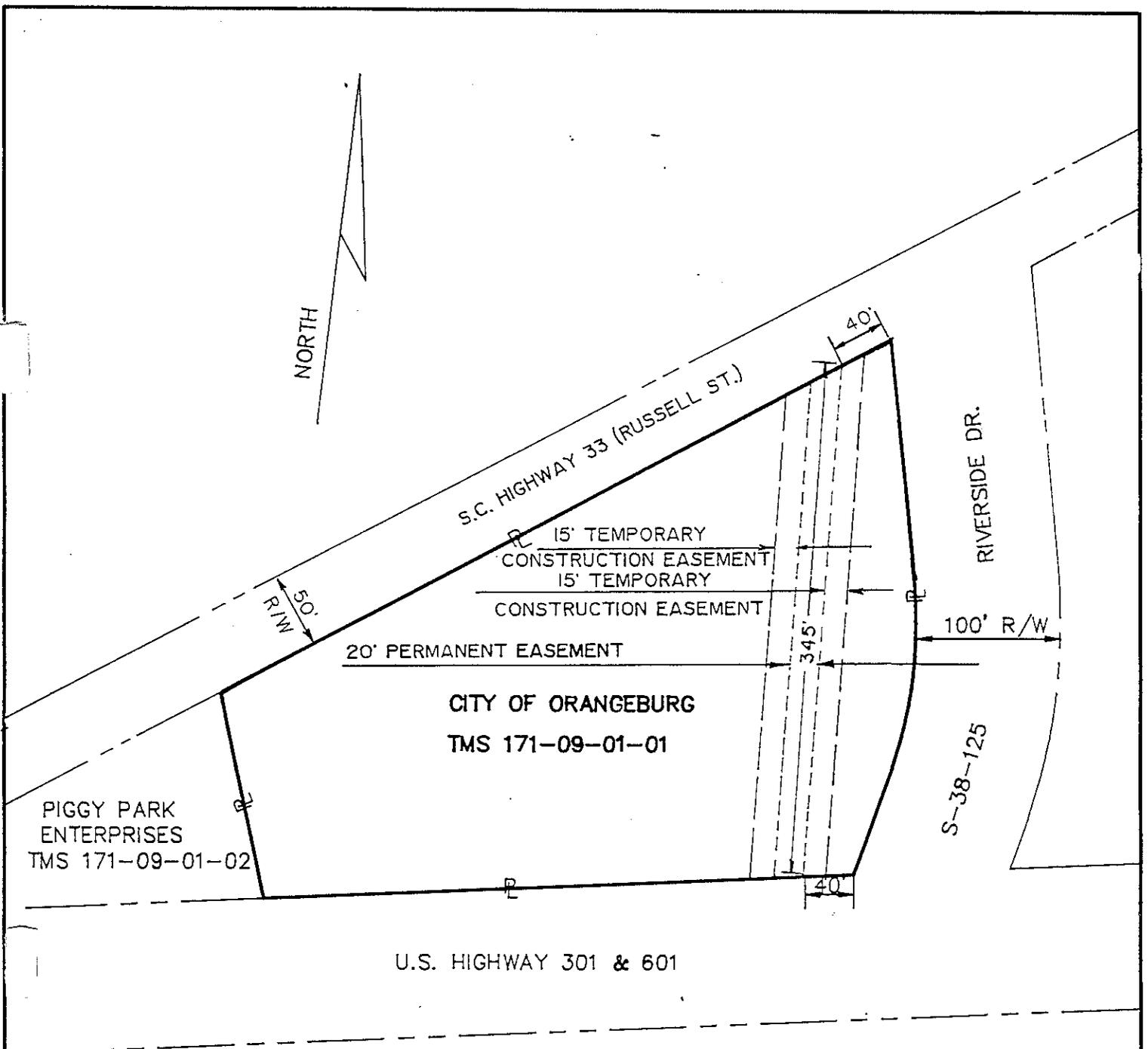
Samuel Jarbo

17th day of November, 19 92.

Becky A. Austin (L.S.)

Notary Public for South Carolina

My Commission Expires: 4/8/93



THIS MAP COMPILED FROM:

1. ORANGEBURG COUNTY TMS 171-09.
2. WATER LINE SURVEY FOR ORANGEBURG DEPARTMENT OF PUBLIC UTILITIES BY B.P. BARBER & ASSOCIATES, INC.
3. THERE WAS NO PROPERTY SURVEY WORK DONE AT THIS TIME.

**ORANGEBURG DEPARTMENT
OF PUBLIC UTILITIES**

SKETCH OF A
WATER EASEMENT
ACROSS THE PROPERTY OF
CITY OF ORANGEBURG

MAP PREPARED BY
B.P. BARBER & ASSOCIATES, INC.
ENGINEERS-SURVEYORS-PLANNERS
COLUMBIA, S.C.

DATE: OCTOBER, 1992

SCALE: 1" = 100'

CITY COUNCIL MINUTES
DECEMBER 1, 1992

Orangeburg City Council held its regularly scheduled meeting on November 17, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Moore.

PRESENT:

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

A motion was made by Councilmember Salley, seconded by Councilmember Moore, approving the November 17, 1992, City Council Minutes as amended. The motion was unanimously approved.

Mayor Cheatham announced that a Federal representative, Mr. Joseph Schiff, will view the housing problems in the City on Wednesday, December 2, and 1992, a round table discussion on this issue will take place.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve a Resolution to establish the procedure and criteria to determine the beneficiaries of the Firemen's Insurance and Inspection Fund. The motion was unanimously approved.

As proposed, Department of Public Safety employees must have been an employee of the department for one year; successfully completed fire training courses 1111 and 1121; must have been a member or entitled to be a member of the SC Firemen's Association to receive benefits, and those requirements must have been met for each of the calendar years 1988-1991 to determine the beneficiaries of the Firemen's Insurance and Inspection Fund. City Administrator Yow explained that 100% of the DPS employees had reviewed the Resolution.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to adopt a sick leave policy to be patterned after Orangeburg County's plan. Mayor Cheatham stated that he would like to study the County's plan first. He also stated he was opposed to any plan that includes sick leave and annual leave with leave being carried forward and accumulated over a period of time. He felt the current benefits the employees receive compared to others was a good plan. Councilmember Haire withdrew his motion until next council meeting so Council could study the proposed plan.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to accept a \$28,000 Park and Recreational Development Fund Grant for work in the Edisto Memorial Gardens and authorize City Administrator Yow to execute the project agreement. The motion was unanimously approved. This \$28,000 grant requires a \$7,000 local match for a total project cost of \$35,000. The match monies were approved in the current budget. The project will accomplish the replacement of the two (2) bridges in the Gardens, the installation of underground electrical supply lines, the purchase of ornamental Christmas lighting equipment and additional signage for the Horne Wetlands Park. Also, the project would assist in the development of a garden for the blind.

A motion was made by Councilmember Haire, seconded by Mayor

Pro Tem Keitt, to approve the recommendations for tourist related expenses from the Accommodations Tax Advisory Committee and to designate the Orangeburg County Chamber of Commerce as lead agency. The motion was unanimously approved. Mr. Fred Broughton, Chairman of the ATAC, presented to Council a list of organizations receiving funds. They will be as follows: SC Festival of Roses Committee--\$4,000; City of Orangeburg--\$1,650 for additional Christmas snowflakes; Orangeburg Arts Council--\$7,500; SC Philharmonic Symphony Orchestra Concert--\$1,500; City of Orangeburg Public Works Department--\$1,000 for signage at Orangeburg Municipal Airport; City of Orangeburg's Parks and Recreation Department--\$11,300 for grant matches, ornamental Christmas lights and the governor's conference; Orangeburg County Chamber of Commerce--\$7,000; and Orangeburg County Keep America Beautiful--\$1,500.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to approve the First Reading of an Ordinance granting a non-exclusive franchise to Southern Bell Telephone and Telegraph Company. The motion was unanimously approved.

Public Works Director, B. Reese Earley, recommended to Council a list of paved streets for re-surfacing by the state highway department. He identified 3.90 miles of streets for this project in the City due to deteriorated asphalt pavement. City Administrator Yow asked that he insert Buckley Street in the top five. Mayor Cheatham also suggested that he look at Rowe Street to Jennings Street and Glover Street (from Broughton to Boulevard).

Department of Public Utilities Manager, Ted Johnson, brought no utility matters to Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire to enter into an Executive Session for the discussion of a proposed location of an industry and a DPU personnel matter.

Council entered into open session. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to support the findings of the Grievance Committee regarding a DPU employee. The motion was unanimously approved. Councilmember Moore was excused from this portion of the Executive Session and the voting.

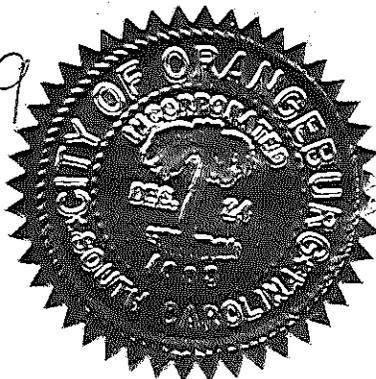
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
DECEMBER 15, 1992

Orangeburg City Council held its regularly scheduled meeting on December 15, 1992, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, approving the December 1, 1992, City Council Minutes as distributed.

Council deferred action on its proposal for one-way traffic on Sifly and Peasley streets between U.S. Highway 21 and Boulevard until a further study and cost analysis can be made.

Council deferred action on any changes in the City's leave policy. Assistant City Administrator Budds gave Council as information, a comparison study between the current City policy and the County's leave policy.

Assistant City Administrator Budds informed Council on the City's compliance effort on the Federal Bloodborne Pathogens requirements. The compliance deadline is January 1, 1993. This Standard will be enforced by the Occupational Health and Safety Administration (OSHA). Specifically, the Standard requires seven (7) items of the employer, which are as follows:

1. To develop a written Exposure Control Plan that lists the job classifications of employees who have been determined to have potential occupational exposure to bloodborne pathogens.
2. To implement engineering and work practice controls to reduce occupational exposure to potentially infectious materials.
3. To provide exposed employees with appropriate personal protective equipment.
4. To offer to all exposed employees the Hepatitis B Vaccination series.
5. To provide comprehensive and on-going training as to the hazards of bloodborne pathogens, exposure control practices and proper communication of the hazards through use of signage and labeling.
6. To document all exposure incidents and investigate said incidents to determine if they could have been avoided.
7. To maintain detailed records related to employee training, vaccinations and medical evaluations.

To provide the employees with personal protective equipment the total cost of the PPE kits and supplies to achieve initial compliance is estimated at approximately \$3,000. The three (3) shot series is being performed at a cost of \$120

Resolution No. 92-

A RESOLUTION TO ESTABLISH THE PROCEDURE AND
CRITERIA TO DETERMINE THE BENEFICIARIES OF THE
FIREMEN'S INSURANCE AND INSPECTION FUND

WHEREAS, the City of Orangeburg's Department of Public Safety was created by Ordinance dated October 21, 1987, and reorganized by Ordinance dated February 20, 1990, and

WHEREAS, certain uncertainties exist as to the beneficiaries of the Firemen's Insurance and Inspection Fund for the calendar years 1988, 1989, 1990 and 1991 and of properties presently held in the name of the trustees of said fund and acquired with monies from said fund prior to 1988, and

WHEREAS, to eliminate said uncertainties now existing and to establish the criteria to be used in the future to determine the beneficiaries of said fund,

NOW, THEREFORE, BE IT RESOLVED by City Council duly assembled that each employee of the Department of Public Safety for the City of Orangeburg must have met the following requirements for each of the following calendar years to be entitled to benefits from the Firemen's Insurance and Inspection Fund for the calendar years 1988, 1989, 1990 and 1991:

- (1) Must have been an employee of the Department of Public Safety for a period of one (1) year;
- (2) Successfully completed Fire Training Courses 1111 and 1121;
- (3) Must have been a member or entitled to be a member of the South Carolina Firemen's Association.

Notwithstanding the above requirements, any present employee of said Department who was a member of the South Carolina Firemans Association as of December 31st of each of the following years shall share equally with other

beneficiaries in the benefits from said fund for the calendar years 1988, 1989, 1990 and 1991.

BE IT FURTHER RESOLVED that future beneficiaries of said fund for the calendar year 1992 and for each succeeding calendar year thereafter shall annually meet the following requirements as of December 31st of each calendar year:

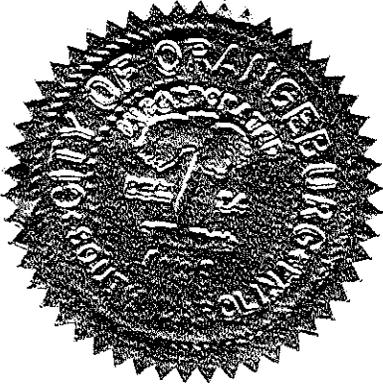
- (1) Be an employee of the Department of Public Safety for a period of one (1) year;
- (2) Successfully complete Fire Training Courses 1111, 1121, and 1131 and twelve (12) hours of "in-house" training each month;
- (3) Be a member of the South Carolina Firemen's Association.

BE IT FURTHER RESOLVED that any real properties held in the name of the trustees of said fund and acquired with monies from said fund prior to the 1988 calendar year shall be held for a period of two (2) years from the date of this Resolution for the benefit of the present members of said Department who participated in said fund prior to 1988. Upon the sale of said properties, or any part thereof, within said two (2) year period the proceeds from such sale shall likewise be held or distributed for the benefit of the beneficiaries described in this paragraph who are employees of said Department on the date of any such sale. Any sale of said real properties shall require the majority vote of the beneficiaries defined in this paragraph. Upon the expiration of said two (2) year period all remaining real properties not sold shall be held for the benefit of all employees of said Department meeting the requirements established for the calendar year 1992 and succeeding years. During said two (2) year period all expenses incurred in the maintenance, repair and upkeep of said properties and all costs of services provided to said properties shall be paid solely from the income generated from said properties.

BE IT FURTHER RESOLVED that the Director of Public Safety shall establish procedures to fairly implement this policy and correctly record and document the compliance or noncompliance with the above requirements for each employee of the Department.

The provisions of this Resolution shall be subject to the statutory laws of the State of South Carolina and any amendment hereto shall be effective as of the beginning of the next succeeding calendar year.

RESOLVED by City Council duly assembled this 1st day of December, 1992.



Maxton C. Cheatham
Mayor

Jayce W. Rensney

Alvin F. Moore

L. Zimmerman Keitt

James Hays

W. Keith Allen

Members of Council

ATTEST: Sharon M. Fanning
City Clerk

per employee or an anticipated total cost of \$12,480 for the one-hundred and four (104) employees within the non-utility departments of the City.

A motion was made by Councilmember Moore, seconded by Mayor Pro Tem Keitt, to approve the first reading of an Ordinance to lease property (Women's Farm Market--500 Louis Street) to Alano, Incorporated for a term of one year beginning February 1, 1993 and ending January 31, 1994. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to approve the first reading of an Ordinance to lease property (River Pavilion on Riverside Street) to The Arts Council of Orangeburg County for a term of six years beginning February 1, 1993, and ending January 31, 1999. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Moore, to re-elect Councilmember Salley to the Firemen's Insurance and Inspection Fund's Supervisory Board. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the first reading of an Ordinance to amend Chapter XII, of the Code of Ordinances for the City of Orangeburg, for the purpose of establishing Business License Fees for Long Distance Telephone Communication Services. The business license fee will be based on a rate of 5% of the gross income from services billed to City customers. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Salley, to accept the recommendations of Parks and Recreation Director Marion J. Smith, to purchase needed equipment from the interest portion of the Cemetery Fund. This motion was unanimously approved.

The Parks and Recreation Department requested two items in the 1992-93 budget for motorized equipment to assist maintenance personnel. These two items were not funded through the General Fund. It was suggested to request the purchase of this equipment through the Cemetery Fund. Six (6) line trimmers are needed to continue the maintenance of Sunnyside Cemetery. These machines have replaced pushmowers for mowing in the close areas around markers. The cost of these trimmers is \$2,000. A commercial grade back-pack blower is also needed to clear footstones and the bases of headstones of grass clippings. The cost of the blower is \$500. Also, requested is the purchase of a multi-purpose bucket for the backhoe to replace the standard bucket now in place. The new bucket would feature grappler capability which would be much more versatile in removing dirt in the close working conditions around markers. It would also be of value in loading clipped limbs and branches on the dump truck. The cost of the grappler bucket would be \$2,000 which includes installation. The balance of the available interest in the Fund is \$8,625 with requested expenditures totaling \$4,500.

Mayor Pro Tem Keitt asked Parks and Recreation Director Smith whether any plans were being made for additional gymnasiums or recreation sites. She cited that more recreational activities would help the fight against crime. Parks and Recreation Director Smith stated that a previous study has identified a gym as the biggest indoor facility needed. City

Administrator Yow explained that the County had received Housing and Urban Development new construction grant to possibly fund a community center.

City Administrator Yow told Council that the United States Department of Labor was conducting a FLSA compliance audit for the Department of Public Safety. A report will be issued in the next two to three weeks.

Councilmember Salley expressed concerns about parachute jumps by a local club at the Orangeburg Municipal Airport. Airport Manager Joye stated there was good cooperation and little corporate air traffic on weekends when the jumps were being made. He stated that it had created activity at the Airport. Councilmember Rheney asked for an update on an airport mechanic. Airport Manager Joye explained that the needs were being reassessed.

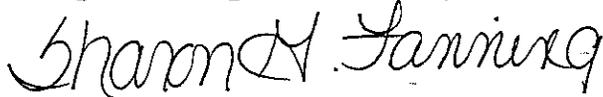
Councilmember Rheney also asked for an update on concerns raised by Ellis Avenue residents over unsupervised college students in rooming houses in the neighborhood. Assistant City Administrator Budds stated that the first priority was to get a consultant on board with the professional expertise needed to address this problem. He stated that he would have a report in January on the issue.

Department of Public Utilities Manager, Ted Johnson, brought no utility matters to Council.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to enter into an Executive Session for discussion of a proposed location of industry.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/r

