

CITY COUNCIL MINUTES
JANUARY 17, 1995

Orangeburg City Council held its regularly scheduled meeting on January 17, 1995, 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
Sandra P. Knotts
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 December 20, 1994, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow presented Mr. Charles W. Boswell a plaque of appreciation for his serving as the first President of the Downtown Orangeburg Revitalization Association. He will remain on the Board for next year.

Miss Susan Williams, South Carolina Queen of Roses, presented City Council with proceeds from the Miss Merry Christmas Pageant to be used for the Stevenson Auditorium Renovation Project.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to pass a Resolution amending parking fines in fire zones from \$10.00 to \$25.00. This motion was unanimously approved.

Ms. Anne Ross and Ms. Sue Bernard from J. W. Hunt and Company presented the results of the FY 1993-94 audit. The substantial change was an unqualified opinion that was given instead of a qualified opinion. This change was for the best and the audit presentation of the proprietary funds now include all enterprise funds combined.

City Administrator Yow told Council that several months back the City had received notification of a \$100,000 grant for curbside recycling. He stated one of the first tasks was to look for vendors to take the recyclables. The City was looking for a vendor who was going to remain in the recycling business. City Administrator Yow recommended entering into an agreement with Paper Stock Dealer, Inc., which will offer a complete recycling service, including provision of containers and hauling. Items such as newspapers and aluminum will be purchased and hauling of plastic and glass the City will pay for the collection. At this time, there is no estimate for the cost because there's no estimate on the volume that residents will provide to be recycled. The City wants a five-year commitment, from Paper Stock, Inc., with the option of a 60-day notice to stop, if the project is discontinued.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to authorize the City Administrator to enter into an agreement with Paper Stock, Inc., with modifications. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Moore, to approve a Resolution for the acceptance of a bid of \$310,740.00 to F. M. Young, Inc., for improvements to the water system. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to sell and convey two (2) acres of land and a non-exclusive right-of-way to

CITY COUNCIL MINUTES
JANUARY 17, 1995
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the County of Orangeburg for the total consideration of \$6,000.00 and to add a restriction to the deed stating it could only be used for a solid waste convenience site. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the First Reading of an Ordinance to lease 3.25 acres of property to the County of Orangeburg for the total consideration of \$1.00 per year for a period of ten (10) years and to add a restriction to the deed stating that the area would have to be lighted. This motion was unanimously approved.

DPU Manager Boatwright gave Council an update on the status of SCE&G's proposed rate increase Docket No. ER95-64-000. SCE&G claims on two of the four points of intervention have been dismissed and two will be considered. The rate increase has been delayed for the maximum time, five months.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Moore, to enter into an Executive Session for a personnel matter concerning the Department of Public Utilities. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon M. Fanning

Sharon G. Fanning
City Clerk

/r



RESOLUTION

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

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina received bids on November 30, 1994 for Improvements to Water System: Generator Addition and Modifications to Raw Water Pump Station #3; 4/400 Water Booster Pump Station and Generator Addition to Finished Water Pump Station at the Water Plant.

WHEREAS, the low responsible bid for this work was submitted by F.M. Young Company, Inc. of Fairfax, South Carolina in the amount Of \$310,740.00.

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 bid shown above be accepted; and

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

PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this 17th day of January, 1995.



Signed:

Martin C. Cheatham
Mayor

James W. Phares
Robert H. Wells
James H. Keith
Maria F. Wynn
Vanessa L. Foster
Alan Hane
Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

A RESOLUTION TO AMEND THE PARKING FINES
ESTABLISHED BY SECTION 9-10.10 OF CHAPTER IX OF THE
CODE OF ORDINANCES FOR THE CITY OF ORANGEBURG

BE IT RESOLVED by City Council, duly assembled, that Sections 9-10.10 (c) (8.) of Chapter IX of the Code of Ordinances for the City of Orangeburg are amended and after amendment shall read as follows:

8. Parked in fire zone \$25.00

RESOLVED by City Council, duly assembled, this 17th day of January, 1995.



Walter C. Chestnut
MAYOR

James H. Haire
Angela P. Smith
Marion F. Woods
L. Kenneth Harts
Robert E. Kelly
James W. Casey
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning
CITY CLERK

SPECIAL SESSION
CITY COUNCIL MINUTES

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JANUARY 31, 1995

Orangeburg City Council held a Special Session meeting on January 31, 1995 at 5:30 P.M. in the Conference Room of the Department of Public Utilities with Mayor Pro Tem Keitt presiding. An invocation was given by Councilmember Salley.

PRESENT: L. Zimmerman Keitt, Mayor Pro Tem
Bernard Haire
Sandra P. Knotts
Marion F. Moore
Joyce W. Rheney
W. Everette Salley

ABSENT: Martin C. Cheatham, Mayor

Fred Boatwright, Manager of the Department of Public Utilities opened the meeting by thanking everyone for attending the Special Session of City Council.

Fred Boatwright proceeded to give a status briefing to Council regarding a few of the on-going projects of the Department of Public Utilities.

ADMINISTRATIVE DIVISION PROJECTS

Fred Boatwright updated Council on the progress of the new software in the Administrative Division. He explained progress was slow but sure. He went on to explain the Human Resources software package had been installed and was now in service, but Customer Service - the big one - which includes billing, customer records, payments, etc. was regrettably delayed again. He explained this was due to the extensive customizing that is being required. It is projected it will be fall before the Customers Service software can be added.

ELECTRIC DIVISION PROJECTS

Mr. Boatwright explained work is proceeding on the 115 KV loop. Right-of-ways are being acquired and we are hoping this project will be completed this fiscal year. He also explained we are reconstructing and rebuilding lines in the 301 South (Bill Salley Road) area to accommodate the new substation that was put on line in this area last year. He also stated he and David Gillam, Director of the Electric Division were going to Washington, D.C. on Wednesday, February 1, 1995 for the South Carolina Electric & Gas Company rate case hearing before FERC. We are very optimistic that we are going to do well. Mr. Boatwright also touched briefly on the sale of SEPA (Southeastern Power Administration). He explained the federal government has proposed the sale of the five (5) Power Marketing Agencies and that one of these agencies is SEPA. SEPA helps to keep our rates low and would be devastating to us if it was sold. He went further to explain that the government originally decided to sell all five PMA's, but due to powerful lobbyist, they have decided to sell only one (SEPA). We do not think this is fair. Mayor Cheatham has written a letter to Senator Hollings and the Senator has already written a letter to President Clinton asking that this not be done, We feel that if one is sold all should be sold.

Councilmember Salley asked Fred Boatwright if it was possible that we would be able to buy into purchasing SEPA. Fred Boatwright explained the present plan prohibits the sale to municipalities and electric cooperatives. It can be sold to private power companies only. Mr. Boatwright stated it is a long way from being a done deal.

GAS DIVISION PROJECTS

Fred Boatwright reported the design work is complete on the high pressure gas line which will go around the City and the right-of-way acquisition work is in progress. We anticipate construction to start in early summer.

Fred Boatwright then discussed the recent increase in the cost of natural gas which our customers are seeing on their monthly billing. He handed out a bill stuffer which will be mailed to all DPU gas customers explaining the increase. The increase is due to changes in the gas industry nationwide. The increase which appears as a surcharge, is mandated by federal regulation and is 100% out of our control. Fred Boatwright stated he sympathizes with our gas customers and we are in hopes that it will be settled by April, 1995.

WATER DIVISION PROJECTS

Fred Boatwright stated the generator addition Council recently approved should be getting underway soon.

He explained the tank painting should begin in spring. He advised Council John Yow had approved a rose logo which will be painted on some of the Department's tanks, especially the ones in the gardens. John Yow selected the colors for the rose. Fred Boatwright explained "Hillcrest" will be painted on the Hillcrest Tank which will identify the golf course.

He also explained the loop closures are under construction.

Fred Boatwright showed Council a framed picture regarding the Department's corrosion control study. He stated DPU, along with the University of South Carolina and B.P. Barber and Associates, Inc. received a first-place award in the non-construction category from the S.C. Society of Professional Engineers for its study on corrosion control in water systems.

WASTEWATER DIVISION PROJECTS

Fred Boatwright explained the forced main installation in the Gardens and Riverside Drive is 99.99% complete and the rehab of the old 21" sewer line is underway. He also explained the work is still proceeding on the sludge dryer. We hope construction will start in the middle to late summer on this project.

BRIEFING ON ISSUES EFFECTING
ELECTRIC DIVISION

Fred Boatwright then turned the meeting over to David Gillam, Director of the Electric Division. David Gillam explained that he wanted to go over a few issues that are a major concern for the Electric Division and the Department of Public Utilities in general. David Gillam advised Council that South Carolina Electric & Gas Company filed for a wholesale rate increase of 4.3% (\$1.928 Million) on October 24, 1994. The current status after a number of corrected filings and DPU interventions is that there has been a five month delay in these rates ending June 7, 1995. He advised he and Fred Boatwright will be going to Washington on February 2, 1995 when FERC will hear opening arguments on this issue.

David Gillam stated another issue that we are concerned about is the \$789,776.17 (including interest) refund we received last year from SCE&G in connection with the 1993 Contract. This refund is still under appeal. SCE&G argues that our contract expired December 31, 1993 and the obligation to refund expired on that date. DPU's position is that the monies were collected during the term of the contract and was in violation of the "no price squeeze" agreement. FERC has supported us throughout the case. We feel very comfortable with our position.

David Gillam then discussed "wheeling". He explained to Council DPU's position in the wheeling and power delivery situation. Our approach is to keep our work force as small as practical. Efficient use of SCADA, communications, and especially our Peak Shaving have kept the DPU lean and competitive.

He explained SCADA and communications should be developed to provide an array of services. The only service that the courts will allow, at the present time, is Demand Side Management. Demand Side Management, by itself, is not cost effective. Demand Side Management packaged with other services could be cost effective. With the Department's fiber optic capability, the only missing link is that to the final customer. Some form of media service such as data, telephone, security, etc with Demand Side Management tacked on would justify a to-the-customer link via hard wire. Current legislation on the national congressional level promises to open up the info-multimedia arena to all. Senate Republicans are currently drafting a bill that would allow electric utilities to provide tele-communication services by 1996. Senator Ernest Hollings proposed a Democratically drafted bill (S-1824) that died last year that was very similar in content. Department of Public Utilities is actively supporting the new legislation through the APPA and by Congressional contact. We are making every effort to make sure municipal utility systems are included.

David Gillam then explained DPU is very dependent on its industrial loads. DPU's industrial base has grown while the residential segment has remained fairly constant. Commerical growth for the last ten years has been negative. He went on to explain DPU's most vulnerable position is in the industrial sector. While retail wheeling is not a fact in South Carolina, it is definitely coming. Currently there are no retail wheeling tariffs in place in South Carolina. A number of wholesale tariffs are in place that could easily be modified. He went on to explain our most precarious situation is not through "wheeling", it is from direct service to a number of our largest accounts. Our ten largest services are close enough to other suppliers to make them readily accessible. The loss of any or all of these services to other suppliers could place a much greater burden on our smaller accounts. With a loss of twenty-five to forty percent of revenue, the Department's overhead and labor costs would not appreciably decrease. These expenses would then be a burden that the remaining customers would have to bear. David Gillam explained this is a very real threat. The Department of Public Utilities is already in a price squeeze situation in that the wholesale rate we pay SCE&G is greater than the best rate SCE&G offers its best retail customers. David Gillam explained we obviously cannot sell power for less than what we must pay. However, we must pursue the most economical and cost effective way to retain existing and to serve new customers. Our edge is going to be with competitive rates, service and complete utility packages. These packages include electric, gas, water and wastewater and certainly an opportunity to connect to the "information highway" through our fiber optic system.

David Gillam then discussed "wholesale wheeling". He explained wholesale wheeling gives the Department the opportunity to purchase power on the open market. Energy for sale can be packaged in many forms. We are constantly studying data and load curves to try to determine the economics of alternate power sources. He explained we have contracted with Black & Veatch to help us develop a strategy in alternate supply schemes. We must have the flexibility and capacity to customize rates to the individual customer's needs. The flexibility to structure rates so that the ability to serve existing and new industrial and commerical customers is not compromised by other local suppliers is essential.

Councilmember Haire asked how are we going to protect ourselves if we have to get into a bidding war with other utility companies to keep what we have and to get more. He stated that this troubles him. Fred

Boatwright replied that this in fact is happening now. He explained we have been approached in the last year or so by several potential industries that say they want to move in this area. One of the first things they ask is what kind of incentives are you going to provide us. So far we have not been involved in this bidding war and the leadership in the community, you for the City and County Council for the County are going to have to give us guidelines. This is a very important issue. He stated to Councilmember Haire he was quite right. He stated you can bid away the farm if you are not careful.

David Gillam asked Council for their help to support the Department by lobbying on a local as well as national level on legislative bills. He explained their support is essential in protecting the rights of municipalities to serve utilities inside as well as outside of the corporate limits of our city. We must remain competitive, aggressive and service oriented. He also asked Council to participate in the "Home Town Connection" sponsored by MASC.

Mayor Pro Tem expressed that if you feel we need to know something, let us know immediately and we will try to do what we can to help.

Councilmember Haire asked if there are any plans or if it is feasible to expand gas lines to get additional residential customers. Fred Boatwright replied that the Department does have plans to expand and the first area for expansion is the northeast area of the county. We are looking at going as far as we can go with our natural gas, water and wastewater. Unfortunately, for the expansion of electric lines there are negotiated boundaries.

BRIEFING ON ISSUES EFFECTING WATER DIVISION

Fred Boatwright then turned the meeting over to Fred Yandle, Director of the Water Division. Fred Yandle thanked Council for the opportunity to share with them a few of the Departments concerns in the Water Division. He explained most of the concerns are coming from Washington, D.C. in the form of regulations. He went on to explain some of the current and future regulations that we will be facing soon. The current regulations that we are dealing with are the Lead & Copper Rule, Surface Water Treatment Rule, Safe Drinking Water Act and Amendments to the Safe Drinking Water Act.

Lead & Copper Rule - He explained we have been dealing with this rule since 1991. It involves some additional monitoring and this has been a major undertaking for the Department. We successfully passed the first round. The action level was 15 parts per billion and our results were 14 ppb. Another thing that is mandated by this rule is a Corrosion Control Study. It did not matter how well you faired with the samplings, we were required to conduct a study. The corrosion study identified the Optimal Corrosion Control Treatment which we have to have installed and fully operational by 1997. At such time we will conduct Follow-up Monitoring to see where we are again with Lead & copper and hopefully this will result in reduced monitoring. He also explained the Department may be able to blend well water with the Edisto River water. Well water has concentrations of alkalinity and hardness which were identified in the corrosion study as those compounds which the raw water is deficient of. By using the well water DPU may save money it would have to spend on chemicals needed to treat the water. He stated this was in the very preliminary stages. It would be a tremendous cost savings not only for the Water Division, but for our customers as well.

Surface Water Treatment Rule - This is another rule we have been living with for quite sometime. This involves the implementation of treatment techniques for the effective removal and/or inactivation of microbiological contaminants such as viruses, legionella, giardia cysts. It involved also 0.5 NTU turbidity limit, which is not very difficult for us to achieve. Control methodology which we are currently using to comply with this regulation we get partial credit for filtration for the removal of virus and giardia cysts. The remainder has to come from contact time and this is a complex issue. What we hope that you will get out of all of this is that regulations that are coming down from Washington although they are all well intended they conflict with one another.

Amendments to Safe Drinking Water Act - In 1974 Congress passed and the President signed into law the Safe Drinking Water Act. It has been amended and amended, just about every year after that. In 1974 Congress said these are the 18 contaminants that you are going to have to deal with, well by 1993 there were 84 contaminants and by 1997 there will be 161 and by the year 2000 there will be 186. There was a blanket statement in this law that said EPA will have to add 25 unregulated compounds every three years. It did not matter if there was health risk involved, they just had to come up with 25 that they could put on the list. This is what we are dealing with now.

Fred Yandle presented to Council the New Federal Regulations. He explained these are the ones that are right around the corner. The first regulation is the Information Collection Rule which EPA says is going to be with us in October 1995. The next two are the two rules that are going to butt heads. They are going to be coming from completely different directions. One is concerned with the health effects of some known and some suspected carcinogens, and the other is going to deal with the microbiological disease outbreaks. These two rules are like oil and water.

Information Collection Rule - Basically EPA is requiring us to collect data so that they can develop these other two rules. We are going to monitor the raw water for giardia and cryptosporidium. There are real problems because there is only a semi-quantitative analysis for identifying cryptosporidium. The recovery is about 5-15%. We are simply looking for a needle in a haystack. The methodology is not there. Another phase of this rule will involve the collection of disinfection by-products data. The good news is we are not large enough to participate in this data collection. You have to serve greater than 100,000 people. However, we have been collecting some of the data because we want to know where we are. Samples that we have collected for DBPs are all below detectable levels.

Disinfectant/Disinfection By-Products Rule - Is an attempt to balance the risk of microbiological disease outbreaks against the potential health risk of known carcinogens and suspected carcinogens. It will be implemented in two stages. Stage II is still up in the air. Stage I as it is proposed is what we will get and we will see it in 1998. THM and HAA5 are some of the disinfectant by-products that are generally produced with the chlorination of various hydrocarbons. We do produce THMs. Currently the limit is 100 parts per billion. Our annual running average since 1986 is less than 25, therefore we will be o.k. until the other rule comes into play. HAA5 identifies five haloacetic acids. There are currently no regulations for haloacetic acids, so they are going to come in at 60 ppb. The good news for Stage I is that we have been measuring and we have several months of data that indicates that we are currently below detectable limits for HAAs. But, bad news always follows. Total Organic Carbon is a surrogate measurement for those things in raw water that could cause you to produce trihalomethanes and haloacetic acids. Under the current rule we will be required to remove 50% of the total organic carbon that is in the Edisto River water prior to the point of continuous disinfection. This is the real catch. The point of continuous disinfection currently is at the head of the plant, so that means that we are going to have to move our point of disinfection. When you move your point of disinfection a lot of other bad things are going to happen.

Enhanced Surface Water Treatment Rule - We can expect increased removal/inactivation for Giardia and viruses. We can expect the establishment of some kind of criteria for the removal of cryptosporidium cysts. They can establish this in one of four different ways: (1) highest value that you ever see in your raw water source, which would be the worse case scenario (2) they can take the 90th percentile (3) arithmetic mean, or (4) geometric mean.

Fred Yandle then followed with an explanation of cryptosporidium. He explained that currently there is no CT criteria established on cryptosporidium. Unfortunately, chlorine and chloramines are what we use and they are ineffective when used alone for inactivating cryptosporidium. There is no reliable detection method. It is

impossible to accurately confirm whether it is present or not, whether it is alive or dead just with microscopic analysis, and if you do find it, how many is too many. The American Water Works Association has ongoing research in this area. They suggest some control measures in dealing with cryptosporidium. They are setting up multiple barriers which means controlling your raw water source, optimizing your coagulation and filtration process. Another alternative is to consider another disinfectant such as ozone or chlorine dioxide. The advantages of ozone are it is a very strong disinfectant, inactivates cryptosporidium and giardia, does not form TTHMs or HAAs, can destroy some TTHM and HAA precursor material, effectively treats color, iron, hydrogen sulfide and some synthetic organic compounds and controls taste and odor. Some of the disadvantages of ozone are it is the most expensive form of disinfection known. If we were to install ozone at our water treatment plant today, up-front capital expense would be \$8 million. In addition our operation and maintenance cost would be about \$300,000 per year. It also has drawbacks because there are currently regulated by-products that it produces which EPA regulates and there will be others that will be regulated in the Disinfectants/Disinfection By-Products Rule.

Fred Yandle then discussed the advantages of chlorine dioxide. He stated chlorine dioxide is a strong disinfectant. It also minimizes disinfection by-product formation, can destroy some TTHM and HAA precursors, and reduces color and iron. He then stated some of the disadvantages: (1) much higher operating costs than chlorine (2) is only a primary disinfectant (3) a major problem is odor (4) unreacted chlorine forms TTHMs, HAAs and DBP's (5) generation must take place on-site and must be carefully monitored, and (6) the degree of effectiveness on cryptosporidium is unknown.

Fred Yandle in summary stated the total impact of proposed regulations will squeeze water utilities. He went on to say the American Water Works Association Research Foundation is currently spending about \$10 million on an annual basis doing research that needs to be done in order to make sense out of new regulations. EPA is currently spending about \$2 million per year doing similar research. On a national level the AWWA has taken a very aggressive approach. He stated he hopes that this will address Council's concerns.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the Second Reading of an ordinance to sell and convey two acres of land and a non-exclusive right-of-way to the County of Orangeburg for a total consideration of \$6,000. The land, which will be used for a solid waste collection center, could be purchased back by the city for the same amount should the county stop using it for that purpose. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the Second Reading of an ordinance to lease 3.25 acres of property to the county for the total consideration of \$1 per year for a period of ten years. The property would be used for a solid waste collection center and the ordinance was amended to provide for better lighting at the site. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Moore, to adjourn. This motion was unanimously approved.

Respectfully submitted,

Becky A. Austin

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



CITY COUNCIL MINUTES
FEBRUARY 7, 1995

Orangeburg City Council held its regularly scheduled meeting on February 7, 1995, 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
Sandra P. Knotts
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 January 17, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the January 31, 1995, Special City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow updated Council on the inadequate drainage system at the corner of Boulevard and Russell Streets. City Administrator Yow first contacted the Orangeburg County Transportation Committee and asked that they fund the project to correct drainage problems in this area. They responded that this would not be a project they would fund. The Columbia District Engineering Office agreed to contribute \$25,000 to the total estimated cost of \$65,000 for this project. Mayor Cheatham stated that in his opinion this is a Department of Transportation problem. The drainage is maintained and installed by them on Department of Transportation controlled right-of-way. City Administrator Yow suggested that the State Department of Transportation be contacted and asked to explain the rationale for requiring the City to participate in the funding of a Highway Department project. Council agreed to this suggestion.

City Council officially recognized DPS Corporal Roy P. Givens who responded to a fire and entered a burning building to rescue someone.

A motion was made by Mayor Cheatham, seconded by Councilmember Salley, to reappoint Mr. Harold Robinson to the Election Commission with his term expiring March, 2001. This motion was unanimously approved.

City Administrator Yow asked Council that a Department of Public Safety vehicle be replaced from the Self Insurance Fund. The City was not at fault and has received \$6,800 for the value of the 1991 Ford Crown Victoria. The replacement cost through state contract is \$15,999. The balance of \$9,199 would come from the Self Insurance Fund. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to authorize the replacement vehicle to be purchased from the Self Insurance Fund. This motion was unanimously approved.

City Administrator Yow presented to Council, as information and no action to be taken, an Off Duty Employment Policy for the Department of Public Safety. Councilmember Haire asked whether the City should dictate to employers that City Public Safety officers be paid according to rank. Councilmember Salley stated that the previous Council, had addressed the same issue and reasoned that it would prevent morale problems. City Administrator Yow stated that he did not want a situation where businesses would bid for police

CITY COUNCIL MINUTES
 FEBRUARY 7, 1995
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officers. Also, if for insurance/liability purposes it becomes necessary for others to pay through our payroll, there would be less confusion if set hourly rates were predetermined.

City Administrator Yow informed Council that Jones Intercable increased their cable television rates on the tier service. The rate increase will go into effect on March 1st with the cost of the Service Tier One increasing from \$10.93 to \$12.09. The limited basic service will remain the same. City Administrator Yow explained that Jones Intercable's contention was that the rate hike represents a 6.5 % increase. He stated that it is a 6.5% increase on the total cable bill, not on the rate charge on a tier. The rate charge on a tier is a 17.6% increase. City Administrator Yow asked Council that he be allowed to file a Form 329 with the FCC for the rate increase for tier level services and a Form 328 to be reviewed by an outside consultant, possibly a Municipal Association Representative, on the limited basic rates. He stated that the FCC does allow the use of cost of service for calculating costs. Those costs have never been reviewed by an industry consultant. Jones Intercable Manger, Terry Roberson, stated that the cost of service shows that Jones Intercable goes over and beyond the call of duty in providing services to the community.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to authorize City Administrator Yow to file a Form 329 with the FCC and a Form 328 to be reviewed by the outside consultant, such as utilized through the Municipal Association of South Carolina.

This motion was unanimously approved.

City Administrator Yow informed Council of a petition from the residents of Orangeburg Manor Apartments for a sidewalk from the apartments to Mellichamp School. He stated that the Orangeburg County Transportation Committee said that there was an insufficient pedestrian count and had rejected the request for funding. Other options would be to ask the State Department of Transportation for a review or look at liveable communities grant money.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to sell and convey two (2) acres of land and a non-exclusive right-of-way to the County of Orangeburg for the total consideration of \$6,000.00. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to lease 3.25 acres of property to the County of Orangeburg for the total consideration of \$1.00 per year for a period of ten (10) years. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a legal briefing concerning the Department of Public Utilities. 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
FEBRUARY 21, 1995

Orangeburg City Council held its regularly scheduled meeting on February 21, 1995, 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

ABSENT:

Sandra P. Knotts
W. Everette Salley

Dr. Eugene Atkinson showed a slide presentation of the Children's Garden Christmas lights display in the Edisto Memorial Gardens. He also, showed slides of the Edisto Gardens while in bloom as well as slides of several public and private gardens in Orangeburg.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the February 7, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Public Works Director, Reese Earley, presented to Council grant applications to the FAA and State requesting funding of 90% and 5% to relocate the Santee Cooper Powerline to facilitate construction of Runway 17/35. The estimated cost is \$515,400 to relocate the powerline. It had been indicated that the FAA may make a grant offer in addition to the amount requesting to be used for funds to begin the clearing and site preparation element of the project. He stated the local match of 5% is included in the Airport budget FY 1994-95.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to authorize the Mayor to execute the FAA and state applications. This motion was unanimously approved.

Mr. Bill Cox of Cox Wood Preserving Company asked Council to consider amending the Truck Route Ordinance to allow trucks to use the section of U.S. 601 between Chestnut and U.S. 301. He stated there was available a multi-lane street, sidewalks, very little pedestrian traffic and sufficient lights to effectively control both pedestrian traffic as well as the flow of vehicles. Council accepted this as information and will consider taking action at a later date.

Council discussed holding a Special City Council Election for District #3. Councilmember Moore resigned from District #3 effective 3-21-95 because he is no longer a City resident. A special City Council election would need to be held to replace this position on June 20, 1995. An approximate cost of this election is \$1,300. This election would only be twelve weeks before the regularly scheduled election on September 12, 1995. Mayor Cheatham asked that Council consider asking Councilmember Moore to sign an irrevocable letter stating that he would resign upon the election of a successor on the September 12th election date. Councilmember Moore was agreeable to do this.

Mr. W. T. Bowers stated that the constituents of District #3 deserved representation and a prompt vote should be called.

CITY COUNCIL MINUTES
FEBRUARY 21, 1995
PAGE 2

Councilmember Rheney stated, " Mr. Whalen and Mr. D. D. Salley came before us last year asking us to group elections because of the time and people involved in holding elections. I do not think that September would make that much difference. We have only three months there. Mr. Moore served us well and I hate to lose him but I still say people would like to go to the poll one time instead of two."

Councilmember Haire stated, " Councilmember Moore asked that some time ago he be allowed to resign effective March 21, 1995, and stated the reason for that and I supported that. I believe Mr. Bowers mentioned nearly a year, but I think it has been over that, that this district has been without a residing representative and I think for us to do anything other than hold an election to fill this position, we would be doing a disservice to the voters in District #3. I believe the voters in District #3 have a right to have someone who resides in that district and I've had a number of calls regarding this issue and I would not be in favor of delaying this any longer. It seems as if there are times money signs are put out, but let's do what is right. I think what the right thing to do is to have this election and move forward."

Mr. D. D. Salley, Chairman of the Election Commission, stated, " That it is not only money involved but a good deal of trouble to hold an election for such a short period of time of three months. I ca not see how it could really affect anything but a savings in money and for the election people such as the time and effort involved in it.

Mayor Pro Tem Keitt stated, "Money could be one of the things we are looking at, but we have to think about the constituents in that particular area. Mr. Moore has served us quite well but the people in that area need someone to represent them on this Council. Other Councilmember's get alot of their calls and we cannot represent them as well as someone in that particular area. I would be in favor of having an election even though you are talking about \$1,300. Look at the number of persons who pay taxes and would like to be served. It does not take that much to have an election."

Councilmember Haire stated, "I realize that those persons who serve on the Election Commission are not paid but this is something they wanted to do. If it is now becoming too much of a burden then I would look forward to something else."

Mayor Cheatham stated, "This does not go without precedent, we have had other Councilmembers to resign and stay on for a period of time until they were able to make other arrangements. I do not think it's a reflection on the individuals at all. We did not have a special election for the other Councilmembers. We held it at the regularly scheduled general election. The position stayed vacant until the general election."

Councilmember Rheney stated, "Everyone sitting on Council represents everybody in the City not just the one district when you are making decisions."

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, to postpone a special election for the short period of time and ask Councilmember Moore to withdraw his resignation and submit a irrevocable resignation effective June 13, 1995, so District #3 election would take place in September, 1995. This was a 2-2 vote, meaning the motion did not pass. Mayor Pro Tem Keitt and Councilmember Haire opposed this motion. Councilmember Moore abstained from voting.

CITY COUNCIL MINUTES
FEBRUARY 21, 1995
PAGE 3

City Administrator Yow told Council that two (2) petitions for a traffic signal at the corner of Riley and Chestnut Streets had been received by the City residents. He stated that the South Carolina Department of Transportation would have to conduct a traffic count at the intersection. He stated he had spoken with Dean Campbell and was told they would move expeditiously on the count. Mr. Julian Stroman, area resident, told Council that the intersection is very dangerous and people had started changing their route. He stated that this would be difficult to get a proper count because people were converting to Columbia Road. City Administrator Yow stated the South Carolina Department of Transportation should also count traffic entering Chestnut Street from Hillcrest.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to request of the South Carolina Department of Transportation a signal be put at the corner of Riley and Chestnut after a vehicular traffic count is conducted. The City will be responsible for the electricity bills and annual maintenance cost, while the South Carolina Department of Transportation is responsible for the installation costs. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to accept the low bid of \$76,949.00 from Southern Truck Service, Inc., for the purchase of a garbage truck cab and to accept the low bid of \$31,728.50 from Amick Equipment Company, Inc., for the chassis and packer body. This bid totals \$108,677.50. This motion was unanimously approved.

City Administrator Yow told Council that he would like to postpone and possibly rebid the yard trash trailer and grapple loader. He will bring these items to Council at a later date.

Department of Public Safety Director Davis gave Council an update of the Department of Public Safety's current Community Based Policing Program and its funding that are currently operating in the second year of the Formula Grant provided through the state government for Orangeburg Manor and St. Paul Apartment areas. This grant provides for two (2) officers at a total operation cost of \$59,812.00, which includes the City's match portion of twenty-five percent. They are presently a few weeks from the deployment of the three (3) officers approved in Phase I of the Violent Crime Control and Law Enforcement Act of 1994, (COPS BILL). The total amount awarded and accepted through this grant is \$179,684.00 over a three year period. The City will provide a minimum twenty-five percent match. They have subsequently received an additional grant award through the COPS FAST Program to fund two (2) additional officers in the \$115,875.00. This would be a seventy-five percent grant with the City matching twenty-five percent. This money was not budgeted but has been found throughout the Public Safety budget. It is intended to strategically deploy the officers in the Sunnyside area, the Cannon Street area, the Maxcey Street area, and the Central Business area. They will utilize a team concept to ensure the officers are not deployed in an area alone.

A motion was made by mayor Pro Tem Keitt, seconded by Councilmember Moore, to authorize City Administrator Yow to sign the COPS FAST Grant agreement. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to pass a Resolution to redeem a 1985 Bond Issue on April 1, 1995.

This motion was unanimously approved. Mayor Cheatham read a letter from Councilmember Moore stating he would not be participating in the discussion on the Executive Session, a legal and contractual matter concerning the Department of Public Safety nor would he vote on the issue due to a conflict of interest.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a personnel matter concerning the Department of Public Utilities and a legal and contractual matter concerning the Department of Public Safety.

Council entered back into open session.

A motion was made by Mayor Cheatham, seconded by Councilmember Moore, to overturn the findings of the Grievance Committee concerning a Department of Public Utilities employee. This was a 3-2 vote. Mayor Pro Tem Keitt, and Councilmember Haire opposed this motion.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to purchase the Aiken Residence of the Department of Public Safety Director Wendell Davis, for an appraised value of \$67,000 plus miscellaneous sales-related costs with the buyer and the seller paying the appropriate and respective closing costs. This was a 4-0 vote. Councilmember Moore abstained from voting.

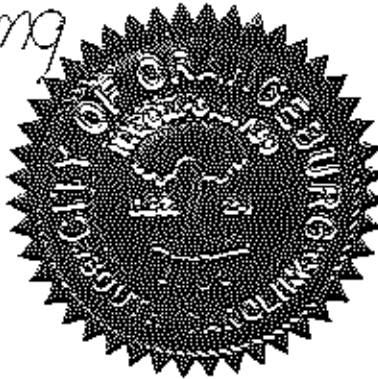
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
Finance Director

/s/



RESOLUTION

WHEREAS, the City of Orangeburg has certain revenue debt outstanding as follows:

| <u>YEAR</u> | <u>PRINCIPAL AMOUNT</u> | <u>INTEREST RATE</u> |
|-------------|-------------------------|----------------------|
| 1996 | \$400,000 | 8.20% |
| 1997 | \$425,000 | 8.40% |
| 1998 | \$450,000 | 8.60% |
| 1999 | \$450,000 | 8.70% |
| 2000 | \$500,000 | 8.75% |

WHEREAS, the Ordinance authorizing such bonds provides that the City may prepay such debt on April 1, 1995 and thereafter at a redemption premium of 2%; and

WHEREAS, City Council has concluded that certain reserve funds available for revenue debt of the Department of Public Utilities, together with available moneys held in the account of the Department of Public Utilities may be applied to such prepayments; and

WHEREAS, City Council has concluded that application of such money to discharge debt which carries interest rates higher than the rate of interest at which such available moneys may be invested.

NOW, THEREFORE, BE IT RESOLVED, that the Manager of the Department of Public Utilities is hereby authorized to take such action as may be necessary to prepay the Bonds described above in the manner provided for at Article VI of the Ordinance providing for the issuance of such Bonds.

DONE IN MEETING DULY ASSEMBLED, this 31st day of February, 1995.

Signed:

Mark L. Chestnut
Mayor

Edward Haire

Marion F. Moore

L. J. Gammann

Joseph W. Cherry

Members of Council

ATTEST:

Sharon M. Ganning
City Clerk and Treasurer



RESOLUTION

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

WHEREAS, The City of Orangeburg, South Carolina through its Department of Public Utilities may wish to enter into a contractual agreement with a prospective industrial customer to assist in location of that prospective customer to its service area.

BE IT RESOLVED, That Fred H. Boatwright, Manager of the Department of Public Utilities be authorized and he is hereby directed to negotiate such contractual matters, ~~as approved by Mayor and Council~~, *S.A. McC*
for [Signature]

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina, this 23rd day of February, 1995.



Monty Heathorn

Mayor

Sam Hare

James W. [Signature]

[Signature]

Members of Council

ATTEST:

Sharon M. [Signature]

City Clerk and Treasurer

CITY COUNCIL MINUTES
SPECIAL EMERGENCY MEETING
FEBRUARY 23, 1995

Orangeburg City Council held an emergency City Council Meeting on February 23, 1995, 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
Joyce W. Rheney
W. Everette Salley

ABSENT:

L. Zimmerman Keitt
Sandra P. Knotts
Marion F. Moore

Mayor Cheatham called the meeting to order at 6:00 P.M.

Councilmember Salley made a motion to go into Executive Session to discuss contractual matters pertaining to the Department of Public Utilities. This motion was seconded by Councilmember Haire and unanimously carried 4-0.

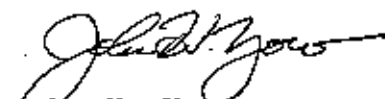
Mayor Cheatham called the Special City Council meeting back to order at 6:30 P.M.

Mayor Cheatham recognized Mr. Fred Boatwright, DPU Manager, to address City Council. Mr. Boatwright recommended that City Council consider a Resolution authorizing and directing Mr. Boatwright to enter into a contract negotiation with an industrial prospect.

Councilmember Bernard Haire made a motion to pass a Resolution authorizing and directing Mr. Boatwright to enter into a contract negotiation with an industrial prospect. This motion was seconded by Councilmember Salley and unanimously passed by a 4-0 vote.

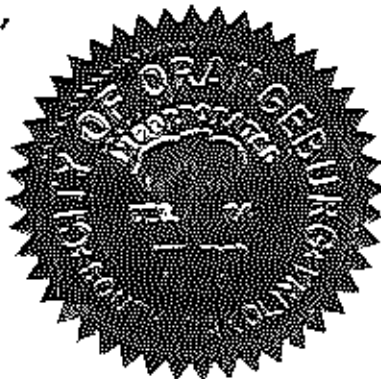
For the record, Mayor Cheatham stated that Councilmembers Keitt and Moore were unable to attend the special called meeting as they were out of town when the meeting was called. Councilmember Knotts was unable to attend due to sickness.

Respectfully submitted,



John H. Yow
City Administrator

/s/



CITY COUNCIL MINUTES
MARCH 7, 1995

Orangeburg City Council held its regularly scheduled meeting on March 7, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Pro Tem Keitt.

PRESENT:

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

A motion by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the February 7, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Consideration of the February 21, 1995, City Council Minutes will be delayed until the March 21, 1995, City Council meeting.

A motion by Councilmember Salley, seconded by Councilmember Rheney, to approve the February 23, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham opened the discussion on variance to the Truck Route Ordinance, U.S. 601 from Chestnut to U.S. 301. Councilmember Haire stated that he opposed the request because much work had been done by the City Administrator and staff and a good study had been conducted and rationalized. Also, there was too much pedestrian traffic with students from South Carolina State University and Claflin College. "If we start making exceptions it will continue." Councilmember Moore stated he felt it was causing undue hardship on businesses and felt a trial period was needed to see if a variance would work. Mayor Pro Tem Keitt stated that big trucks held up traffic by trying to turn from Boulevard onto U.S. 301.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to disallow the request to eliminate the Truck Route Ordinance on U.S. 601 from Chestnut Street to U.S. 301. This was a 4-3 vote. Councilmembers Rheney, Salley and Moore opposed this motion.

Mayor Cheatham updated Council on a Special City Election for District #3. City Attorney Walsh stated in a memorandum to Council that a vacancy in the office of Mayor or Council shall be filled for the remainder of the unexpired term at the next regular election or at a special election if the vacancy occurs 180 days or more prior to the next general election. The City will not hold a special election due to the general election scheduled for September 12, 1995. Councilmember Haire stated he was astounded to read a fellow Councilman's comments in the Times and Democrat on February 22, 1995, in regards that the vote showed political motivation. "My concerns that day and today are not political in that citizens need to have a representative who resides in their district. "The gentleman came to me during the holiday period and asked, well made a statement, that he would like to remain on Council until he was able to qualify for his insurance and I agreed to that. But for him to come up and make charges it's political, he owes those persons he criticized an apology." He stated, the Councilman has resided out of his district since November, 1993. It's been over a year he's resided out of the district, "If not now, then when? And for him to level charges that it's political, I take great exceptions to that."

CITY COUNCIL MINUTES
 MARCH 7, 1995
 PAGE 2

Mayor Cheatham and Councilmember Salley stated that they would fill in and help represent District #3 until the seat is filled, as all Councilmembers indicated a willingness to assist.

Mayor Cheatham proclaimed the month of March, 1995, as Red Cross Month.

City Administrator Yow recommended to Council that parking fines listed below be increased to \$10.00. These include the following:

- (1) Overparked, Time Zone, Meter
- (2) Double Parked
- (3) Parked in Loading Zone
- (5) Blocking Driveway
- (6) Improper Parking
- (7) Yellow Line
- (10) All Other Parking Violations

A motion as made by Mayor Cheatham, seconded by Councilmember Haire, to accept City Administrator Yow's recommendation to increase parking fines. This motion was unanimously approved.

City Administrator Yow told Council that the South Carolina Department of Commerce, Division of Aeronautics has approved a Project Application and awarded up to \$5,993.00 for improvements at the Orangeburg Municipal Airport. This grant represents the states's 5% share of eligible funds, 5% local funding of \$5,994.00 and \$107,879.00 from the FAA with a total cost of \$119,866.00

This grant is for the relocation of a Department of Public Utilities powerline which is required for the construction of Runway 17/35.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to authorize Mayor Cheatham to execute the grant agreement. This motion was unanimously approved.

Parks and Recreation Director, Buster Smith, asked Council for authorization to purchase a scoreboard for Mirmow Field in which \$4,000 was budgeted. He stated specifications were developed and bids taken to purchase the board. The total price came to \$5,871.75 which exceeds the budgeted amount by more than 10%. Funds are available in the materials and supplies account of the Recreation Division to cover the cost difference. He recommended to transfer the needed funds from materials and supplies to the capital outlay account to purchase the board at this time.

A motion was made by Councilmember Moore, seconded by Councilmember Rheney, to accept the recommendation of Parks and Recreation Director Smith to authorize him to purchase a scoreboard for Mirmow Field for \$5,871.75. The motion was unanimously approved.

Department of Public Utilities Manager, Boatwright, asked Council to accept a Resolution to amend a lease agreement with the County of Orangeburg--Glover Street Solid Waste collection Center. County Administrator Donnie Hilliard asked that Council amend the agreement requiring \$1 million in liability insurance and that \$500,000 be accepted. Mayor Cheatham asked City Attorney Walsh to research this matter. This matter was delayed until the March 21, 1995, City Council Meeting.

Mayor Cheatham read a statement on behalf of Council to clarify the City's position on selling fire contracts and providing fire suppression and rescue services. (See Attached)

CITY COUNCIL MINUTES
MARCH 7, 1995
PAGE 3

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning
Sharon G. Fanning
City Clerk



I would like to set the record straight and clarify the City's position on selling fire contracts and providing fire suppression and rescue services.

The City stated last year that we would continue to sell and renew existing contracts to persons/businesses that were assigned by Orangeburg County to our E911 Fire Dispatch Area. We are stating the same thing this year. Our policy is still intact.

It should be pointed out that we did not request that our service areas be altered to their present state. Last year we did renew some contracts to persons that had been reassigned to other Fire Departments E911 Dispatch Areas. This was done with the explicit understanding that those areas were going to be expeditiously addressed and reassigned to the City.

Now, a year later those areas have not been rectified and reassigned by the County to the City. We cannot expose our City taxpayers to the potential liability involved with issuing contracts and not being assured that we will be dispatched to the emergency calls. Once those areas that we have served for years are clearly assigned to the City Department of Public Safety, we will gladly proceed with renewing contracts and providing fire service.

In closing, it seems as if it would be advantageous to the citizens, fire departments, and insurance carriers to cease moving lines periodically and wait until County Council has fully reviewed and adopted their Comprehensive Fire Service Plan. We recognize the need for such a plan and appreciate their efforts in that direction.

A RESOLUTION TO AMEND THE PARKING FINES
ESTABLISHED BY SECTION 9-10.10 OF CHAPTER IX OF THE
CODE OF ORDINANCES FOR THE CITY OF ORANGEBURG

BE IT RESOLVED BY City Council, duly assembled, that Sections 9-10.10 (c) (1.2.3.5.6.7.10.) of Chapter IX of the Code of Ordinances for the City of Orangeburg are amended and after amendment shall read as follows:

- | | |
|----------------------------------|---------|
| 1. Overparked, Time Zone, Meter | \$10.00 |
| 2. Double Parked | \$10.00 |
| 3. Parked in Loading Zone | \$10.00 |
| 5. Blocking Driveway | \$10.00 |
| 6. Improper Parking | \$10.00 |
| 7. Yellow Line | \$10.00 |
| 10. All Other Parking Violations | \$10.00 |

RESOLVED by City Council, duly assembled, this 7th day of March, 1995.



Martin C. Heathman
MAYOR

James D. Hain
Sandra P. Foyles
Alvin F. Mann
L. B. Simpson
Robert S. Miller
Jose W. Hernandez
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Jamming
CITY CLERK

CITY COUNCIL MINUTES
MARCH 21, 1995

Orangeburg City council held its regularly scheduled meeting on March 21, 1995, 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
Sandra P. Knotts
Marion F. Moore
Joyce W. Rheney
W. Everette Salley

Mayor Cheatham and other Councilmembers thanked Councilmember Moore for his service rendered to the City and citizens during his tenure as Councilmember for District #3.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the February 21, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the March 7, 1995, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow recommended to Council that the low bid of \$33,018 for a 1995 Prentice loader from Pioneer Equipment Company be accepted. Also, the low bid of \$12,584.25 for a Miles Yard Trash Trailer from Twin States Equipment Company, Inc., be accepted. The City re-bid these pieces of equipment but did not receive any different bids.

A motion was made by Councilmember Moore, seconded by Councilmember Haire, to accept City Administrator Yow's recommendation and move forward with the purchase of a grapple loader and yard debris trailer. This motion was unanimously approved.

City Administrator Yow discussed with Council, an Off-duty Employment Policy for the Department of Public Safety. This policy had been presented to Council at an earlier meeting. City Administrator Yow stated that Paragraph #22.3 had been rewritten. This paragraph discusses that the City does not provide liability insurance for the off duty employers, thus helping to protect City taxpayers. Also, businesses would provide a Workers' compensation statement to the City before hiring these officers. City Administrator Yow stated that this was a first time policy. Officers would not be allowed to work as bouncers or security guards where alcohol is sold and consumed. A motion was made by Councilmember Moore, seconded by Councilmember Haire, to approve the Off-duty Employment Policy for the Department of Public Safety. This motion was unanimously approved.

Ms. Anna Elizabeth Gramling, President, of the Paul McMichael Chapter of the United Daughters of the Confederacy, asked Council that on May 10, 1995, Confederate Memorial Day in South Carolina, that her Chapter and the Colonel Olin N. Dantzler Camp of the Sons of Confederate Veterans be allowed to place Confederate Flags on each side of the Confederate Monument on Memorial Plaza, on the gates of three cemeteries in the City and a monument in Sunnyside Cemetery. This would be on May 10, 1995, from 8:00 A.M., to 6:00 P.M., in honor of all Confederate soldiers who lost their lives in the War between the States. A motion was made by Councilmember Rheney, seconded by Councilmember Moore, to accept Mrs. Gramlings request. This was a 6-1 vote. Mayor Pro Tem Keitt opposed this motion.

City Administrator Yow recommended to Council that they approve the replacement of a Parks and Recreation Department one-half ton pickup truck that was totaled in a February 8, 1995, accident. The cost to replace the vehicle will be \$11,575. The City will receive insurance proceeds of \$4,975. The difference of \$6,600 will come from the Self-Insurance Fund. A motion was made by Councilmember Haire, seconded by Councilmember Salley, to accept City Administrator's recommendation to replace a one-half ton pickup truck for the Parks and Recreation Department and to replace the vehicle through the Self Insurance Fund. This motion was unanimously approved.

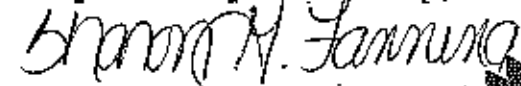
Assistant City Administrator Robert Hemphill recommended to Council that the City enter into a lease purchase agreement with Southern National Leasing Corporation at a fixed interest rate of 5.33%. He stated that eight (8) invitations to bid were sent out and Southern National Leasing Corporation had the lowest bid. The equipment involved in the lease purchase is as follows: rear loading garbage truck, yard trash collection truck, front loading commercial type dumpster, yard trash collection trailer, dump truck and a backhoe. A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to authorize the City to enter into a Financial Lease Purchase Agreement with Southern National Leasing Corporation at a fixed rate of 5.33%. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to pass a Resolution to amend the lease agreement with the County of Orangeburg concerning the Glover Street Solid Waste Collection Center. This motion was unanimously approved. The amendment was requested by the County for a minimum liability insurance of \$500,000, not \$1 million. City Attorney Walsh stated that he could not envision a situation where the City would have a Section 1983 claim filed against it in connection with leasing this facility to the County .

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for legal and contractual matters as well as for a personnel matter concerning the Department of Public Safety.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/r



RESOLUTION

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

WHEREAS, the Mayor and Council of the City of Orangeburg on the 7th day of February, 1995 passed Ordinance 1995-5 to lease 3.25 acres of property to the County of Orangeburg; and

WHEREAS, the Lease Agreement cited in Ordinance 1995-5 stipulated that the County of Orangeburg maintain minimum liability insurance of \$1,000,000.00; and

WHEREAS, The County of Orangeburg desires to have the Lease Agreement amended so as to stipulate a minimum liability insurance of \$500,000.00

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 Lease be so amended.

PASSED by the City Council, in Council assembled at Orangeburg, South Carolina, this 21st day of March, 1995.

Signed:

Martin C. Heathman
Mayor

Gene Haire

Debra P. Knotts

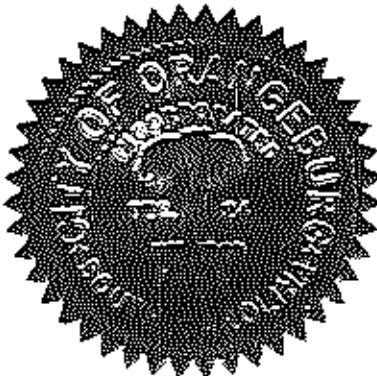
Walter Moore

James P. ...

Robert ...

L. ...

Members of Council



ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

CITY COUNCIL MINUTES
APRIL 4, 1995

Orangeburg City Council held its regularly scheduled meeting on April 4, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Knotts.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the March 21, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Corey Stevenson, spokesperson for the Tri-County United Action Group, told Council of their concerns of abandoned and dilapidated houses specifically in the Sunnyside area. He stated there is presently an Ordinance in place concerning abandoned houses. City Administrator Yow asked that he be given a list of houses of which they were referring. Another representative, Ms. Della Frederick, brought pictures of these houses for Council to view. She asked that the City help to contact the owners and help get the structures torn down. Mayor Pro Tem Keitt stated she had spoken with Allan Ott, the City's Building Official, and was assured this matter was being worked on but there was a formal process that must be followed. Mayor Cheatham stated that he appreciated their concerns but it was a long drawn out process and it would not happen overnight. He explained that the City has been awarded federal grants for new constructions and rehabilitation.

DPS Director, Wendell Davis, told Council that a request had been made by County Council that the City take back the Francis Marion Community to serve in their fire protection area. He explained that the area in question had been served by the City until the County reduced the fire service area in drawing the ES-911 lines. He stated that concerned citizens and other fire departments had asked to place the area back in the City's jurisdiction. He stated that County Council on March 20, 1995, studies had been done and wanted it noted that there is a 6.8 mile distance from the City Substation #2 to the outermost boundary of the fire area. The City is prepared to cover the areas but he wanted City Council to know the added distance placed an added burden on DPS. He stated he would monitor the effect of the increased area to ensure the City's ISO Class 5 insurance rating would not be adversely affected. "Long-term goals we have would address that, but we do not have anything in place immediately to address that." He stated the City has served those areas in the past and have no problem serving them again. Mayor Cheatham stated it would be County Council's responsibility to look at building some type of fire station in the County areas or approaching the City about building and operating a substation. Councilmember Salley stated that if the area was taken back that the City should not write any contracts unless the County changes its 911 data base to notify the City when the emergency number is called. He stated that it would do the citizens no good to have a contract unless the City is dispatched.

A motion was made by Councilmember Haire, seconded by Mayor Pr Tem Keitt, to resume fire service in the Francis Marion Community contingent upon the County having the information in the ES-911 data base updated to ensure the city DPS would be dispatched. This motion was unanimously approved.

Parks and Recreation Director, Buster Smith, updated Council on the Master Thoroughfare Plan. He stated that in the winter of 1994, a grant came through for the first street tree planting. Since then

CITY COUNCIL MINUTES
 APRIL 4, 1995
 PAGE 2

the City has generated \$50,000 in grants. Keep America Beautiful generated \$7,000 in grants and the City's matching funds have been \$36,500. The total spent on street tree planting in three years has been \$93,500.00. These trees are planted on J. C. Calhoun Drive, Magnolia Street, Chestnut Street and Glover Street.

City Administrator Yow recommended to Council that they approve First Reading of an Ordinance to grant a Non-Exclusive Franchise to Jones Intercable Fund 1-B, LTD. He stated before second reading an amendment may be done to page 22, paragraph 11.6 of the terms. He gave Council a copy of the proposed change for their review. A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to grant a Non-Exclusive Franchise to Jones Intercable Fund 1-B, LTD. This motion was unanimously approved.

City Administrator Yow gave Council a budget calendar for FY 1995-96 for their review. He asked them to consider several dates for Council Budget Workshops and Planning retreat.

Public Works Director, Reese Earley, gave Council an update on the curbside recycling program. He recommended that the low bid of \$27,693.00 from Ronnie Burns Ford for a truck (cab and chassis) and recommended the low bid of \$50,240.00 from Amick Equipment Company, Inc., for two compartmentalized recycling bodies. Director Earley showed Council two recycling bins for which bids were received on. He recommended awarding the purchase to the low bidder, A-1 Products Corporation for 2,250 bins at \$10,890.00 and an additional 2,310 bins at \$11,177.00. This totals to 4,560 bins at \$22,067.00. The City received a \$100,000 grant for this project.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to accept Public Works Director Earley's recommendation to purchase recycling equipment at the low bid prices (with the caveat of spending up to \$22,067 on the bins). This motion was unanimously approved.

There were no matters concerning the Department of Public Utilities.

DPS Director Davis informed Council of the proposed Concealed Weapons Bill in the General Assembly. He stated his personal opposition to this bill.

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

Mayor Cheatham called the Council meeting to order. A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to uphold the Grievance Committee's decision pertaining to a Grievance Hearing on March 14, 1995. 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
APRIL 18, 1995

Orangeburg City Council held its regularly scheduled meeting on April 18, 1995, 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
Sandra P. Knotts
Joyce W. Rheney
W. Everette Salley

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the April 4, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the second Reading of an Ordinance to grant a Non-Exclusive Franchise to Jones Intercable Fund 1-B, LTD. This motion was unanimously approved.

City Administrator Yow presented the FY 1995-96 Budget Calendar to Council. The Goal Setting Retreat with Council was set for June 10, 1995. Budget Work Sessions with Council will be July 10, 11 and 12, 1995. An updated calendar will be given to Council at the next meeting.

Mayor Cheatham announced that City Administrator Yow, DPS Director Davis, Lt. Williams, Captain Myers and himself attended a COPS FAST Grant meeting in Columbia on April, 18, 1995. The City of Orangeburg's Public Safety Department was formally presented a plaque and awarded two additional public safety officers for fighting criminal elements in the City of Orangeburg.

City Administrator Yow told Council that he was contacted by a representative of Jones Intercable stating they were withdrawing their motion for obtaining litigation fees. These fees are estimated to be \$152,000. Mayor Cheatham stated he and other Councilmembers appreciated this gesture.

City Administrator Yow presented to Council a memorandum from the Municipal Association of South Carolina on changing municipal election dates. No action was taken on this matter. It will be brought back to Council after the September Council election.

DPU Manager Boatwright told Council that Grievance Committee appointments will be delayed until the next meeting.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to pass a Resolution to accept the low bid of \$541,660.55 from Utility Service Inc., for a 6" high pressure gas main from Highway 38-1603 to US Highway 178. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to pass a Resolution to accept the low bid of \$223,000.00 from Municipal Tank Coating and Sandblasting, Inc. for the painting of three (3) elevated storage tanks. This motion was unanimously approved.

RESOLUTION

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on April 12, 1995 for the repainting of three (3) elevated storage tanks.

WHEREAS, the low responsible bid for this work was submitted by Municipal Tank Coating and Sandblasting, Inc. of Hamlet, North Carolina, in the amount of \$223,000.00; and

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

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

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina this 18th day of April, 1995.



Signed: Marvin Boatwright
Mayor

James Haire

Gandia P. Foster

L. B. ...

W. Keith Alley

Jesse K. ...

Members of Council

ATTEST:

Sharon N. Lanning
City Clerk and Treasurer

RESOLUTION

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on March 23, 1995 for the construction of a 6-inch High Pressure Gas Main from Highway 38-1603 to U.S. Highway 178.

WHEREAS, the low responsible bid for this work was submitted by Utility Services of West Columbia, South Carolina, in the amount of \$541,660.55; and

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

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

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina this 18th day of April, 1995.



Signed:

Martin P. Heath
Mayor

Edna K. Hane
Andrea F. Knotts
James H. ...
Richard ...
James ...
Members of Council

ATTEST:

Simon M. Lanning
City Clerk and Treasurer

CITY COUNCIL MINUTES
APRIL 18, 1995
PAGE 2

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for contractual matters concerning the Department of Public Utilities.

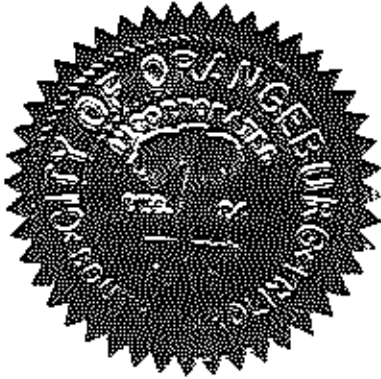
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/s/



CITY COUNCIL MINUTES
MAY 2, 1995

Orangeburg City Council held its regularly scheduled meeting on May 2, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Ben Gafford of St. Paul's United Methodist Church.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the April 18, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to grant a Non-Exclusive Franchise to Jones Intercable Fund I-B, LTD. This motion was unanimously approved.

City Administrator Yow gave Council a report on the request for a traffic signal at the intersection of Chestnut and Riley Streets. He stated that the initial study by the South Carolina Department of Transportation was conducted after two (2) petitions from citizens indicated a traffic signal was needed and City Council endorsed the petitions. He told Council that a new request for a study needed to be conducted within the hours the City considers the heaviest for traffic, 7:00 A.M. to 9:00 A.M. on weekdays and 4:00 P.M., to 8:00 P.M., on Friday and Saturdays. Mayor Cheatham noted that some elderly citizens live in the area and that many people have been avoiding the intersection by detouring to of Columbia Road. Council authorized City Administrator Yow to request another South Carolina Department of Transportation traffic study for the intersection of Riley and Chestnut Streets.

Council discussed the SC Legislative Bill H.3739 concerning Concealed Weapon's Permits. Mayor Cheatham and Mayor Pro Tem Keitt stated there were already too many guns on the street. Councilmember Rheney stated she had many emotions on this Bill but our forefathers gave us the right to bear arms and said criminals would not apply for permits while law-abiding applicants would be approved by the State Law Enforcement Division. Councilmember Salley agreed with Councilmember Rheney's statement.

Councilmember Haire stated that the forefathers gave citizens the right to bear arms for the protection of homes, not a "Wild West Scenario" in the streets. He stated he was opposed to the Bill.

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, that City Council go on record opposing the General Assembly Bill H.3739 concerning Concealed Weapon's Permit. This was a 4-2 vote. Councilmembers Rheney and Salley opposed this motion.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire to adopt a Procedures and Guidelines Manual for Community Development Housing Rehabilitation Program. This motion was unanimously approved.

City Administrator Yow told Council that appointment recommendations would be forthcoming on the two terms that expire June 1, 1995, to the Grievance Committee.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve a Resolution authorizing execution of Financing Sales Contract of Municipal Equipment. This motion was unanimously approved.

RESOLUTION OF CITY COUNCIL

AUTHORIZING EXECUTION OF FINANCING SALES CONTRACT OF
MUNICIPAL EQUIPMENT

WHEREAS, the City of Orangeburg, South Carolina, wishes to obtain financing for the lease purchase of essential municipal equipment; and

WHEREAS, the competitive interest rates were received through a bid process.

NOW, THEREFORE, BE IT RESOLVED, that John H. Yow, City Administrator of the City of Orangeburg, be and he hereby is, authorized and directed to enter into, execute and deliver on behalf of the City of Orangeburg, Financing Sales Contract of Municipal Equipment (at an annual percentage rate of 5.33%), and such other documentation required with Southern National Leasing Corporation 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 2nd day of May, 1995.



Martin C. Cheatham

MAYOR

James J. Harris
Barbara P. [unclear]
Joseph A. [unclear]
[unclear]
[unclear]

MEMBERS OF COUNCIL

ATTEST:

Sharon M. Fanning
CITY CLERK

CITY COUNCIL MINUTES
PAGE 2
MAY 2, 1995

City Administrator Yow told Council that three (3) commercial properties or establishments--Ryan's Family Steakhouse on North Road, H.R. Burg Motors and Fairey Motor Company both on U.S. Highway 601, approached the Department of Public Utilities for water and sewer service. DPU negotiated covenants with these businesses. He explained that these are a Declaration of Covenant that the City has right to annex if the property is contiguous to the City. He stated that "this is not adopting a policy at this time. These are covenants for these particular properties.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the authorization for execution of Declaration of Covenant for Ryan's Family Steakhouse, H.R. Burg Motors and Fairey Motor Company. This motion was unanimously approved.

Department of Public Utilities brought no utility matters before Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning
Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
MAY 16, 1995

A Public Hearing was held concerning the request for a zoning change from A-2 Residential to O-I Office-Institutional-Residential for the south side of Russell Street from Lovell Street to Dickson, and a request for a zoning change from A-2 Residential to B-1 General Business for the southeast side of Ellis Avenue from Summers Avenue to Fair Street.

Both requests were presented by Assistant City Administrator, Robert W. Hemphill. He stated that all regulations and legalities in posting advertisements, etc. were met. There being no further discussion, the public hearing was closed.

Immediately following the Public Hearing, Orangeburg City Council held its regularly scheduled meeting on May 16, 1995, in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
L. Zimmerman Keitt
Sandra Knotts
Joyce W. Rheney
W. Everette Salley

ABSENT:

Bernard Haire

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts to approve the May 2, 1995, City Council Minutes as distributed. The motion was unanimously approved.

City Administrator, John H. Yow, recommended the following appointments to the Grievance Committee, Joe Duley from the Service Department and Lt. Willie Pelzer from the Public Safety Department. A motion was made by Councilmember Rheney, seconded by Councilmember Keitt to approve the appointments to the Grievance Committee. The motion was unanimously approved.

City Administrator Yow then made a recommendation to Mayor and Council that Chief Davis be appointed to the Countywide Fire Plan Task Force. Yow stated that the Task Force had meet previously and that Chief Davis or Captain James Myers had been our previous representatives. He then suggested that he and Captain Myers service as alternates on the Force. A motion was made by Councilmember Salley, seconded by Councilmember Keitt to approve the appointments to the Countywide Fire Plan Task Force. The motion was unanimously approved.

Chief Davis requested permission to purchase Educational Satellite Television Equipment. He stated that it is an educational hook-up to broadcast in-house training required for re-certification of public safety officer. This will significantly save on man hours, travel and meals for the officers having to travel to Columbia or Charleston for this training. Chief Davis said that this item was not originally budgeted, but he had found the money to pay for it. A motion was made by Councilmember Salley, seconded by Councilmember Rheney to approve the purchase of the Educational Satellite Television Equipment. The motion was unanimously approved.

CITY COUNCIL MINUTES
 MAY 16, 1995
 page 2

City Administrator Yow requested acceptance of the grant offer for Airport Improvement Program (AIP) Project # 3-45-0045-05 at the Orangeburg Municipal Airport. A motion was made by Councilmember Salley, seconded by Councilmember Keitt to accept the grant and to authorize Mr. Yow to execute agreement on behalf of the City. The motion was unanimously approved.

A motion was made by Councilmember Keitt and seconded by Councilmember Rheney to accept the first reading of an ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC (Ordinance No. 1995-8) and the Official Zoning Map to rezone A-2 Residential to O-1 Office-Institutional-Residential for the south side of Russell Street from Lovell Street to Dickson. The motion was unanimously approved.

A motion was made by Councilmember Rheney and seconded by Councilmember Keitt to accept the first reading of an ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC (Ordinance No. 1995-8) and the Official Zoning Map to rezone A-2 Residential to B-1 General Business for the southeast side of Ellis Avenue from Summers Avenue to Fair Street. The motion was unanimously approved.

Miss Kemberly Bass, Miss Orangeburg County 1995, requested to address Mayor and Council. She asked for their support by proclaiming the week of May 28 - June 3, 1995, as People Against Crime Week. She added that Saturday, June 3, 1995, would be the second annual Orangeburg County PAC Day. Mayor Cheatham and Council unanimously stated that they would support her. The Mayor noted that Miss Bass would be competing in the Miss South Carolina pageant on July 1, 1995, and wished her well. A photograph was taken with Mayor, Council and Miss Bass.

Mayor Cheatham noted that the Orangeburg Department of Public Safety is publishing a newsletter quarterly and that it was very informative. It was also noted that the Department of Public Utilities publishes a very good newsletter.

Mr. Fred Boatwright stated that there were no matters pertaining to the Department of Public Utilities.

The Mayor stated there was no further business. Councilmember Keitt made a motion to adjourn, it was seconded by Councilmember Salley. The motion was unanimously approved.

Council then adjourned to Executive Session.

Respectfully submitted,

Susan M. Cuttino
 Susan M. Cuttino
 Assistant City Clerk



SPECIAL SESSION
CITY COUNCIL MINUTES

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MAY 30, 1995

Orangeburg City Council held a Special Session meeting on May 30, 1995 at 5:30 P.M. in the Conference Room of the Department of Public Utilities with Mayor Martin C. Cheatham presiding. An invocation was given by Councilmember Haire.

PRESENT: Martin C. Cheatham, Mayor
Bernard Haire
Sandra P. Knotts
W. Everette Salley

ABSENT: L. Zimmerman Keitt
Joyce W. Rheney

Mayor Cheatham opened the meeting by welcoming everyone. He went on to explain Council started scheduling quarterly meetings at the Department of Public Utilities about two or three years ago and he felt it was a good opportunity for Council to review some of the projects and keep abreast of what is going on and to help Council understand more clearly the operation of the Department of Public Utilities, which is quite a complex operation. He thanked all the Department heads for taking the time to prepare an agenda and meeting with Council.

The meeting was then turned over to Fred Boatwright, Manager of the Department of Public Utilities. He thanked Council for coming and he expressed his appreciation for their efforts on behalf of the Department of Public Utilities.

Fred Boatwright proceeded to explain the Gas and Water Divisions would be highlighted at this meeting, but before these presentations he wanted to give a status briefing to Council regarding a few of the on-going projects of the Department of Public Utilities. The following information was presented by Fred Boatwright:

ADMINISTRATIVE DIVISION PROJECTS

The progress of the new software in the Administrative Division is continuing. The Accounts Payable, General Ledger, Payroll and Human Resources packages have been installed. The Customer Service and Billing packages are scheduled for October of this year. Miscellaneous Accounts Receivable, Fixed Assets Purchasing and Inventory are on hold awaiting the installation of the Customer Service, the largest package of the group.

The Department has recently purchased and installed a document storage mechanism which is in operation now. A few summer help students have been hired to assist in copying documents on micro film. The Department has documents dated back to the 1920's. Some of these documents are very important and the Department decided to go with this route.

Contract negotiations have been completed and we hope work will begin in late summer on the Maintenance Facility Project.

ELECTRIC DIVISION PROJECTS

Work on the 115 KV loop is proceeding slowly but is on-going.

Preliminary engineering has been done on the 115 KV Cross Town Tie. Presently no funds have been spent on this project.

115 KV Distance Relaying Project is pending closure of the 115 KV Loop. Presently no funds have been spent on this project.

Substation #21 is pending due to acquisition of a site. Presently no funds have been spent on this project.

The Voltage Conversion Project is about 81% complete.

The SCADA System Update Project is about 67% complete.

Our fiber optic system is currently expanding on a daily basis.

Miscellaneous construction projects are on-going.

GAS DIVISION PROJECTS

The loop tie is on-going. A contract has been awarded and pipe is being delivered at this time. Construction should begin May 31, 1995. This project starts at Highway 601 at I-26 (Saddle Club Road) and eventually ties to the area of the new Wal-Mart store. This will complete the high pressure loop around our system and will enable us to provide service to that side of town.

Construction of plastic low pressure distribution is on-going. This work should begin on June 1, 1995.

WATER DIVISION PROJECTS

Tank painting has begun. A contract has been awarded to Municipal Tank Coating and Sandblasting of Hamlet, North Carolina. Work on the Hillcrest tank should begin on June 1, 1995. Due to the dry weather and trying to keep enough water in storage, the Seawright Tank may have to be delayed until the fall.

The Raw Water Generator - Finished Water Generator - Highway 4 and 400 Generator Project is presently underway.

The 250,000 Gallon Elevated Tank in the Limestone area is on hold. More information is needed in what may eventually develop in this area in terms of wholesale water before we make a decision to proceed with this project.

Bids have been received on the Ellis Avenue Pump Station Upgrade Project, but the work has not been awarded.

The Water Distribution System Improvement Project is 100% complete.

Fred Boatwright stated the generator addition Council recently approved should be getting underway soon.

WASTEWATER DIVISION PROJECTS

The major news about the Wastewater Division is the sludge dryer. This project is extremely complex. We are tying together two technologies that have never been tied together, a jet turbine engine and a sludge dryer. Tying these two together and making it work safely has been a major engineering task. It has taken considerably longer than we anticipated. Presently, we have all the engineering drawings done for matching the sludge dryer and the turbines together. The building design is now underway and we are looking at going to bids on this project hopefully by late summer or early fall. Presently we are hauling our wastewater bio-solids to a landfill in Richland County at a cost of approximately \$200,000 per year. We hope that we can get this job underway soon and eliminate this hauling cost.

The Long Range Study and Planning Project is complete and we are reviewing the preliminary report.

The Re-routing of Riverside Lift Station Force Main and the 21" Sanitary Sewer Rehabilitation Project is 100% complete and in service and working well.

OTHER ISSUES DISCUSSED

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Fred Boatwright then proceeded to discuss the Federal Energy Regulatory Commission. He told Council FERC has finally issued a document called the "Giga-NOPR". It consists of rules and regulations regarding buying and selling electricity that is coming in the future. It is a massive document and is going to radically change the way the electric business is conducted. It is going to be patterned much after the GSR-636 Rule that we have been dealing with for a number of years in natural gas. Hopefully FERC has learned a few lessons from the problems that have come about as a result of the 636. Perhaps we will not be saddled with some of the same things as we move forward to open access, free market type situations in the electric industry. It is coming and we are working hard to make sure we are in the best possible position. It does in some way put us at risk.

Fred Boatwright then discussed the status of the Department's negotiations with South Carolina Electric & Gas Company. The process is slow, but it is moving forward. Fred Boatwright expressed he is very much encouraged that soon we will have a complete resolution to the problem.

Council was also informed of our appearance before the South Carolina Supreme Court recently regarding a refund case that the lower court ruled in our favor but was appealed. We are awaiting a decision from South Carolina Supreme Court on this matter.

Fred Boatwright informed Council that next week he and David Gillam will be going to Richmond, Virginia to the Fourth Circuit Court of Appeals where that court will be hearing another case regarding a refund we received some time ago from South Carolina Electric & Gas Company. The Federal Regulatory Commission again ruled in our favor, but was appealed to the Fourth Circuit Court of Appeals. This case will be heard on June 8th.

Council was updated on the Southern Bell vs. Public Service Commission matter. This case was settled with a status quo remaining in effect which means Southern Bell has agreed that they will allow what the Department of Public Utilities is presently doing in our business relationship with one carrier that we are servicing, however, they reserve the right in the future if we decide to expand to re-enter the law suit. What that means is that we are right back where we started from and we feel we won.

Fred Boatwright expressed that this is a brief update of some of the things that are going on in the Department. We have some major challenges before us and we are working very hard to keep up with what is going on.

BRIEFING ON ISSUES EFFECTING GAS DIVISION

Fred Boatwright then turned the meeting over to O. Thomas Miller (Tommy), Director of the Gas Division. Tommy Miller then briefed Council on issues effecting the Gas Division. The presentation was opened with the issue that in the past year and a half the Gas Division has been bombarded with news of higher cost of gas but he stated he was pleased to give Council some good news for a change. He proceeded to report that in February, the Gas Division's main interstate supplier, Southern Natural Gas Co. settled with FERC on Order 636, concerning GSR and Transition Costs. The Department's billing in March reflected the lower demand charges which has resulted in lower gas cost for our customers. He expressed even with this good news the Department still has the take-or-pay to deal with. He reminded Council that last year they gave approval to repay the \$1.2 million involving take-or-pay. This gave us the flexibility to recover this money over a period of 30 months, thus minimizing the impact of the Order 636 on our customers. We have collected \$553,000 of the \$1.2 million.

Tommy Miller then explained to Council the 1,500 mile journey natural gas to travel to reach South Carolina and then onto Orangeburg and why we depend heavily on interstate pipeline system. He explained the two pipelines that involve South Carolina is TRANSCO (Trans Continental Pipeline) and Southern Natural Gas System. This line goes through

South Carolina and into Spartanburg, Greenville area and actually terminates in New York City. This pipeline has very little to no firm capacity left on it. It does have some interruptible gas if you can get on it in Summer months, but the majority of the gas is going to the very cold Northeast during the winter. Tommy Miller then read an article from American Gas Association Newsletter that he felt was good news for us. The article reads as follows: "Transco has announced plans to expand its mainline system, called Sunbelt Project, to provide additional firm transportation capacity to customers in Mississippi, Alabama, Georgia, and South Carolina. Transco will file an application with FERC in the summer. It is anticipated that service could begin as early as 1997 near the South Carolina/North Carolina border". The reason this is so important is Transco's capacity is all contracted for and this expansion will allow more gas to come into South Carolina, hopefully giving competition to the Southern Natural Gas System which is where the majority of the Orangeburg gas comes into South Carolina. Tommy Miller then presented to Council a detailed outline of how natural gas travels to reach Orangeburg. He explained the gas originates from Texas and Louisiana area and travels on the Southern Natural Gas System. The largest customer on the Southern Natural Gas System is Atlanta Gas Light Co. South Carolina Pipeline, which is Orangeburg's supplier, is the second largest customer on this pipeline. The Southern Natural line comes in around Aiken, South Carolina and Orangeburg purchases off of the main pipeline running from Aiken to Charleston.

Tommy Miller explained for the past couple of years you have heard us talk about FERC Order 636, the spot market, deregulation, open access, transportation, take-or-pay and GSR. He then went into detail to presented to Council an overview of the last 10 years and how the natural gas industry has changed in this country. He went on to explain prior to 1984, Interstate pipelines had total merchant service. Due to the gas shortages of the 70's, the government relaxed regulation of well-head gas prices. These relaxed regulations led to higher prices so exploration and production could expand and deliver acceptable returns. In order to perform their merchant function and supply this gas, interstate pipelines had entered into numerous long term "take-or-pay" contracts. Contracts that would one day come back to haunt us. In October of 1985, FERC issued Order 436 in response to a court case allowing pipelines to become "open access" carriers of gas bought directly by users from producers. The main effect of this rule separated pipeline merchant and transportation functions. This brought about the birth of the spot market. Pipelines began forming unregulated marketing subsidiaries to sell spot gas. By late 1985 the newly created spot market doubled as almost 30% of the nations gas was bought and sold on the spot market. Several pipelines began hinting the Order 436 would bring a large take-or-pay problem to the industry. In November of 1986, 51% or the majority of the gas sold in America was now being traded on the spot market. The take-or-pay problem was growing. The more gas that flowed on the spot market the less gas was being bought on the take-or-pay contracts. However, these contracts still had to be paid. By June of 1987, the Court remanded Order 436 back to FERC to fix the take-or-pay problem. In August of 1987, FERC issued Order 500 as interim response to the court vacating Order 436, with take-or-pay fixes including pass through of costs to customers. By September of 1987, 70% of the nations gas flowed on the spot market. As the spot market continued to grow, by August of 1988, the industry saw the first electronic bulletin board set up to provide computerized trading of natural gas. By April of 1989, the take-or-pay bill was tallied at \$8.7 billion. By November of 1989, FERC issued Order 500-H, extending the deadline of seeking recover of take-or-pay payments. In December of 1989, a record cold wave tested the nations deliverability at a send out of 2.3 trillion CF. Overall the industry was able to meet the challenge with very few problems. December of 1989, also marked the peak of the spot market with now 80% of the nation's gas. In April of 1992, FERC issued Order 636. This would be the final order that would provide total deregulation of interstate pipeline service. With the order, merchant service by interstate pipelines was totally abandoned. The pipelines were strictly transporters of natural gas. All contract demand gas was converted to Firm Transportation. All gas flowing of the interstate pipelines of like service has the same priority. By November of 1993, most pipelines were operating under Order 636, but the cost of 636 was not over. With the abandonment of merchant service, long term supply contracts became stranded. What was the

pipelines suppose to do about these long term contracts that were set up for them to buy and sell gas, which now was no longer legal? The solution was simple. With FERC's approval, these gas supply realignment cost (known as GSR costs) was passed on to the pipeline's customers in the form of surcharges to both demand and commodity cost. Because of this, GSR is often referred to as the "son of take-or-pay".

Tommy Miller then explained what Order 636 has done for the Department of Public Utilities. He stated the Department purchases its gas from South Carolina Pipeline Corporation. Because South Carolina Pipeline system is located only in the state of South Carolina, it is considered an intrastate pipeline and does not come under FERC jurisdiction. However, their suppliers, Southern Natural and Transco have to comply with Order 636. This is why we are required to pay our share of take-or-pay and GSR cost. The Department's share of take-or-pay was calculated at \$1,220,000. We paid the \$1.2 million and have recovered \$533,000 of the money. Our share of the GSR and transition costs was estimated at \$625,000 which has already been paid. The good news is that we hope Order 636 will lower our overall gas costs.

Councilmember Haire asked Tommy Miller what type of preventative maintenance do we do to keep disasters from happening. Tommy Miller replied natural gas in this country falls under the jurisdiction of the Department of Transportation in Washington and there is government regulations governing safety regulations on all gas pipelines. Because of these regulations this country has superb safety records. We also have cathodic protection on pipelines which keeps the pipeline from corroding and we are required to do specific safety related surveys.

BRIEFING ON ISSUES EFFECTING WASTEWATER DIVISION

The meeting was then turned over to Adrian L. Williams, Director of the Wastewater Division. Council was briefed on issues effecting the Wastewater Division regarding the 503 Regulation. Adrian Williams explained that for the past two years the Department has been considering ways to cut the cost of the disposal of our sewer sludge or biosolids. We hope that we have found a solution in the new EPA 503 Reg and the sludge dryer we are in the process of installing. As required by the Clean Water Act Amendments of 1987, the Environmental Protection Agency developed a new regulation to protect the public health and environment from any adverse effects of certain pollutants that might be present in sewer sludge. In March of 1993, EPA adopted 40 CFR Part 503 the Standard for the Use and Disposal of Sewer Sludge. EPA's standards cover land application, disposal, and incineration of sewerage sludge or biosolids. The standards establish pollutant loading and concentration limits, and operational requirements to minimize vector attraction in biosolids. The standards also establish monitoring, record keeping, and reporting requirements. EPA's standards were established to promote "Beneficial Reuse" of domestic sludge.

Adrian Williams then emphasized the two goals that EPA's standard is based on. One, the Part 503 Rule is designed to protect public health and the environment from any reasonably anticipated adverse effects of certain pollutants and contaminants present in biosolids. Two, this standard is consistent with EPA's policy of promoting the beneficial reuse of domestic biosolids. In most cases the 503 standards are self implementing. EPA and/or an approved state can take enforcement actions directly against violators of the standards. South Carolina Department of Health and Environmental Control (DHEC) for the most part adopted most of EPA's limits and requirements in its draft regulations. One major difference is that DHEC's regulations not only applies to domestic sludge but industrial sludge as well. This brings up a major concern of who DHEC is really trying to regulate.

There are several parts of the DHEC regulations that exceed the scope of the EPA standards. One example is the list of pollutants to be regulated and monitored for land application. EPA, based on a national risk assessment, determined that these are the only metals and organics in domestic sludge that present a significant threat to

human health and the environment. EPA does not provide itself the authority to regulate other pollutants on a case-by-case basis. However, SCDHEC has provided itself the authority to regulate other pollutants on a case-by-case basis under their proposed regulations. SCDHEC will rely on Clemson Extension, in some cases, to determine pollutants to be regulated on a case-by-case basis. In other cases, other pollutants will be regulated based on NPDES permits.

Another example is the requirements for land application. Once biosolids meet EQ (Class A) requirements, they are not subject to regulations, unless the state determines, on a case-by-case basis, that regulations are necessary. This exception only applies to bulk biosolids under EPA standards. DHEC is proposing to regulate all classes of biosolids; not allowing EQ biosolids to be used as freely as any other soil conditioner or fertilizer.

Adrian Williams concluded his presentation stating 40 CFR, Part 503 was developed by EPA through a scientific risk assessment analysis, with conservative factors built into the standards. Their goal was to establish guidelines for the beneficial reuse of biosolids. DHEC, for the most part, is proposing to adopt most of EPA's requirements. DHEC's proposed regulations for the management of biosolids will hinder EPA's goal to promote beneficial reuse of biosolids. The economic cost for land application of biosolids, as proposed in DHEC regulations, will only make an unattracted commodity to land appliers.

Councilmember Salley asked if anything is being done to address DHEC's "problem"? Adrian Williams answered there have been some changes in the proposed regulations. Their ears are open to the municipalities and anybody else who is willing to write them a letter regarding these proposed regs and we are working hard to adopt what EPA has set up.

Fred Boatwright stated Mr. Williams is much more optimistic about this than he was. He said that Adrian stated DHEC listens but Fred Boatwright felt that they don't listen very well. He stated he would like to see DHEC allow us to form a task force and allow us to make comments in the wastewater industry.

OTHER ISSUES DISCUSSED

Fred Boatwright briefed Council on the status of the PMA's. He stated President Clinton in his budget proposal, proposed the sale of the 5 Federal Power Marketing Agencies. One of which is SEPA, where we buy some of our power. The House of Representatives in their budget included the sale of these power marketing agencies, but the U.S. Senate just last week removed the sale of the PMA's. The Mayor was kind enough to write letters to our Senators in opposition and that kind of support is greatly appreciated. The battle is far from over because it now the House and Senate has to agree and we do not know what is going to happen.

Councilmember Salley asked Fred Boatwright he understood not selling just one of them, but asked would we be better off in the long run if they sold all of them. Fred Boatwright replied that he felt that we would be better off if we kept them but operated them better. Unfortunately, money that we pay for the power that we buy from SEPA goes into the General Federal Treasury and is dispensed who knows where. It does not go back necessarily into the PMA's. This is why it looks like they are a drain on the treasury because there has to be a separate appropriation through the budget process to maintain the PMA's. In fact that level of support over the last 5 or 6 years has been steadily declining and some of the units are even closed because no maintenance has been done because the Federal Treasury has failed to fund the O&M. Fred Boatwright stated it was his opinion if the PMA's were to charge a reasonable amount for the power they produced and if that money went back to the PMA's to keep those systems alive and operating properly it would be a net gain to the Federal Treasury.

Mayor Cheatham stated he hoped that what everyone has seen at this meeting is that the Department of Public Utilities is not just responsible for building additional electric lines and extending water lines and operating our wastewater division and other responsibilities but they also have to be on their toes and be alert to the regulatory commissions that are taking a lot of their time that they could be

using to benefit Orangeburg. It is a necessary evil that we have to put up with and at the same time it is a good thing that we do have regulatory authority but sometimes they can go to the extreme. I think that we can see that our local SCDHEC goes far and beyond the requirements of EPA and that disturbs some of us. Mayor Cheatham thanked all the personnel for the job that is done day in and day out. He stated we are recognized as one of the outstanding municipally owned utilities in the Southeast and he hoped that this is expressed to all employees all the way down the line and that the City of Orangeburg is very proud of what they do.

Terry Roberson asked if there were plans to spread water out into the county. Mayor Cheatham replied "we are going to spread water just as far as we can spread it". Mayor Cheatham stated we are making an effort and you will see some announcements soon.

The meeting was adjourned.

Respectfully submitted,

Becky A. Austin

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



CITY COUNCIL MINUTES
JUNE 6, 1995

Orangeburg City Council held its regularly scheduled meeting on June 6, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Daryl Chatraw of the New Covenant Church.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the May 16, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Salley, to approve the May 30, 1995, Special City Council Minutes as distributed. This was a 4-0 vote. Councilmember Rheney and Mayor Pro Tem Keitt abstained from voting as they were not present for that meeting.

Mr. Rick Smoak of the Orangeburg Part-Time Players presented Mayor Cheatham and Queen of Roses, Susan Williams, a check for \$6,000 for the Stevenson Auditorium Renovation Fund. He stated that they had collected donations for lights and technical services that they had performed for others.

City Administrator Yow gave a report to Council on a request for a traffic signal at the intersection of Riley and Chestnut Street. A second request had been made by the City for a traffic study requesting traffic counts done at specific times and factoring traffic detouring to Columbia Road. The first study done by the Department of Transportation did not warrant a traffic signal. City Administrator Yow stated he received a letter dated May 22, 1995, from Richard B. Werts, Director of Traffic Engineering for the State Department of Transportation. He explained that the most recent traffic counts were made during a weekday afternoon, considered the period that they felt would typically have the heaviest traffic. He stated additional counts would not likely affect the results of our studies since side street volumes during all hours already counted are well below what is needed to warrant a signal. Weekends have unusual traffic patterns and are not studied. Mayor Cheatham suggested that after discussion with local Senators, a request be made to the Chairman of the Department of Transportation to meet with local citizens in a forum. "We'll hold a public gathering." He stated there are also other projects such as drainage on Boulevard that need discussion.

Councilmember Salley stated that "we can get a traffic light if we insist." Mayor Cheatham agreed with this statement saying all disputed cases--such as Boulevard and Railroad Corner, Columbia Road and Chestnut Street and St. Matthews Road and Chestnut Street--when the City insisted on a change, the Department of Transportation later agreed the change worked. Councilmember Rheney suggested that the 45 MPH speed limit be reduced in what is essentially a business district. City Administrator Yow stated that the Department of Transportation would also have to agree to a change in speed limit on Chestnut.

A motion by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC, (Ordinance No. 1995-7) and the Official Zoning Map to rezone A-2 Residential to O-I Office Institutional-Residential (south side of Russell Street from Lovell Street to Dickson Street). This was a 6-0 vote. Councilmember Haire abstained from voting.

CITY COUNCIL MINUTES
 JUNE 6, 1995
 Page 2

Councilmember Haire had several questions concerning the definition of spot zoning. City Administrator Yow stated Attorney Walsh had studied this particular rezoning request and was of the opinion it was not spot zoning.

A motion by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC, (Ordinance No. 1995-8) and the Official Zoning map to rezone A-2 Residential to B-1 General Business (Southeast side of Ellis Avenue from Summers Avenue to Fair Street). This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to award the low bid of \$56,700 for audit services for FY 1994-95, FY 1995-96 and FY 1996-97 to C.C. McGregor and Company. The City's portion is \$26,925 and DPU's portion is \$29,775. This motion was unanimously approved.

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to cancel the first City Council meeting in July. This meeting was originally scheduled for July 4, 1995. This motion was unanimously approved.

City Administrator Yow notified Council of the expiration of terms on the Board of Appeals. He stated five terms would be expiring on July 1, 1995. He asked that Council contact him with nominations so that a vote could be made at the June 20th meeting. Also, the name of the Board would be changed to Construction Board of Appeals at this time.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to authorize the acceptance of a \$25,770 grant from the SC Department of Commerce, Division of Aeronautics, as the state's match for the project to relocate a Santee Cooper power line at the Orangeburg Municipal Airport and for Mayor Cheatham to sign the appropriate documents. This motion was unanimously approved.

The total project which includes 90% federal funding is \$515,400. The relocation is necessary for construction of the new runway.

City Administrator Yow told Council that it had been brought to his attention that the park bounded by Carolina Avenue, Moss Avenue and Middleton Street, when it was accepted by the City in 1929 conditionally stated it was to be named the Anna R. Moss Park.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney to officially name the park in Moss Heights the Anna R. Moss Park. This motion was unanimously approved.

Assistant City Administrator, Robert Hemphill, told Council that in 1994 the City was awarded a \$500,000 CDBG grant for housing rehabilitation. He recommended to Council that approval be made tonight for the rehabilitation of three homes. The total sum available for this phase is \$390,000. Lead paint abatement comprises \$90,000 of this total. An average of \$19,500 per house has been determined. The properties recommended are as follows:

Property #1 on Glover Street for \$15,150

Property #4 on Sunnyside for \$19,038--with the stipulation that 75% of Property #1 be completed before awarding this contact.

Property #6 on Sunnyside for \$21,860.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem

Keitt, to accept the recommendation for Property #1, Property #4 and Property #6 be rehabilitated at a cost of \$56,048. This motion was unanimously approved.

No Department of Public Utility matters were brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a legal matter concerning the Department of Public Safety and a personnel matter concerning the Department of Public Utilities. This motion was unanimously approved.

Council entered into open session.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to uphold the decision of the DPU Grievance Committee on a personnel matter.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/s/



NOTE

NOTE

NOTE

JULY 4, 1995, CITY COUNCIL MEETING
WAS CANCELED DUE TO JULY 4th BEING
A HOLIDAY, INDEPENDENCE DAY.

CITY COUNCIL MINUTES
JUNE 20, 1995

Orangeburg City Council held its regularly scheduled meeting on June 20, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Clarence Joyner of the New Mount Zion Baptist Church.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the June 6, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham recognized Judge Karen J. Williams of the Fourth Circuit, United States Court of Appeals by proclaiming June 20, 1995, as "Karen J. Williams Day" and by presenting her with a key to the City and a framed Proclamation.

Mr. Charles W. Smith, Jr., told Council that he was concerned that no one had informed the Department of Public Utilities Grievance Committee of its decision at the June 6, 1995. He asked "how long must the grieving employee wait for such notification prior to taking additional action." Mr. Smith read from a prepared letter. City Council received the letter under advisement.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC, (Ordinance No. 1995-7) and the Official Zoning Map to rezone A-2 Residential to O-1 Office Institutional-Residential (south side of Russell Street from Lovell Street to Dickson Street). This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC (Ordinance No. 1995-8) and the Official Zoning map to rezone A-2 Residential to B-1 General Business (Southeast side of Ellis Avenue from Summers Avenue to Fair Street). This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire to change the name of the Board of Appeals to Construction Board of Adjustments and Appeals to comply with the 1994 Southern Standard Building Codes. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to reappoint Marion Mack, Edgar McGee, Jake Shuler and alternates Marion Black and Jimmy Evans to the Construction Board of Adjustments and Appeals. This motion was unanimously approved.

Department of Public Safety Director, Wendell Davis, told Council of a \$47,499 continuing Drug Control and Systems Improvement Grant from the Governor's Office that was offered to the City. He stated that the grant will continue the community-based policing project that has been in place in the St. Paul Apartments and Orangeburg Manor Apartments for one year.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to accept the \$47,499 Continuing Drug Control and Systems Improvement Grant. This motion was unanimously approved.

CITY COUNCIL MINUTES
PAGE 2
JUNE 20, 1995

City Administrator Yow gave Council a report on the Federal Communications Commission's findings of Jones Intercable rates for the period of 9-1-93 through 5-15-94. He stated that the FCC has found that the benchmark filing by Jones Intercable justify the prices. The rate for Service Tier 1 or Basic Plus service during the period 9-1-93 through 5-15-94 was \$10.93. If the rates had been declared excessive an order may have been filed for a refund to customers.

There were no Department of Public Utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a legal matter concerning business license long distance telephone.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



HIGHLIGHTS FY 1995-96
BUDGET DOCUMENT
JULY 10, 1995

REVENUES:

1. No proposed tax increase at this time.
2. No proposed business license fee increase.
3. No sanitation fee increase--residential or commercial.
4. 10% increase in fire protection rates -- \$40,000
5. Possible increase in Out-Of-City recreation fees -- \$7,000
6. Discussion on Ordinance for Careless and Reckless Driving (increased revenues projected @ \$15-20,000).
7. Franchise fees increased over last year by \$12,000.
8. No telephone franchise fee included.
9. \$150,000 fund balance brought forward.
10. Other financing sources:
General Fund
Proprietary Funds
11. DPU transfer remains the same.
12. Hillcrest revenues projected to cover expenditures.
13. Airport revenues not to cover expenditures--shortfall of \$150-160,000.
14. Investment income (interest) better due to own tax collection, adequate cash flow.
15. Income from several grants.
16. Stevenson Auditorium rental \$130 to \$200.

HIGHLIGHTS FY 1995-96
BUDGET DOCUMENT
JULY 10, 1995

EXPENDITURES:

1. 3% COLA = approximately \$120,000
2. Dental Insurance = \$34,000
3. Continue to match several grants, i.e., COPS, Airport,
PARD
4. Personnel Payroll Software = \$18,000
5. Two new positions -- 1 Service Department, 1 Parks
& Rec. Department. (Maintenance Personnel)
6. New communication circuit and personal equipment/DPS
Three (3) vehicles in Investigations
7. \$21,000 Mirmow Field Improvements
8. Continued Tuition Reimbursement for employees--Use
by employees is on the rise.
9. Fund three (3) projects in year end 1994-95
 - (1) Christmas Lights \$4,000
 - (2) Cap Stun \$3,000
 - (3) Removal of bulk fuel storage tanks \$8,000
 - (4) Miscellaneous
10. General Fund Transfer of \$150-160,000 to Airport.
11. (\$50) times number of employees to go to payroll bi-
weekly.
12. Transfer approximately \$2,000 to Stevenson Auditorium
Fund.

BUDGET WORKSHOP MINUTES
JULY 10, 1995

Orangeburg City Council held a Budget Workshop Meeting on July 10, 1995, at 6:00 P.M., in Council Chambers at City Hall.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney
John H. Yow, City Administrator
Sharon G. Fanning, Finance Director

ABSENT:

W. Everette Salley

The purpose of the meeting was to conduct a budget workshop for FY 1995-96 budget.

City Administrator Yow opened the workshop by discussing South Carolina Local Government Assurance Group medical changes. Finance Director Fanning gave Council an update on all new insurance changes and the Provident Preferred Network Provider guide.

City Administrator Yow discussed a proposed new dental benefit for employees. The City would pay \$15.00 per month for each employee. An employee could opt for family coverage at a cost to them of \$20.00 per month. This package includes twice a year check-ups and \$1,000 on orthodontial work.

City Administrator Yow then discussed proposed revenues for FY 1995-96. (See Attachment)

Executive, Finance, Administrative and Non-operating expenditures were discussed. Mr. Yow highlighted proposed expenditures in general. (See Attachment)

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



BUDGET WORKSHOP MINUTES
JULY 11, 1995

Orangeburg City Council held a Budget Workshop Meeting on July 11, 1995, at 6:00 P.M., in Council Chambers at City Hall.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney
W. Everette Salley
John H. Yow, City Administrator
Robert W. Hemphill, Assistant City Administrator
Sharon G. Fanning, Finance Director

The purpose of this meeting was to conduct a budget workshop for FY 1995-96 budget.

The meeting opened with Service Department Director , Roger Brant, outlining his request for expenditures including capital outlay for the Service Department. City Administrator Yow stated that one (1) new full-time position had been approved in Administrator's recommendations.

Public Works Director, Reese Earley, outlined his expenditure line items and requests for capital outlay items to Council. He stated two (2) administrative salary line items be increased due to annual leave purchases due to retirements. He stated that a recycling truck, that had originally been put in the department's request, is now being researched to see if there is a possible grant available. A suggestion was made that the parking lot located between Summers and Rembert Street be sold.

City Administrator Yow told Council that the General Fund would be making a \$161,973 transfer to the Orangeburg Municipal Airport. The capital outlay items approved, at the administrators's recommendations, were for a sign and construction of new hangars. These hangars would house ten (10) aircraft.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/s/



BUDGET WORKSHOP MINUTES
JULY 12, 1995

Orangeburg City Council held a Budget Workshop meeting on July 12, 1995, at 6:00 P.M., in Council Chambers at City Hall.

PRESENT:

Martin C. Cheatham
Bernard Haire
Sandra P. Knotts
Joyce W. Rheney
W. Everette Salley
John H. Yow, City Administrator
Robert W. Hemphill, Jr., Assistant City Administrator
Sharon G. Fanning, Finance Director

ABSENT:

L. Zimmerman Keitt

The purpose of this meeting was to conduct a budget workshop for FY1995-96 budget.

Walter Bryant, Manager of Hillcrest Golf and Pro Shop, discussed with Council his expense line items and requests for capital outlay items. The irrigation system automation and tractor was approved in administrator recommendations. Council also agreed that the irrigation system needed to be automated. Administrator Yow expressed concern to Council that Hillcrest revenue needed to be monitored closely over the next three to six months as a fee adjustment may be necessary to cover expenses.

Parks and Recreation Director, Buster Smith, discussed with Council the Parks and Recreation Department's expenditure line items and requested capital outlay items. Rate increases on non-resident fees of \$5.00 per non-resident participant was discussed and generally agreed upon. This fee increase is in proposed FY95-96 budget.

Department of Public Safety Director, Wendell Davis, discussed with Council the Public Safety Department's expenditure line items and requested capital outlay items. A need for an aerial platform truck is essential and other sources to help fund it will again be looked into. At this time it was not funded in this budget.

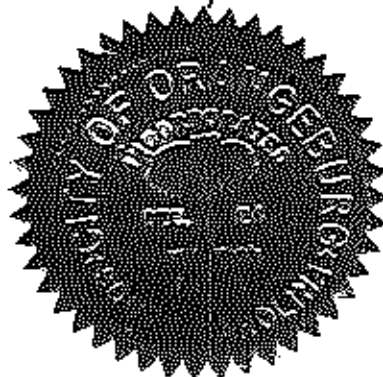
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
JULY 18, 1995

Orangeburg City Council held its regularly scheduled meeting on July 18, 1995, 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
Sandra P. Knotts
L. Zimmerman Keitt
Joyce W. Rheney
W. Everette Salley

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the June 20, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the July 10, 1995, Budget Workshop Minutes as amended. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the July 11, 1995, Budget Workshop Minutes as amended. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the July 12, 1995, Budget Workshop Minutes. This motion was unanimously approved.

Mrs. E. L. Monroe of 840 Chestnut Street told Council that her property backs up to the City garage and that the weeds and trees along the fence that separates the properties needs to be maintained. Also, she asked Council to consider beautifying the property with roses or shrubbery. Council asked City Administrator Yow to look into the request and to make sure the property is in the City limits.

Mayor Cheatham presented Fiance Director, Sharon Fanning, the "Distinguished Budget Award Plaque" from the Government Finance Officers Association for FY 1994-95. This is the second time the City has received this award.

Ms. Lila Anna Hiers, Regional Coordinator of the State Department of Parks, Recreation and Tourism gave Council a report on the Heritage Areas Programs. This program is a 14 corridor project. The City's involvement was justified by the potential promotional value of the City's tourism related facilities and programs as well as projected economic benefit to the City and surrounding areas. Council endorsed the Heritage Areas Programs and committed to a cooperative effort with P.R.T. and other area entities in the development of the Orangeburg Heritage area.

Department of Public Safety Director, Wendell Davis, told Council that the City was awarded an \$8,334 Highway Safety Grant from the State Department of Public Safety. He stated that the City would use the grant to help reduce the accident rate. Specifically, the grant will be used to purchase speed-monitoring equipment and in-car video equipment. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to accept a \$8,334 South Carolina Department of Public Safety Grant and authorized City Administrator Yow to sign the documents. This motion was unanimously approved.

Department of Public Safety Director Davis gave Council a report that the City has been selected as a regional training site by the National Community Policing Consortium. The seminar is scheduled for July 25-27, 1995, at Orangeburg-Calhoun Technical College. It is designed to help create a greater working partnership between community leaders and local law enforcement.

CITY COUNCIL MINUTES
JULY 18, 1995
PAGE 2

City Administrator Yow told Council that the City has been awarded a Solid Waste Reduction Grant in the amount of \$5,000. The local match is \$300. The grant money will be used to purchase composting bins to conduct back yard composting. He stated the City would buy approximately seventy-five (75) bins at a cost of \$65 to \$75 each. The bins would be resold to residents at one-half price. Mr. Jessie Eargle of the Clemson Extension said they will provide the training to the residents.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to authorize the City Administrator to execute the Solid Waste Reduction Grant Agreement. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to appoint Mr. Benjamin Jones of the Electric Division and Mr. Phillips Logan of the Gas Division to the Department of Public Utilities Grievance Committee. This motion was unanimously approved.

Department of Public Utilities Manager, Fred Boatwright, gave Council an update on the South Carolina Electric and Gas rate case. The City of Orangeburg's Department of Public Utilities and South Carolina Electric and Gas, its primary supplier of electricity, have reached an agreement on the first of two expected rate hikes. SCE&G increase took effect in June and DPU will not make its customers pay the increase immediately. Instead, it will absorb the increases until SCE&G places its second rate increase in effect which is planned for January, so that it will only have to raise customers' rates once. DPU is able to absorb the costs of the increase because of savings from its gas-powered electric generators.

SCE&G's current rate hike compromise with DPU and its other wholesale customers decreases SCE&G's total increase from the \$1.932 million originally proposed by the company down to \$1.09 million agreed upon.

Although it has yet to be approved by Federal Energy Regulatory Commission, the plan has already been approved by a FERC Judge and FERC approval is expected, Boatwright stated.

As SCE&G's largest wholesale customer, the utility will have to absorb \$795,700 of the increase each year.

DPU estimates SCE&G's wholesale ratepayers saved \$805,000 by delaying implementation of the increase for five months through its challenge of SCE&G's provisions in the increase.

In addition, DPU estimates it saved \$491,000 annually by challenging various items included in the rate base.

DPU also strengthened its position on several key issues with SCE&G during negotiations.

Among other things, it cleared up issues related to post retirement benefits being included in the rate lease. In its justification of the rate increase, SCE&G included post-employment benefits other than pensions. It was decided that these could not be included in rate increase. DPU had argued such expenses were not a cost that could be legally passed to SCE&G customers.

DPU and SCE&G have the issue of stranded investments. Under the provision, if wholesale customers stopped using SCE&G services, they would only be responsible for the costs associated solely with their system.

DPU also secured language protecting "at risk" customers. As

industry regulations are loosened, industrial customers will be allowed to purchase electricity directly from electric companies, which could offer a lower rate than DPU. Under the agreement, if DPU is about to lose a customer to another company, it could renegotiate rates with SCE&G.

Also, if SCE&G offers to serve an industrial customer, it would sell electricity to DPU at the lower rate it offers industrial customers for just that customer so that DPU could serve the customer.

SCE&G and DPU also agreed looking into "generation sharing," whereby SCE&G would give DPU credit for its generation capacity without DPU actually having to run its generators when SCE&G needs the extra capacity. DPU uses its natural gas-powered generators to produce electricity during "peak hours" to escape penalties associated with using amounts of electricity in excess of its normal usage.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for personnel matters pertaining to the Executive Department and 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
AUGUST 1, 1995

887

Orangeburg City Council held its regularly scheduled meeting on August 1, 1995, at 6:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Bill Coates of the First Baptist Church of Orangeburg.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire to approve the July 18, 1995, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow told Council that after the City received a FAA grant to relocate a Santee Cooper powerline, they found that Santee Cooper has a policy requiring cash up front for work orders. The city avoided this requirement when Santee Cooper waived the policy. He stated the FAA was approached about the possibility of setting up a letter of credit. Based on the City's past performance the FAA granted the request. This will enable the City to avoid the usual two week turn around on grant reimbursement and get its money in a day or two. A motion as made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, for the authorization to amend FAA Grant Agreement for the Airport Runway Project. This motion was unanimously approved.

Discussion was held on increasing the salaries for Mayor and Councilmembers by \$25.00 per month. The annual salary for the Mayor would be \$5,700 and Councilmembers would receive \$4,500. Mayor Cheatham stated that this is a small amount of money for our Councilmembers who do a tremendous amount of work to ensure that the City is well run. Also, that establishing a suitable salary could encourage others to seek office in the future. Councilmember Salley stated, "He could not vote to raise salaries when we haven't properly addressed the public safety personnel." A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the First Reading of an Ordinance providing for the salary of Mayor and members of Council for the City of Orangeburg, SC. This was a 4-2 vote. Councilmembers Salley and Rheney opposed this motion.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the First Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC, for the Fiscal year ending September 30, 1996. The proposed budget for FY 1995-96 is \$10.4. This motion was unanimously approved.

City Administrator Yow told Council that he had received a request from DORA for a 2-hr. limit on street parking in the central downtown area. He stated that the DORA Board initially wanted this to apply only to merchants and employees. City Administrator Yow recommended that they reconsider the request to enforce two-hour parking limits on all or no persons, not just for merchants and their employees. Action will be taken on this matter at the August 15, 1995, City Council Meeting.

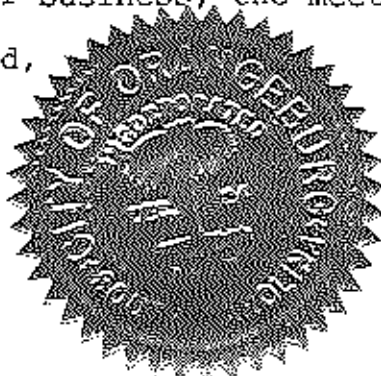
The Department of Public Utilities brought no utility matters before Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk



CITY COUNCIL MINUTES
AUGUST 15, 1995

Orangeburg City Council held a Public Hearing on August 16, 1995, at 6:45 P.M., in Council Chambers with Mayor Cheatham presiding. The purpose of this Public Hearing was to allow public input and questions on the proposed FY 1995-96 Budget. This hearing was to discuss the proposed FY 1995-96 Budget. There were no public comments. An invocation was given by Reverend Eddie Deas of St. Luke Presbyterian Church. The public hearing was adjourned and immediately followed by the regularly scheduled City Council Meeting.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the August 1, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Parks and Recreation Director, Buster Smith, gave Council a report on the Edisto Senior Games. Nationsbank is the corporate sponsor of this event. It will take place on October 20 and October 21, 1995, at South Carolina State University campus and Hillcrest Golf Course. The goals of the sports event are to maintain and improve the health and wellness of older adults; to provide a competitive athletic and recreational experience that focuses attention on the importance of exercise in every individual's personal plan of health; to provide an opportunity for socialization of older adults of our community; and to enhance the quality of life for senior citizens.

A motion by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance providing for the salary of the Mayor and Members of Council for the City of Orangeburg, SC. This was a 4-2 vote. Councilmembers Salley and Rheney opposed this motion. The salaries for the Mayor and Councilmembers would increase by \$25.00 per month. The annual salary for the Mayor would be \$5,700 and Councilmembers would receive \$4,500.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC, for the Fiscal Year ending September 30, 1996. This motion was unanimously approved. The proposed budget for FY 1995-96 is \$10,485,254 including Hillcrest Pro Shop, Golf Course and the Airport Fund.

Parks and Recreation Director, Buster Smith, told Council that a \$32,000 P.A.R.D. Grant was obtained from the SC Department of Parks and Recreation and Tourism. The City matched the grant with \$11,000 for a total project cost of \$43,000. Two work elements of the grant have been completed, the underground electrical supply in the Gardens and the renovation of Sunnyside Playground. The remaining work to complete the grant is the construction of a handicap accessible boardwalk in the Gardens. Bids were taken and the low bid of \$38,536 exceeded by more than 10% the amount budgeted for the work element. Transfer of funds in the current Parks and Recreation budget have been made to fund the work with the adjustment also being addressed in the current revised Budget Ordinance for FY 1994-95. Mayor Cheatham asked specifically where the boardwalk would be located. Mr. Smith informed Council that the walkway would be alongside the existing trail. Also, he answered Mayor Cheatham's question on appearance, by stating that azaleas would be planted down the side of the walkway so it would blend in with the Gardens.

BUDGET ADJUSTMENTS FOR FISCAL YEAR 1994-95

| ADJUSTMENT | BUDGET AMOUNT | YEAR-END BUDGET PROJECTIONS | DIFFERENCE |
|--|------------------|-----------------------------------|------------|
| General Fund Revenues | \$7,943,782 | \$8,166,545 | \$222,763 |
| General Fund Expenditures | \$7,943,782 | \$7,942,196 | \$ 1,586 |
| Airport Fund Revenues | \$ 786,614 | \$ 635,784 | \$150,830 |
| Expenses | \$ 786,614 | \$ 635,784 | \$150,830 |
| Hillcrest Pro Shop Fund Revenues | \$ 127,750 | \$ 118,637 | \$ 9,113 |
| Expenses | \$ 127,750 | \$ 118,637 | \$ 9,113 |
| Hillcrest Golf Course Fund Revenues | \$ 470,070 | \$ 470,604 | \$ 534 |
| Expenses | \$ 470,070 | \$ 470,604 | \$ 534 |

CITY COUNCIL MINUTES
AUGUST 15, 1995
PAGE 2

A motion was made Councilmember Haire, seconded by Councilmember Knotts, to approve the amended expenditure and authorize City Administrator Yow to execute a contract with the low bidder for the construction of the boardwalk handicap ramp. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance amending the Budget for the City of Orangeburg, SC, for the Fiscal Year Beginning October 1, 1994, and ending September 30, 1995. This motion was unanimously approved. (See Attachment)

City Administrator Yow told Council that he had received a request from Orangeburg Alano, Inc., to extend the term of their lease from a year to year basis to one of a three or preferably five year term. The clause giving the City the right to cancel with sixty (60) days written notice will remain in the lease.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to extend the lease to Orangeburg Alano, Inc., for a period of five years. This motion was unanimously approved.

There were no matters brought before Council concerning the Department of Public Utilities.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal matter pertaining to the Public Works Department Orangeburg Municipal Airport.

There being no further business, the meeting was adjourned.

Respectfully submitted, .



Sharon G. Fanning
City Clerk

/r



SPECIAL SESSION
CITY COUNCIL MINUTES

891

AUGUST 29, 1995

Orangeburg City Council held a Special Session Meeting on Tuesday, August 29, 1995, at 5:30 P.M. in the Conference Room of the Department of Public Utilities, 1016 Russell 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
 Sandra P. Knotts
 W. Everette Salley

ABSENT: Joyce W. Rheney

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

The meeting was then turned over to Fred Boatwright, Manager of the Department of Public Utilities.

Fred Boatwright expressed the purpose the Special Session Meeting was to present to the Mayor and Members of Council for their consideration the proposed 1995-1996 Budget.

Fred Boatwright then proceeded to go over the basis of the budget with Council. He explained during fiscal year 1995-1996 the Department anticipates a net profit of \$8,760,687 out of a total operating gross billing of approximately \$60 million. This profit is up slightly from the actual profit of the comparison fiscal year 1993-1994. We do not have 1994-1995 figures at this time, but we are confident that our projection is going to close. The Department anticipates a net profit for 1994-1995 to be \$8,345,490.

Fred Boatwright then highlighted each Division:

Electric Division

The Electric Division projects its profits to be down during 1995-1996. This is due to the loss of major industry and from the recent rate increase from South Carolina Electric & Gas Company. The Electric Division is anticipating another rate increase in December or January from SCE&G. We feel this increase will be a very substantial one. The Electric Division anticipates a rate increase to our customers to reflect this increase. A 4% increase has been figured in the budget.

Gas Division

The Gas Division anticipates a good year. A profit of \$1,996,930 is expected. This figure is up considerably from last year and the test year. Hopefully about this time next year or sooner the take-or-pay will be paid off and the money we borrowed from ourselves will be paid back. No rate changes are anticipated in the Gas Division.

Water Division

The Water Division anticipates a profit of \$801,516 which is up slightly from the comparison year. In the coming year we do foresee a rate increase in the Water Division. For purposes of this budget we figured 10%. We do not know at this time what it will be, but we anticipate a rate increase for next year. This increase is due to the significant increase in our operational expenses. Most of them are generated by additional federal regulations. The last water rate increase was in 1985.

Wastewater Division

The Wastewater Division anticipates a profit of \$219,034. This budget does not reflect an increase in the Wastewater Division, however, by the end of the year we may be asking for one. This will be due to increased federal regulations and expenses in connection with our 20 year old Wastewater Plant. The plant is beginning to show wear and tear and equipment needs to be replaced.

Summary

The Department of Public Utilities anticipates a net profit of \$8,760,687 with depreciation of \$2,785,000 and using past utility profits of \$1,240,959 to fund the total capital improvements budget in the amount of \$12,786,646. We anticipate transferring to the City General Fund \$2,923,000. We are budgeting \$9,863,646 this year for capital improvement projects.

Fred Boatwright then turned the meeting over to the Director of each Division to give an brief summary of the projects in this Division. He explained that many of the projects are continuing projects that have been going on for a number of years and some new projects.

Administrative Division Projects

Michael G. Sells presented to Council the following capital improvement projects for the Administrative Division.

Project #1 - Improvement to Administrative Software

| | |
|----------------------------------|------------------|
| <u>Total Project Cost:</u> | <u>\$335,800</u> |
| <u>Estimated 1995-1996 Cost:</u> | <u>\$151,000</u> |

Continuation of a project to improve the Department's Administrative Division software in order to provide for the customers' needs in a more efficient and flexible manner consistent with the rapidly growing demands of the public and the Department.

Project #2 - Improvements to Maintenance Facility

| | |
|----------------------------------|------------------|
| <u>Total Project Cost:</u> | <u>\$362,883</u> |
| <u>Estimated 1995-1996 Cost:</u> | <u>\$162,883</u> |

Continuation of a project to improve the Maintenance Facility in order to more efficiently maintain the equipment and provide for growth.

Electric Division Projects

David E. Gillam presented to Council the following capital improvements projects for the Electric Division.

Project #1 - Completion of the 115 KV Transmission Loop

| | |
|----------------------------------|--------------------|
| <u>Total Project Cost:</u> | <u>\$2,018,487</u> |
| <u>Estimated 1995-1996 Cost:</u> | <u>\$1,932,069</u> |

Continuation of a long term project to construct a 115 KV transmission loop around the greater Orangeburg DPU service area to increase system capacity and reliability.

Project #2 - Cross Town 115 KV Transmission Tie

| | |
|----------------------------------|--------------------|
| <u>Total Project Cost:</u> | <u>\$1,835,000</u> |
| <u>Estimated 1995-1996 Cost:</u> | <u>\$ 600,000</u> |

Continuation of a project to provide an alternate route for energy should a section of the 115 KV transmission loop fail.

Project #3 - Installation of Distance Relaying For 115 KV Loop

| | |
|----------------------------------|--------------------|
| <u>Total Project Cost:</u> | <u>\$1,270,000</u> |
| <u>Estimated 1995-1996 Cost:</u> | <u>\$ 100,000</u> |

To allow the Department to operate its 115 KV transmission system in a closed loop or grid. This system will improve reliability. If a fault occurs any where on the grid the section affected can be readily isolated allowing the remaining system to continue to function without interruption.

Project #4 - Substation #21

| | |
|---------------------------|-------------|
| Total Project Cost: | \$1,502,500 |
| Estimated 1995-1996 Cost: | \$1,250,000 |

Continuation of a project to provide the rapidly growing Cannon Bridge Road - Cordova area substation capacity. To improve service reliability and service back-up for the new Substation #22. This substation will also serve as a junction point of the future 115 KV transmission cross-town tie.

Project #5 - Conversion From 4.8/8.32 KV to 14.4/24.94 KV

| | |
|---------------------------|-----------|
| Total Project Cost: | \$385,600 |
| Estimated 1995-1996 Cost: | \$385,600 |

Continuing conversion of part of the Department's service area from 4.8/8.32 KV grounded wye to 14.4/24.94 grounded wye, to increase the load carrying capacity, to improve voltage stability and regulation, and decrease losses in the electric distribution system.

Project #6 - Miscellaneous 4.8/8.32 KV & 14.4/24.94 KV Construction

| | |
|---------------------------|-------------|
| Total Project Cost: | \$1,057,000 |
| Estimated 1995-1996 Cost: | \$ 757,000 |

Miscellaneous construction of distribution power lines, both single and three phase to serve various commercial, industrial and residential loads.

Gas Division Projects

Tommy Miller reported to Council that the Gas Division did not have any capital improvement projects for the fiscal year 1995-1996. He proceeded with an update on the status of the Gas Division. He reported the pipeline on the North Road near Wal-Mart is complete. This is the final tie-in of the 5 mile loop project that was approved last year. This pipeline will greatly increase the gas system's reliability.

Council was updated on take-or-pay. Tommy Miller reported hopefully next month, one year this September, the take-or-pay will be behind us. We have paid \$736,000 of the \$1.2 million. We have been able to do this without any significant effect on our customers.

Council was also informed an in-house study is being conducted to determine Orangeburg's future growth demand as far as gas.

Water Division Projects

Fred Yandle presented to Council the following capital improvements projects for the Water Division.

Project #1 - 250,000 Gallon Storage Tank - Limestone System

| | |
|---------------------------|-----------|
| Total Project Cost: | \$390,000 |
| Estimated 1995-1996 Cost: | \$195,000 |

Continuation of a project to construct a new 250,000 gallon elevated storage tank in the Limestone Pressure System. This tank will replace the existing 50,000 gallon elevated tank which has proven to be inadequate in size. Modifications to the North Road Booster Pump Station will also be made so as to increase the pumping capacity to accommodate the larger tank.

Project #2 - Distribution System Cement Lining Rehabilitation

| | |
|---------------------------|-----------|
| Total Project Cost: | \$226,800 |
| Estimated 1995-1996 Cost: | \$226,800 |

To clean and cement line in-place 10,000 feet of non-lined cast iron water lines in the Southeast section of our water distribution system.

Project #3 - 12" Ductile Iron Water Main Extension

| | |
|---|-----------|
| <u>Along Highway 301 to Interstate 26</u> | |
| Total Project Cost: | \$396,320 |
| Estimated 1995-1996 Cost: | \$325,340 |

The installation of a 12" water main along Highway 301 North to the I-26 interchange. To provide water availability to the Brookland Plantation Home for Boys and expand our service area. Partial funding is expected from the Brookland Plantation Home for Boys.

Project #4 - 12" Ductile Iron Water Main Extension

| | |
|-------------------------------|-----------|
| <u>Along Highway 21 North</u> | |
| Total Project Cost: | \$157,612 |
| Estimated 1995-1996 Cost: | \$157,612 |

The installation of a 12" water main along Highway 21 North to the entrance of Ginger Lake Subdivision. To strengthen and enhance our distribution system, expand our service area and customer base in the Northwestern quadrant of our system.

Project #5 - 12" Ductile Iron Water Main Extension

| | |
|--|-----------|
| <u>Connecting Riverbank NW to U.S. Hwy. 178 (North Road)</u> | |
| Total Project Cost: | \$170,000 |
| Estimated 1995-1996 Cost: | \$100,000 |

The installation of a 12" water main along Riverbank Drive and Medway to connect to an existing 12" water main along the North Road. To improve our water supply capability and improve regional pressures within the town pressure zone in that quadrant. Also, to strengthen our distribution system which feeds the Limestone pressure zone.

Project #6 - Installation of Optimal Corrosion Control

| | |
|---|-----------|
| <u>Treatment at the Water Treatment Plant</u> | |
| Total Project Cost: | \$500,000 |
| Estimated 1995-1996 Cost: | \$500,000 |

To comply with EPA's Lead and Cooper Rule for providing optimal corrosion control treatment. Such treatment will further reduce iron corrosion within our distribution system as well as decrease the overall lead and cooper concentrations, which are already below current standards.

Project #7 - 8" Water Main Extension Along Highway 21

| | |
|-----------------------------------|-----------|
| <u>To the Town of Branchville</u> | |
| Total Project Cost: | \$341,000 |
| Estimated 1995-1996 Cost: | \$139,500 |

The installation of an 8" water main from Rowesville to Branchville. The purpose of which is to make available to the Town of Branchville water from DPU on a wholesale contract basis.

Wastewater Division Projects

Adrian Williams presented to Council the following capital improvement projects for the Wastewater Division.

Project #1 - Whitford Stage Creek, Phase II

| | |
|---------------------------|-----------|
| Total Project Cost: | \$700,842 |
| Estimated 1995-1996 Cost: | \$700,842 |

The construction of 11,850 linear feet of 15" gravity sanitary sewer mains from Highway 33 to Hutto Road.

Project #2 - Sludge Dryer at Wastewater Plant

| | |
|---------------------------|-----------|
| Total Project Cost: | \$570,000 |
| Estimated 1995-1996 Cost: | \$230,000 |

The elimination of infiltration and inflow in the wastewater collection system.

Project #3 - Sludge Dryer at Wastewater Plant

| | |
|---------------------------|-------------|
| Total Project Cost: | \$3,000,000 |
| Estimated 1995-1996 Cost: | \$1,900,000 |

Continuation of a project to construct a sludge dryer at the Wastewater Plant.

Project #4 - Cleaning Rights-of-Way

Total Project Cost: \$200,000
Estimated 1995-1996 Cost: \$ 50,000

895

Third year of a four year project to clear existing sanitary sewer easements that have become overgrown.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to accept the first reading of an Ordinance to adopt the 1995-1996 Annual Budget for the Department of Public Utilities. Council voted 5-0 to approve the Budget on 1st Reading.

There being no further business, the meeting was adjourned.



Respectfully submitted,

Becky A. Austin

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

CITY COUNCIL MINUTES
SEPTEMBER 5, 1995

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 5, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was give by Mayor Pro Tem Keitt.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
W. Everette Salley

ABSENT:

Joyce W. Rheney

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the August 15, 1995, City Council Minutes as amended. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the August 29, 1995, Special City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham recognized PSO Amy C. Tripp, who was the recipient of the J.P. Strom Award and the Director's Physical Fitness Award from the SC Criminal Justice Academy, Basic Class 315. Mayor Cheatham also gave recognition to PSO Deborah Byrd, who also graduated from the 315 Class.

Mayor Cheatham recognized Carroll W. Joye, Airport Manager, who was named the SC Flight Instructor of the Year.

Mayor Cheatham proclaimed September 22, 1995, as Miss South Carolina Day. Miss Latika Shawana Warthaw will be crowned the fifty-eight queen of South Carolina State University. Miss Warthaw shall accept the crown from her sister, the reigning Miss South Carolina State University 1994-95, Miss Larcia Shanetta Warthaw. This is unprecedented in the history of SCSU. Never has a sister accepted the crown from her sister.

An invocation was given by Reverend Tucker of the Garden of Prayer Church.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance providing for the salary of the Mayor and Members of Council for the City of Orangeburg, SC. This was a 4-1 vote. Councilmember Salley opposed this motion. The salaries for the Mayor and Councilmembers would increase by \$25.00 per month. The annual salary for the Mayor would be \$5,700 and Councilmembers would receive \$4,500.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC, for the Fiscal year ending September 30, 1996. This motion was unanimously approved. The proposed budget for FY 1995-96 is \$10,485,254 including Hillcrest Pro Shop, Golf Course and the Airport Fund.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance amending the Budget for the City of Orangeburg for the Fiscal year beginning October 1, 1994, and ending September 30, 1995. (See Attachment)

City Administrator Yow updated Council on the request from DORA in which a two-hour parking limit would be enforced in the central business district. City Administrator Yow stated the City would use the downtown officer and possibly a community oriented policing officer as well as the animal control officer and the Silver patrol to enforce a two-hour parking limit. Mayor Cheatham stated that DORA needs to encourage merchants to meet with their employees and ask that, in order to give citizens a chance to come downtown and shop, they should not park in the two-hour spaces. He suggested that to ensure only true violators are ticketed, officers identify vehicles by license tags. Councilmember Haire stated that license tag records could be time consuming for the officers. City Administrator Yow recommended that if First Reading on an Ordinance was passed that DORA should review the Ordinance before either the second reading or final reading.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve First Reading of an Ordinance to amend the City of Orangeburg's Code of Ordinances regarding parking time limit. This motion was unanimously approved.

Assistant City Administrator, Robert Hemphill, gave Council an update on additional housing units for rehabilitation under CDBG. The City was awarded a \$500,000 CDBG for housing rehabilitation in 1994. Lower Savannah Council of Governments and the City of Orangeburg sponsored a pre-bid conference on the initial six (6) houses of twenty (20) being presented. The average per house with in the grant was estimated at \$19,500. This figure was made up of \$15,000 allowance for rehabilitation costs plus a \$4,500 per house lead based paint abatement cost. Within this grant is a relocation allowance of \$2,100 per house which brings the total average house to \$21,600. He asked Council for approval for the rehabilitation of (3) three additional homes which remains in the first group of six that were presented.

- (1) 521 Riggs Street (\$27,344)
Amended to \$24,339--Award contract to Marion Black
- (2) 351 Cemetery Street (\$33,482)
Amended to \$23,620--Award contract to John Ancrum
- (3) 424 Sunnyside (\$24,202)
To be reduced by change order--Award contract to John Ancrum

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the bids for rehabilitation of (3) three houses in CDBG Program. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities for the Fiscal year beginning October 1, 1995, and ending September 30, 1996.

Mayor Cheatham announced that DPU has been awarded a \$53,300 grant from the State Budget and Control Board to assist in improving City sewer on Highway 33 and the Brookdale Subdivision.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for legal matters concerning the Public Works Department and the Orangeburg Municipal Airport.

There being no further business, the meeting was adjourned.

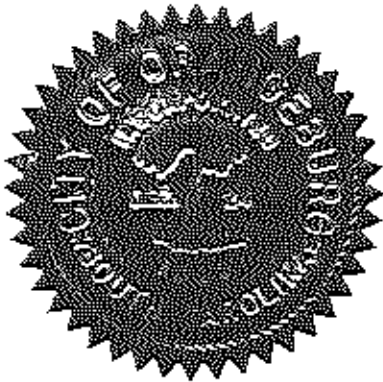
The meeting was called back into order and a motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to authorize City Administrator Yow to negotiate and execute a lease arrangement for Belk Hudson of Orangeburg Hangar at the Municipal Airport.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



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BUDGET ADJUSTMENTS FOR FISCAL YEAR 1994-95

| ADJUSTMENT | BUDGET AMOUNT | YEAR-END BUDGET PROJECTIONS | DIFFERENCE |
|--|------------------|-----------------------------------|------------|
| General Fund Revenues | \$7,943,782 | \$8,166,545 | \$222,763 |
| General Fund Expenditures | \$7,943,782 | \$7,942,196 | \$ 1,586 |
| Airport Fund Revenues | \$ 786,614 | \$ 635,784 | \$150,830 |
| Expenses | \$ 786,614 | \$ 635,784 | \$150,830 |
| Hillcrest Pro Shop Fund Revenues | \$ 127,750 | \$ 118,637 | \$ 9,113 |
| Expenses | \$ 127,750 | \$ 118,637 | \$ 9,113 |
| Hillcrest Golf Course Fund Revenues | \$ 470,070 | \$ 470,604 | \$ 534 |
| Expenses | \$ 470,070 | \$ 470,604 | \$ 534 |

CITY COUNCIL MINUTES
SEPTEMBER 19, 1995

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 19, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Jimmy Montgomery with the Wesley Foundation.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the September 5, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance amending the Budget for the City of Orangeburg for the Fiscal Year beginning October 1, 1994, and ending September 30, 1995. This motion was unanimously approved. (See Attachment)

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to amend the City of Orangeburg's Code of Ordinances regarding parking time limit. This motion was unanimously approved.

Council set up a Special City Council meeting for September 27, 1995, at 12:30 P.M., to discuss the execution of the grant and contracts on the Runway 17/35 Wetlands Mitigation Project. Also, the newly elected Councilmember, Paul A. Miller, will be sworn in.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to start investigating the steps to establish a Historical Commission and possibly establishing historical designated areas or districts in the City. This motion was unanimously approved.

Public Works Director, Reese Earley, gave Council an update on the Wetland Mitigation-Phase I Project. Approximately 27.90 acres of wetlands will be impacted by the new runway/taxiway construction. The creation of wetlands is planned as partial compensation for wetlands impacted by the construction of the proposed Runway 17/35 and will be constructed during the Wetland Mitigation-Phase I Project. During this project, an onsite former borrow site located between the wetlands proposed to be filled and the North Fork Edisto River floodplain, would be converted into wetlands. The borrow site consists of previous uplands that were excavated for sand and gravel deposits. Most of the site now consists of irregular topography covered with moderate vegetation. During the Wetland Mitigation-Phase I Project the former borrow pit will be cleared and grubbed except for isolated areas and designated areas of existing wetlands will be cleared and grubbed. The borrow pit will then be graded to the designed elevations and capped with a layer of topsoil stripped from the existing wetlands areas. Upon completion of all topsoiling both the borrow pit (mitigation site) and the existing wetland will be seeded and mulched. Wetland plant species will then be planted in the mitigation site. He told Council that he reviewed all of the bids for accuracy and responsiveness and have determined that Malphrus Construction Company, Inc., of Hilton Head Island, SC, is the low bidder for the Base bid only (\$497,600.00) and for the Base Plus Additive Bid (\$576,925.70). Malphrus Construction Company, Inc., Bidder's Qualifications Questionnaire indicates that they have performed similar type grading work in the past and no information was provided indicating financial or mobilization difficulties.

CITY COUNCIL MINUTES
PAGE 2
SEPTEMBER 19, 1995

Therefore, he recommend that Malphrus Construction Company, Inc. be awarded either the Base Bid or Base Bid Plus Additive Bid, depending upon available Federal Aviation Administration funding.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to authorize the submittal of an FAA and State application for 90% and 5% funding, respectively for the Wetland Mitigation Project-Phase I and that the Mayor be authorized to execute the applications. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to include in the City's fire district a portion of West Middle Volunteer Fire Department service area. This will become effective when the telephone company places these customers in the City 911 data base. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt to approve the Third Reading of an Ordinance to adopt a budget for the operation of the Department of Public Utilities for the fiscal year beginning October 1, 1995, and ending September 30, 1996. This motion was unanimously approved.

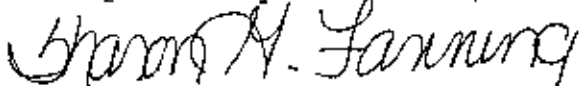
A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve a Resolution authorizing and directing the Manager of the Department of Public Utilities to refund to its existing electric customers in 12 monthly installments of \$629,420.75 refunded by SCE&G because of over-billing in accordance with FERC order EL 94-39. This motion was unanimously approved.

Council discussed a contribution request from the Family Y.M.C.A. Founder's Campaign. This was tabled until the next Council meeting.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a contractual matter pertaining to the Executive Department. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/r



BUDGET ADJUSTMENTS FOR FISCAL YEAR 1994-95

| ADJUSTMENT | BUDGET AMOUNT | YEAR-END BUDGET PROJECTIONS | DIFFERENCE |
|--|------------------|-----------------------------------|------------|
| General Fund Revenues | \$7,943,782 | \$8,166,545 | \$222,763 |
| General Fund Expenditures | \$7,943,782 | \$7,942,196 | \$ 1,586 |
| Airport Fund Revenues | \$ 786,614 | \$ 635,784 | \$150,830 |
| Expenses | \$ 786,614 | \$ 635,784 | \$150,830 |
| Hillcrest Pro Shop Fund Revenues | \$ 127,750 | \$ 118,637 | \$ 9,113 |
| Expenses | \$ 127,750 | \$ 118,637 | \$ 9,113 |
| Hillcrest Golf Course Fund Revenues | \$ 470,070 | \$ 470,604 | \$ 534 |
| Expenses | \$ 470,070 | \$ 470,604 | \$ 534 |

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:

WHEREAS, The Federal Energy Regulatory Commission through Order Number EL94-39 dated August 2, 1994, ordered South Carolina Electric & Gas Company because of an overcharge in its wholesale electric rates to refund the Department of Public Utilities \$789,776.17; and

WHEREAS, \$629,420.75 of the refund was principle and \$160,355.42 was interest; and

WHEREAS, the U.S. Court of Appeals for the 4th Circuit upheld the FERC order on July 13, 1995; and

WHEREAS, the Mayor and Council have deemed it appropriate to refund the principal to its existing electric customers and invest the interest in improvements to its electric system.

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities be authorized and he is hereby directed to refund to electric customers of the Department of Public Utilities \$629,420.75 in twelve (12) monthly installments.

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina, this 19th day of September, 1995.



Mark C. Boatwright
Mayor

James S. Hair
Wanda F. Knotts

[Signature]
[Signature]
[Signature]

Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

CITY COUNCIL MINUTES
SEPTEMBER 27, 1995

Orangeburg City Council held a Special City Council Meeting on Wednesday, September 27, 1995, at 12:30 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

ABSENT:

Bernard Haire

Orangeburg City Council held a swearing in ceremony for the newly elected Councilmember, Paul A. Miller, who represents District #3. Mr. Miller was accompanied by his wife, Bobbi. The Oath of Office was administered by James F. Walsh, City Attorney.

Public Works Director, B. Reese Earley, presented a Federal Aviation Administration (FAA) Grant offer in the amount of \$548,909, which is 90% funding of a portion of the Wetland Mitigation--Phase 1 Project for construction of a new runway at the Orangeburg Municipal Airport. Public Works Director Earley explained the wetlands Project was divided into two parts, base and additive, and FAA had only funded 90% of the base part. He added, hopefully, the additive part would be funded within 180 days from September 14, 1995, a period the bid amounts would be held valid by contractor, Malphrus Construction Company. Public Works Director Earley also presented the construction contract and recommended Council authorize the City Administrator to execute the FAA grant agreement and construction contract upon review by City Administrator and City Attorney.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, accepting the FAA grant offer of \$548,909 or 90% funding of the base part of the Wetlands Mitigation-Phase 1 Project and the execution of the construction contract upon review by City Administrator and City Attorney. The City Administrator would be authorized to execute the FAA grant agreement and construction contract. This motion was unanimously approved.

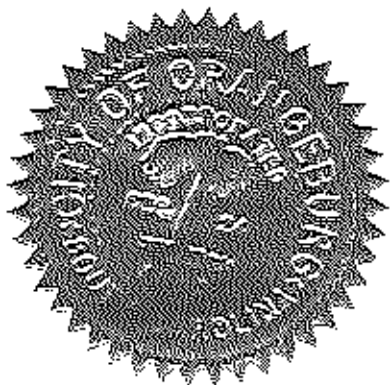
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
OCTOBER 3, 1995

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 3, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Salley.

PRESENT:

Martin C. Cheatham, Mayor
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

Orangeburg City Council held a swearing in ceremony for the re-elected Councilmembers, Bernard Haire, District # 4, Sandra P. Knotts, District #6 and Dr. W. Everette Salley, District #2. The oath of office was administered by James F. Walsh, City Attorney.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney to approve the September 19, 1995, City Council Minutes as amended. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Knotts, to approve the September 27, 1995, Special City Council Minutes. This motion was unanimously approved. This was a 6-0 vote. Councilmember Haire abstained from voting.

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 Code of Ordinances regarding parking time limit. This motion was unanimously approved. City Administrator Yow told Council that in order to construct signs and inform downtown merchants that it would be thirty (30) to forty-five (45) days before the Ordinance is enforced.

Council held a discussion on municipal election dates whether or not to change its September election date to the uniform November date. City Administrator Yow told Council that at the April 18, 1995, meeting Council had it on the agenda prompted by a memo from the Municipal Association of South Carolina. At that time Council postponed this item and asked that it be brought back after the September election. It has been recommended by the MASC to uniformly go to the November election date to simplify the procedure and increase voter participation. Mayor Cheatham stated he would like to study and think about it. He estimated savings of \$2,200 each election. Councilmember Haire stated that ballots and poll workers would still have to be provided, he questioned how the City was going to save? He also asked if the County was going to assume the costs of the elections. City Administrator Yow was directed to research election costs for the next meeting.

Mayor Cheatham told Council that the Mayor Pro Tem would be elected at the next Council meeting as per state law.

Mayor Cheatham presented Julius C. "Freddie" Frederick, Sr., an employee of the Public Works Department, with a Resolution of appreciation of his devotion of duty to the City for thirty-eight years, ten months and twenty-two days. He retired on August 8, 1995. Mr. Frederick's wife, Estelle, was present at this event.

Department of Public Utilities Manager, Fred Boatwright, asked Council for their authorization to enter into a contract for right-of way clearing for DPU, SCE&G Santee Cooper Powerlines at the

CITY COUNCIL MEETING
OCTOBER 3, 1995
PAGE 2

Orangeburg Municipal Airport. The low bid was submitted by Bob Hammond Construction Company in the amount of \$73,400. Two Federal Aviation Administration grants totaling \$64,000, will clear some 27.7 acres to relocate powerlines for the new runway. Not covered by the grant will be some DPU powerlines that are not on airport property.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the authorization to enter into contract for right-of-way clearing for DPU and SCE&G Santee Cooper Powerlines at Orangeburg Municipal Airport and Manager Fred Boatwright be authorized to sign the contract. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller to enter into an Executive Session for a legal matter concerning the Parks and Recreation Department and a contractual matter concerning the Executive Department. This motion was unanimously approved.

Council entered into open session. A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to accept an offer for \$67,500 on the Aiken property and to pay expenses and related closing costs. This motion was unanimously approved.

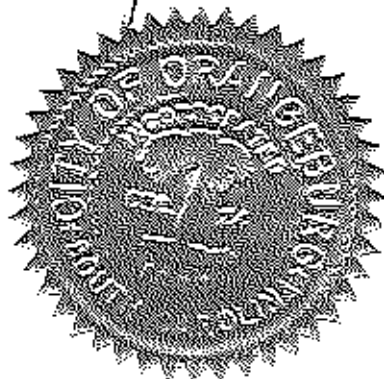
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



CITY COUNCIL MINUTES
OCTOBER 18, 1995

Orangeburg City Council held its regularly scheduled meeting on Wednesday, October 18, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Knotts.

PRESENT:

Martin C. Cheatham
Bernard Haire
Sandra P. Knotts
L. Zimmerman Keitt
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Councilmember Rheney, seconded by Councilmember Keitt, to approve the October 3, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham opened the floor for nominations for Mayor Pro Tem. Councilmember Rheney nominated Councilmember Salley for Mayor Pro Tem but added that Councilmember Keitt had done an outstanding job as Mayor Pro Tem. Councilmember Miller seconded this nomination. Councilmember Haire nominated Councilmember Keitt for Mayor Pro Tem. Councilmember Haire stated "that Mayor Pro Tem Keitt had done an excellent job as Mayor Pro Tem and I would like to see diversity maintained." A motion was made by Councilmember Haire, seconded by Councilmember Knotts to reelect Councilmember Keitt as Mayor Pro Tem. This was a 4-3 vote, with Keitt, Haire, Knotts and Cheatham voting for this motion. Councilmembers Rheney, Salley and Miller opposed this motion. Councilmember Rheney then asked that the vote be made unanimous. This was approved, 7-0.

City Council discussed changing the date for the municipal election. The MASC urged municipalities to adopt a uniform date-- November in odd years for Orangeburg County as a way to improve voter turnout and simplify the process. Council first delayed action on the request, which was presented in April, 1995, until after the September, 1995, election. An analysis of cost savings was done. The estimated total of \$552 in savings, includes \$33 saved in advertising costs and \$207 saved in supplies for election boxes and \$250 saved in labor. Mr. Earl Whalen, Orangeburg County's Director of Voter Registration and Elections, stated the office supplies that the County had been furnishing free would cost the City \$207. Councilmember Salley described it as "You come with me or pay for your own."

Councilmember Haire stated that the likelihood of more inclement weather in November would also hurt voter turnout. He stated "I don't see any reason to change. They're trying to get us all in the same mind set. We talk about diverse views and its an attempt to make clones out of people. I hope we won't be stampeded into going along." Councilmember Rheney stated that if the date was moved to November that turnout would improve. She stated "I don't like apathy and in South Carolina our weather is not that bad."

Councilmember Salley stated his opposition to moving the election date. He stated "In Orangeburg, we're special. The people who come to vote now come because they're interested in the City of Orangeburg."

Councilmember Haire stated he heard "People in official capacities talk about time wasted", that in a democracy people have the right to vote or not. He stated it is out of place for election officials to comment on the process by which City candidates file. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, that the September election date not be changed. This was a 6-1 vote. Councilmember Rheney opposed this motion.

R E S O L U T I O N

WHEREAS, Julius Clay "Freddie" Frederick, Sr., faithfully served the City of Orangeburg Department of Public Works for thirty-eight years, ten months, and twenty-two days with a retirement date of August 8, 1995; and

WHEREAS, he, through his long and faithful service, contributed greatly to the successful operation of the Department of Public Works; 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 Works in the capacities in which he served the Department for thirty-eight years, ten months and twenty-two days and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for his devotion of duty to the City of Orangeburg, be placed in the Minute Book of the City and a copy furnished to Mr. Frederick in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 3rd day of October, 1995.



Mark A. Chapman

MAYOR

Sandra P. Knotts

L. Jimman

James A. ...

W. ...

Paul A. Miller

Edward Haire

MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning

CITY CLERK

OATH

"As Councilmember of the municipality of the City of Orangeburg, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect according to the law the purposes for which I have been elected. So help me God."

I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States. So help me God.

Augustine
Councilmember
9-27-95
Date

Sworn before me this 27th day
of September, 1995.

Paulette F. Rush
Notary Public

PAULETTE F. RUSH
Notary Public for South Carolina
~~My Commission Expires August 24, 1997~~
My Commission Expires

OATH

"As Councilmember of the municipality of the City of Orangeburg, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect according to the law the purposes for which I have been elected. So help me God."

I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States. So help me God.

Benjamin Haire
Councilmember
Oct. 3, 1995
Date

Sworn before me this 3rd day
of October, 1995.

Paulette L. Rush
Notary Public
PAULETTE L. RUSH
Notary Public for South Carolina
My Commission expires August 25, 1997

My Commission Expires

OATH

"As Councilmember of the municipality of the City of Orangeburg, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect according to the law the purposes for which I have been elected. So help me God."

I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States. So help me God.

Sandra P. Knotts
Councilmember
October 3, 1995
Date

Sworn before me this 3rd day
of October, 1995.

Paulette L. Rush
Notary Public

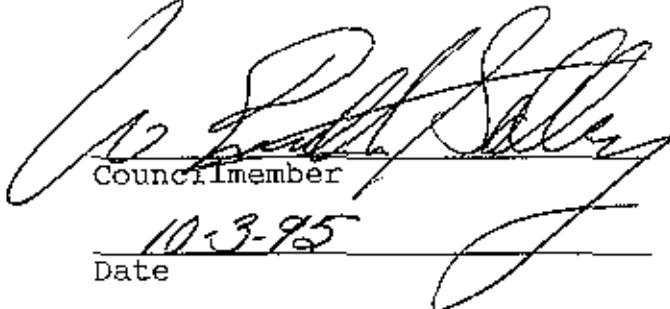
PAULETTE L. RUSH
Notary Public for South Carolina
My Commission Expires August 26, 1997

My Commission Expires

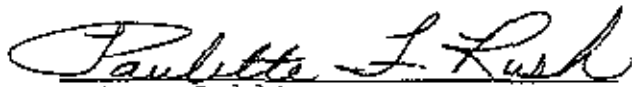
OATH

"As Councilmember of the municipality of the City of Orangeburg, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect according to the law the purposes for which I have been elected. So help me God."

I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States. So help me God.


Councilmember
10-3-95
Date

Sworn before me this 3rd day
of October, 1995.


Notary Public

PAULETTE F. RUSH
Notary Public for South Carolina
My Commission expires August 23, 1997

My Commission Expires

CITY COUNCIL MINUTES
PAGE 2
OCTOBER 18, 1995

Department of Public Safety Director, Wendell Davis, presented to Council a Careless Vehicle Operation Ordinance. He stated this new law would give City officers more options in the enforcement of traffic violations. Instead of being restricted to state statues the change would add flexibility. City Attorney Walsh stated that the law was a "negotiating tool" that is somewhere between a warning and a point violation. Those convicted do not receive points which adversely affect their insurance rates on the first offense.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney to approve the First Reading of an Ordinance on Careless Vehicle Operation. This motion was unanimously approved.

Any action on a Resolution on the Comprehensive Plan will be brought back to Council at a later a time.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to amend the Code of Laws, City of Orangeburg, South Carolina, Section 24-14.9--24-14.15 as it regards the Zoning Board of Adjustments. This motion was unanimously approved.

City Administrator Yow presented to Council an Ordinance to amend the City's Code of Ordinances particularly pertaining to the Planning Commission to be in compliance with the 1994 Local Government Comprehensive Planning Enabling Act. Councilmember Salley stated that the language that calls for the County Administrator to be a member of the City Planning Commission, as well as a section allowing the Commission to appoint employees or staff needs to be deleted. He also stated that the Ordinance needs to state where the original public records are kept. These records will be maintained in the City Clerk's office.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to amend the Code of Laws, City of Orangeburg, SC, Section 2-10.1, as it regards to the Planning Commission. This motion was unanimously approved.

Discussion on the Amendment to an Ordinance for Delinquent Tax Collection was delayed until next Council meeting.

Department of Public Utilities brought no utility matters before Council.

Councilmember Salley asked about the clean-up status of the property at the corner of Amelia and Middleton Street (old Masonic building). City Administrator Yow stated that it was his understanding that a citation had been issued over delayed clean-up.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a legal matter on request to transfer cable franchise. 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 7, 1995

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 7, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Tim Brown, pastor of Beauty Hill Baptist Church.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

Mayor Cheatham thanked Council and others for their concerns while he was hospitalized at The Regional Medical Center.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the October 18, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham announced that the Christmas Tree Lighting ceremony will be on Monday, November 20, 1995, at 6:00 P.M., and the lighting of the Children's Garden Christmas at the Edisto Memorial Gardens would be at 6:45 P.M. Retired merchants from downtown will be assisting at the lightings. Mr. R. Sumpter and Mary B. Williams will perform the lighting downtown and Thomas "Sonny" and Pat Williams will perform the lighting in the Gardens.

Mr. Jim Headley, Executive Director of the South Carolina Recreation and Park Association, was recognized and presented an award to Mayor Cheatham on behalf of the City of Orangeburg. Mr. Headley recognized Parks and Recreation for their Master Tree Planting Project, Welcome Sign Project, Children's Garden Christmas and the Edisto Senior Games. He presented the Mayor with an award for Parks and Recreation Agency of the year, Category II.

Mrs. Becky Gramling, Treasurer of the Pilot Club, presented Mayor Cheatham with a \$5000 check for the Garden for the Blind.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance on Careless Vehicle Operation. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Section 24-14.9—24-14.15 as it regards the Zoning Board of Adjustments. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Section 2-10.1, as it regards the Planning Commission. This motion was unanimously approved.

An update on the City's Recycling Program was given by Mr. B. Reese Earley, Public Works Director. The start date for the curbside recycling will be November 16th for the pilot route, (1500 locations will be given recycling bins). The equipment was purchased through a recycling grant and the City has asked for reimbursement. Mr. Earley stated that items to be recycled are plastics, aluminum, cans, newspapers, and glass and that the City has entered into an agreement with Paperstock Dealers for the recyclable items. Mr. Earley also stated that handicapped service will continue. Councilmember Miller questioned if recycling was mandatory and Public Works Director stated that it was not

mandatory. Councilmember Haire questioned as to whether the pilot route was properly notified. Mr. Earley stated that handouts were given to all on the route and only those with roll carts will be given blue recycling bins. Also, informational materials will be placed in the recycling bins.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Chapter VI, Section 6-1.1--6-1.14 and 6-2.1--6-2.11 pertaining to Delinquent Tax Collection. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to approve a Resolution creating Forfeited Land Commission. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Chapter XVIII, Section 18-4.2 to raise fire contract rates by 10%. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to amend Section 6-2.5, storing, parking or leaving dismantled or other such vehicle, inoperative machinery or equipment prohibited; and declared nuisance; exceptions, of the 1990 Code of Ordinances for the City of Orangeburg, South Carolina. This was a 6-0 vote, with Councilmember Haire abstaining.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve a request from Russell Street Jewelry and Pawn Shop for a business license. This motion was unanimously approved.

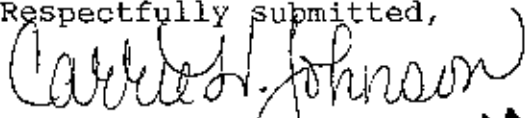
There were no matters pertaining to the Department of Public Utilities.

City Administrator Yow requested a Special City Council meeting for Tuesday, November 14, 1995, at 12:15 P.M. for the purpose of second and third readings on previously read Ordinances. This was agreeable with Council.

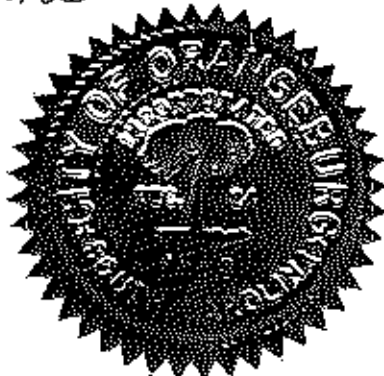
Mayor Cheatham announced a Proclamation concerning National Bible Week and that the City would support this.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
Revenue Collector



CITY COUNCIL MINUTES
NOVEMBER 14, 1995
12:15 P.M.

Orangeburg City Council held a special meeting on November 14, 1995, at 12:15 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Sandra P. Knotts
L. Zimmerman Keitt
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

ABSENT:

Bernard Haire

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance on Careless Vehicle Operation. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Chapter VI, Section 6-1.1--6-1.14 and 6-2.1--6-2.11 pertaining to Delinquent Tax Collection. 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



Resolution .

A RESOLUTION TO CREATE THE
CITY OF ORANGEBURG FORFEITED LAND COMMISSION

WHEREAS, the City of Orangeburg intends to issue tax executions for delinquent taxes and assessments due the City and to conduct delinquent tax sales as authorized by ordinance and statute, and

WHEREAS, pursuant to §12-59-130 of the 1976 Code of Laws for the State of South Carolina the City is authorized to create a forfeited land commission for the above purposes,

NOW, THEREFORE, BE IT RESOLVED by Council duly assembled that there is hereby created the City of Orangeburg Forfeited Land Commission whose members shall consist of the City Administrator and the City Clerk and Treasurer.

BE IT FURTHER RESOLVED that said commission shall have the same duties and authorities of a county forfeited land commission created under Chapter 59, Article 1 of the 1976 Code of Laws for the State of South Carolina.

RESOLVED by City Council duly assembled this 7th day of November, 1995.



Michael C. Cheatham
Mayor

James Haire
Donna R. Farris
L. J. ...
James ...
...
Members of Council

ATTEST Sharon N. Lanning
City Clerk

CITY COUNCIL MINUTES
NOVEMBER 21, 1995

909

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 21, 1995, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Dora Gafford of St. Paul's Methodist Church.

PRESENT:

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

ABSENT:

Sandra P. Knotts

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the November 7, 1995, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the November 14, 1995, Special City Council Minutes as distributed. This was a 5-0 vote. Councilmember Haire abstained from voting. He was absent at the November 14, 1995, Special City Council meeting.

Miss Amy Hawkins, the 1996 South Carolina Queen of Roses, was introduced to Council. She stated that her platform will be cardiovascular fitness.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Section 24-14.9--24-14.15 as it regards the Zoning Board of Adjustments. This motion was unanimously approved. This Ordinance changes the name of the Zoning Board of Adjustments to the Board of Zoning Appeals.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Section 2-10.1, as it regards the Planning Commission. This Ordinance reestablished the Planning Commission to be in compliance with the 1994 Local Government Comprehensive Planning Enabling Act.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Chapter VI, Section 6-1.1--6-1.14 and 6-2.1--6-2.11 pertaining to Delinquent Tax Collection. This motion was unanimously approved. This Ordinance specifies the process for the City to collect its own delinquent taxes and brought the existing Ordinance back in compliance with state law.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Chapter XVIII, Section 18-4.2 to change fire service contract rates. This motion was unanimously approved. This Ordinance provides a 10% rate increase in fire service contract rates.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to amend Section 6-2.5, storing, parking or leaving dismantled or other such vehicle, inoperative machinery or equipment prohibited; and declared nuisance; exceptions, of the 1990 Code of Ordinances for

the City of Orangeburg, South Carolina. This was a 5-0 vote. Councilmember Haire abstained from voting. This Ordinance strengthens the existing laws on dismantled vehicles and inoperative machinery. Such vehicles and machinery may be left, if they are not visible and do not promote health hazards or unless violative of Section 22-6.1 of the City Code of Ordinances.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to pass a Resolution for assignment of Cable Television Franchise from Jones Cable Income Fund 1-B, Ltd. to Jones Cable Holdings, Inc., to Time Warner Entertainment Advance/Newhouse Partnership and to authorize City Administrator Yow to sign any necessary documents. This motion was unanimously approved. Mayor Cheatham expressed his concern that payments were being mailed to Columbia. He stated that it may be good management but he felt the company ought to keep the money in Orangeburg and transfer it out at a later date. Jones Intercable Manager, Terry Roberson, stated that 42% of his customers pay at the local Orangeburg office.

A motion was made by Councilmember Haire, seconded by Councilmember Salley, to approve the First Reading of Ordinance to sell real property in Aiken, South Carolina. This motion was unanimously approved. City Administrator Yow told Council that if the loan is approved there must be three readings, of said Ordinance, to sell real property.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to accept the recommendations of the Accommodations Tax Advisory Committee. This motion was unanimously approved. The total requested is \$26,125.00 and the following have been recommended:

1. It is recommended that the City of Orangeburg designate the Orangeburg County Chamber of Commerce as its lead agency.
2. It is recommended to fund the following entities in the amount stated:
 - a. South Carolina Philharmonic Symphony Orchestra and South Carolina State University Funds requested from the concert series \$750.00.
 - b. South Carolina State University funds requested for billboards, \$2,500.00.
 - c. The Orangeburg County Economic Development Partnership Funds requested for the promotion of Orangeburg in a magazine--\$2,500.00.
 - d. The City of Orangeburg Parks and Recreation Department requested funds for billboards, rack cards and a Children's Garden Christmas display--\$9,875.00.
 - e. The Orangeburg County Chamber of Commerce requested funds for the visitor's guide, travel shows and conferences, public relations and billboards--\$7,500.00.
 - f. The Arts Council of Orangeburg County requested funds for Rose Festival performers, matching funds for a brochure promoting the Nature Trail and Horne Wetlands Park in the Gardens and the production of a brochure for the Nature Trail and Horne Wetlands Park--\$3,000.00.

R E S O L U T I O N

WHEREAS, James W. Johnson, faithfully served the City of Orangeburg Department of Public Safety for twenty-three years, two months, and seventeen days with a retirement date of October 31, 1995; 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 twenty-three years, two months and seventeen days and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for his devotion of duty to the City of Orangeburg, be placed in the Minute Book of the City and a copy furnished to Mr. Johnson in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 21st day of November, 1995.



Mark C. Chapman
MAYOR

James W. Johnson
James W. Johnson
James W. Johnson
James W. Johnson
James W. Johnson
James W. Johnson
James W. Johnson
MEMBERS OF COUNCIL

ATTEST:
Sharon M. Lanning
CITY CLERK

Resolution

A RESOLUTION PROVIDING FOR THE TRANSFER AND
ASSIGNMENT OF THE CABLE TELEVISION FRANCHISE
DATED MAY 5, 1995, BETWEEN THE CITY OF ORANGEBURG
AND JONES CABLE INCOME FUND 1-B, LTD.,
D/B/A JONES INTERCABLE

WHEREAS, the City of Orangeburg, South Carolina (the "City") has granted to Jones Cable Income Fund 1-B, Ltd., a Colorado limited partnership (the "Fund"), a franchise to operate a cable television system via a Franchise Agreement, dated May 4, 1995 (the "Franchise");

WHEREAS, the City has been informed by the Fund that the Fund has agreed to sell to Jones Intercable, Inc. ("Jones"), as assigned to its wholly-owned subsidiary, Jones Cable Holdings, Inc. ("JCH"), all of the assets of its cable television system serving the City (the "System"), including its rights under the Franchise, pursuant to a Purchase and Sale Agreement (the "Purchase Agreement");

WHEREAS, Jones is the general partner of the Fund;

WHEREAS, JCH and the Fund have filed a Form 394 with the City relating to the transfer of the Franchise from the Fund to JCH;

WHEREAS, the City has been informed by the Fund that in a separate transaction, Jones, as assigned to JCH, has negotiated an Asset Exchange Agreement (the "Exchange Agreement") with Time Warner Entertainment-Advance/Newhouse Partnership, a New York general partnership ("TWEAN"), pursuant to which JCH will convey to TWEAN substantially all of the assets of the System, including its rights under the Franchise;

WHEREAS, the parties have filed a Form 394 with the City relating to the transfer of the Franchise to TWEAN; and

WHEREAS, the Franchise requires the City's consent to any transfer or assignment of the Franchise;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA:

Assignment by the Fund to JCH

1. The City authorizes and consents to the assignment and transfer by the Fund of the Franchise to JCH and the assumption by JCH of the obligations of the Fund under the Franchise that relate to periods from and after the date of closing of the Purchase Agreement.

2. The foregoing consent to the assignment and transfer of the Franchise shall be effective upon the closing of the sale of the System by the Fund to JCH and the assumption by JCH of all conditions, obligations and limitations contained in the Franchise, including without limitation the obligation to indemnify the City thereunder and the obligation to pay transfer fees as contained in ¶8.7 thereof. Written notice of such closing date and assumption shall be given to the City.

Assignment by JCH to TWEAN

1. Subject to the consummation of the sale of the System and the assignment

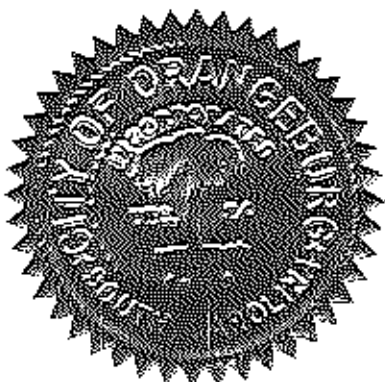
of the Franchise from the Fund to JCH, the City authorizes and consents to the subsequent assignment and transfer by JCH of the Franchise to TWEAN and the assumption by TWEAN of the obligations of JCH under the Franchise that relate to periods from and after the date of closing of the Exchange Agreement, provided that said subsequent assignment and transfer occurs within one (1) year from the date hereof.

2. The foregoing consent to the assignment and transfer of the Franchise shall be effective upon the closing of the sale of the System by JCH to TWEAN and the assumption by TWEAN of all conditions, obligations and limitations contained in the Franchise, including without limitation the obligation to indemnify the City thereunder and the obligation to pay transfer fees as contained in ¶8.7 thereof. Written notice of such closing date and assumption shall be given to the City.

3. The City confirms that: (a) the Franchise was properly granted; (b) the Franchise is currently in full force and effect and expires on May 31, 2004; (c) the Fund is recognized as the present holder and owner of the Franchise; (d) the Franchise supersedes all other agreements between the City and the Fund, excepting that certain Pole Attachment Agreement between the Department of Public Utilities of the City and Orangeburg Cable TV, Inc. dated November 21, 1967, and represents the entire understanding between the City and the Fund with respect to the System and the Fund's provision of cable television and other telecommunications services within the City; (e) the Fund is materially in compliance with the provisions of the Franchise; and (f) there exists no known fact or circumstance which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default or breach under the Franchise, or would allow the City to cancel or terminate the rights thereunder except upon the expiration of the full term thereof.

BE IT FURTHER RESOLVED, that the City of Orangeburg by consenting to said assignments and transfers does not extend or amend the terms of said Franchise, does not release either the Fund or JCH from any obligations or liabilities under said agreements existing as of the date of the respective assignments, nor waive any of its past, present, or future rights under said Franchise, under the Cable Communications Act of 1984, Cable Consumer Protection and Competition Act of 1992 or any applicable federal, state or local laws or regulations.

RESOLVED by City Council duly assembled this 21st day of November, 1995.



William C. Chapman
Mayor

James W. Shoop

W. Stebbins Sellers

Leigh Ann Hight

Frank Miller

Barbara Haise

Members of Council

ATTEST: Sharon M. Lanning
City Clerk

RESOLUTION

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

That Rate 4M (Town of Norway Wholesale Water Rate) of the Department of Public Utilities of the City of Orangeburg pertaining to Water, hereto attached, be adopted, and declared effective and in full force on November 21, 1995.

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina, this 21st day of November, 1995.



Martin C. Cheatham
Mayor

James Haire

Paul A. Miller

James J. [unclear]

James W. [unclear]

Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

R E S O L U T I O N

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

That the City of Orangeburg enter into a contract dated February 15, 1996 with the Town of Norway, South Carolina, whereby the City of Orangeburg and the Town of Norway enter into an agreement whereby the City of Orangeburg, Department of Public Utilities will provide wholesale water service to the Town of Norway beginning on or about October 1, 1996.

BE IT FURTHER RESOLVED, that his Honor Martin C. Cheatham, Mayor, be, and he is hereby 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 21st day of November, 1995.



Martin C. Cheatham
Mayor

Edward Haire

Paul A. Miller

John J. [unclear]

[unclear]

[unclear]

Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

CITY COUNCIL MINUTES
 NOVEMBER 21, 1995
 PAGE 3

Parks and Recreation Director, Buster Smith, told Council that the City applied for a P&R Development Fund Grant from the SC Department of Parks, Recreation and Tourism for the upgrading of the lighting system at Mirmow Field and the development of a butterfly garden in the Edisto Memorial Gardens. Notification has been received that the P.A.R.D. grant has been approved in the amount of \$13,250. The required local match was approved in the FY 1995-96 budget.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, that the City Administrator be authorized to sign the grant agreement accepting the grant in the amount of \$13,250 on behalf of the City. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the request from I-Deal Pawnbrokers for a business license. This motion was unanimously approved. City Administrator Yow stated there was no problem with the application. Public Safety Director Davis stated that the pawn shops in the area really work well with the Public Safety Department.

DPU Manger, Boatwright, told Council that the Town of Cope has received grants totaling \$450,000 for the extension of the DPU water system to serve the town. In addition to the \$300,000 CDBG, \$110,000 will come from the State Budget and Control Board; \$40,000 is from SCANA and DPU will provide \$132,780. The total project is \$582,780.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for contractual matter concerning DPU and the Town of Norway. This motion was unanimously approved.

Council entered into open session.

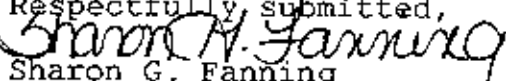
A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve a Resolution authorizing Mayor Cheatham to sign the agreement to provide wholesale water service to the Town of Norway beginning on or about October 1, 1996. This motion was unanimously approved. Councilmember Salley suggested that both Mayors and both Councils should be present for the signing.

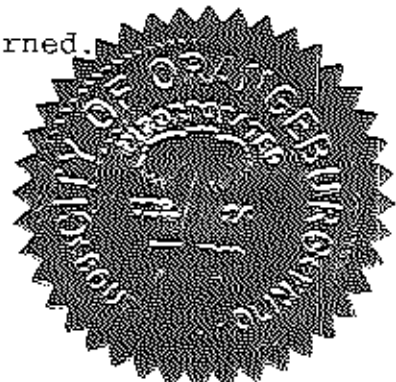
A motion was provided by Councilmember Salley, seconded by Councilmember Rheney, to approve a Resolution to adopt a new water rate 4M (Town of Norway Wholesale Water Rate) effective November 21, 1995. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a personnel matter concerning the Department of Public Utilities, Maintenance Facility, a legal matter concerning the Hillcrest Golf Course and a personnel matter concerning DPU and the Administration Department. This motion was unanimously approved.

Council entered into open session. A motion was made by Councilmember Salley, seconded by Councilmember Haire, to support the findings of the DPU's Grievance Committee. This motion was unanimously approved.

There being no further business the meeting was adjourned.

Respectfully submitted,

 Sharon G. Fanning
 City Clerk



CITY COUNCIL MINUTES
DECEMBER 5, 1995

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 5, 1995, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Reverend W.S. Walker, Jr., of Mt. Olive Baptist Church.

PRESENT:

Martin C. Cheatham
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

ABSENT:

Bernard Haire

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the November 21, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham and DPS Director Wendell Davis presented Lt. James W. Johnson, an employee of the Public Safety Department, with a Resolution of appreciation of his devotion to the City for twenty-three years, two months and seventeen days of service. Lt. Johnson retired on October 31, 1995.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to amend the Code of Ordinances of the City of Orangeburg, South Carolina, Chapter XVIII, Section 18-4.2 to change fire contract rates. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to amend Section 6-21.5, storing, parking or leaving dismantled or other such vehicle, inoperative machinery or equipment prohibited; and declared nuisance; exceptions, of the 1990 Code of Ordinances for the City of Orangeburg, South Carolina. This motion was unanimously approved.

City Administrator Yow told Council that he had received notification that the FHA loan was approved for the prospective buyer on the City's real property in Aiken, South Carolina. A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to sell real property in Aiken, South Carolina. This motion was unanimously approved.

Mayor Cheatham brought to Council's attention the recent lifting of federal guidelines on speed limits. He asked Councilmembers to study this issue over the next two weeks and be prepared to consider a position at the December 19, 1995, Council meeting. He would like City Council to consider taking a position on the matter. He stated, "His philosophy on speed is, it kills. Increasing it to 75 MPH will encourage people to go 85 MPH." He felt it needed to be discussed with our state legislators. Mayor Cheatham stated that Councilmembers are elected to protect lives and property of the citizens. He asked that Councilmembers read and gather as many statistics on the speed limit issue as possible. Councilmember Salley stated that since the highway patrol allows motorists to go an extra 10 MPH beyond the current 65 MPH limits, the state already has in effect a 75 MPH speed limit. He stated he did not have a problem with 75 MPH, but on the condition they enforce it at 75 MPH. City Administrator Yow stated he would present Council with a Resolution at the next meeting for their consideration.

Public Works Director, Reese Earley, told Council that the SC Department of Commerce, Division of Aeronautics, approved a project application and awarded \$30,495.00 for improvements (wetlands mitigation) at the Orangeburg Municipal Airport. This grant represents the state's 5% share of eligible funds, 5% local funding of \$30,495.00 and \$548,909.00 FAA funding with a total cost of \$609,899.00.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the acceptance of a state grant in the amount of \$30,495.00 for wetland mitigation associated with Runway 17/35. This motion was unanimously approved.

Public Works Director Earley recommended to Council to execute a lease agreement with Southern Music, Inc., for the rental of a hangar at the Orangeburg Municipal Airport for a period of two years with an option to renew for one additional year. Annual rental will be \$3,600.00, payable in advance each year.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance authorizing the lease of a hangar located at the Orangeburg Municipal Airport to Southern Music, Inc., for a period of two years with an option to renew for an additional one year for the storage and maintenance of said corporation's aircraft. This motion was unanimously approved.

Public Works Director Earley told Council that bids for the construction of a tee hangar at the Orangeburg Municipal Airport were opened. The low bidder is S&C Construction Company, Inc., from St. Matthews, SC at \$170,621.00 for the hangar building and \$13,200.00 for the alternate bid of 1,189 square yards of asphalt paving; the total bid being \$183,821.00. The bid of \$183,821.00 is under budget of \$215,000.00 and under the next bidder at \$208,850.00. S&C Construction Company, Inc. was requested to price out a 14,850 square foot hangar which is preferable due to the larger bay openings of 45.0 feet. The large openings are capable of receiving light twin engine aircraft which will produce more rent than a single engine airplane. S&C Construction Company, Inc. applied the price per square foot of the smaller hangar or \$12.54 to the additional 1,242 square footage of the larger hangar to produce the cost of the \$12.54 x 14,850 square feet. The asphalt price of \$13,200.00 did not change. He recommended that Council approve the low bid of \$199,419.00 for the hangar construction and give authorization to execute the construction contract.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to award the construction contract to S&C Construction Company, Inc. at a low bid price of \$199,419.00 for the tee hangar construction and authorized City Administrator Yow to sign the agreement. This motion was unanimously approved.

Mayor Pro Tem Keitt was excused from the meeting at this time.

City Administrator Yow recommended to Council that the Ordinance relating to weedy lots and other health hazards be amended. He told Council that the Ordinance referred to vacant lots only and the amendment was "on any premises."

A motion as made by Councilmember Salley, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance to amend Section 22-6.1, of the 1990 Code of Ordinances for the City of Orangeburg, SC, regarding weedy lots and other health hazards. This motion was unanimously approved.

CITY COUNCIL MINUTES
DECEMBER 5, 1995
PAGE 3

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve a Resolution regarding supplement agreement to Southeastern Power Administration Contract. This motion was unanimously approved.

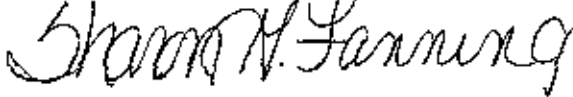
DPU Manager Boatwright stated that there were problems with the contract which expired in September but they have been resolved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to provide for the transfer and assignment of pole attachment agreement between the Department of Public Utilities of the City of Orangeburg and Orangeburg Cable TV, Inc., dated November 21, 1967. This motion was unanimously approved.

Jones Intercable Manager, Terry Roberson, requested that the street running through the Edisto Memorial Gardens be closed for one hour so that the cable TV company could film the Christmas lights for the holiday season. City Administrator Yow suggested this be done on Thursday night after advertisement in the T&D. P&R Director Smith suggested, that in the future, the night before the lights are turned on for the public would be a good time to allow filming. City Council gave consent to this request.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/r



A RESOLUTION PROVIDING FOR THE TRANSFER AND
ASSIGNMENT OF THAT CERTAIN POLE ATTACHMENT
AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC
UTILITIES OF THE CITY OF ORANGEBURG AND ORANGEBURG
CABLE TV, INC. DATED NOVEMBER 21, 1987

WHEREAS, the City of Orangeburg, South Carolina (the "City") has granted to Jones Cable Income Fund 1-B, Ltd., a Colorado limited partnership (the "Fund"), a Pole Attachment Agreement by Assignment and Assumption Agreement dated November 25, 1986, and as amended by a Settlement Agreement dated January 20, 1989 (the "Agreement");

WHEREAS, the City has been informed by the Fund that the Fund has agreed to sell to Jones Intercable, Inc. ("Jones"), as assigned to its wholly-owned subsidiary, Jones Cable Holdings, Inc. ("JCH"), all of the assets of its cable television system serving the City (the "System"), including its rights under the Agreement, pursuant to a Purchase and Sale Agreement (the "Purchase Agreement");

WHEREAS, Jones is the general partner of the Fund;

WHEREAS, the City has been informed by the Fund that in a separate transaction, Jones, as assigned to JCH, has negotiated an Asset Exchange Agreement (the "Exchange Agreement") with Time Warner Entertainment-Advance/Newhouse Partnership, a New York general partnership ("TWEAN"), pursuant to which JCH will convey to TWEAN substantially all of the assets of the System, including its rights under the Agreement;

WHEREAS, the Agreement requires the City's consent to any transfer or assignment of the Agreement;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA:

Assignment by the Fund to JCH

1. The City authorizes and consents to the assignment and transfer by the Fund of the Agreement to JCH and the assumption by JCH of the obligations of the Fund under the Agreement that relate to periods from and after the date of closing of the Purchase Agreement.

2. The foregoing consent to the assignment and transfer of the Agreement shall be effective upon the closing of the sale of the System by the Fund to JCH and the assumption by JCH of all conditions, obligations and limitations contained in the Agreement, including without limitation, the obligation to indemnify the City thereunder. Written notice of such closing date and assumption shall be given to the City.

Assignment by JCH to TWEAN

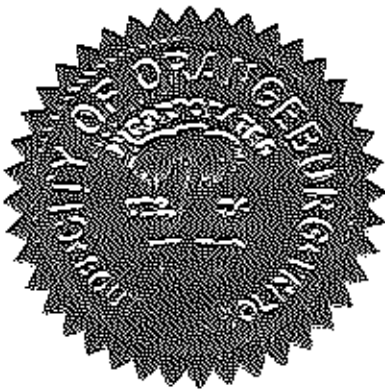
1. Subject to the consummation of the sale of the System and the assignment of the Agreement from the Fund to JCH, the City authorizes and consents to the subsequent assignment and transfer by JCH of the Agreement to TWEAN and the assumption by TWEAN of the obligations of JCH under the Agreement that relate to periods from and after the date of closing of the Exchange Agreement, provided that said subsequent assignment and transfer occurs within one (1) year from the date hereof.

2. The foregoing consent to the assignment and transfer of the Agreement shall be effective upon the closing of the sale of the System by JCH to TWEAN and the assumption by TWEAN of all conditions, obligations and limitations contained in the Agreement, including without limitation, the obligation to indemnify the City thereunder. Written notice of such closing date and assumption shall be given to the City.

3. The City confirms that: (a) the Agreement was properly granted; (b) the Agreement is currently in full force on a month-to-month basis and may be terminated at any time pursuant to the terms and conditions of paragraph 27 thereof; (c) the Fund is recognized as the present holder and owner of the Agreement; (d) the Agreement as modified by the Assignment and Assumption Agreement dated November 25, 1986, and Settlement Agreement dated January 20, 1989, supersedes all other agreements between the City and the Fund in regard to pole attachments; (e) the Fund is materially in compliance with the provisions of the Agreement; and (f) there exists no known fact or circumstance which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default or breach under the Agreement that would allow the City to cancel or terminate the rights thereunder, except as provided for under the terms and conditions of paragraph 27 of the Agreement.

BE IT FURTHER RESOLVED, that the City of Orangeburg by consenting to said assignments and transfers does not extend or amend the terms of said Agreement, does not release either the Fund or JCH from any obligations or liabilities under said agreements existing as of the date of the respective assignments, nor waive any of its past, present, or future rights under said Agreement, under the Cable Communications Act of 1984, Cable Consumer Protection and Competition Act of 1992 or any applicable federal, state or local laws or regulations.

RESOLVED by City Council duly assembled this 5th day of December, 1995.



Martin L. Heathrow
Mayor
Sandra P. Kirtles
Paul J. [unclear]
Robert [unclear]
Joseph W. [unclear]

Members of Council

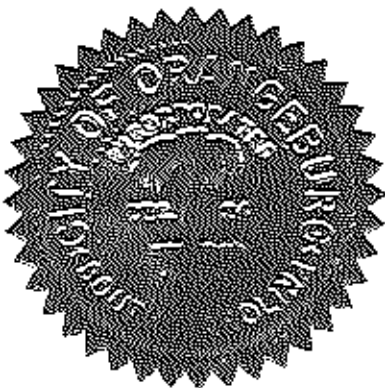
ATTEST: Sharon N. Lanning
City Clerk

RESOLUTION

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

That the Mayor and Members of Council of the City of Orangeburg, in regular session this fifth day of December 1995, having considered and found acceptable a supplemental contract designated as Supplemental Agreement No. 2 to Contract No. 89-00-1501-776 with Southeastern Power Administration for the purchase of power, hereby authorizes and directs Martin C. Cheatham, Mayor, to execute said Contract with the Southeastern Power Administration on behalf of the Department of Public Utilities, City of Orangeburg.

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina, this 5th day of December, 1995.



Martin C. Cheatham

Mayor
Sandra T. Lutts

Paul A. Wipul

Robert S. Kelly

James W. Phares

Members of Council

ATTEST:

Sharon M. Lanning

City Clerk and Treasurer

CITY COUNCIL MINUTES
DECEMBER 19, 1995

915

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 19, 1995, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Reverend Leroy Buress of the Orangeburg Church of Christ.

PRESENT:

Martin C. Cheatham
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

ABSENT:

Bernard Haire during old business; present during new business

A motion was made by Mayor Tem Keitt, seconded by Councilmember Knotts, to approve the December 5, 1995, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham and Public Works Director Reese Earley presented Herbert Lee Williams, an employee of the Public Works Department, with a Resolution of appreciation of his devotion to the City for twenty-eight (28) years, five (5) months and twenty-three (23) days of service. Mr. Williams retired on September 25, 1995.

Ms. Carol Middleton and Ms. Lori Salley, representatives from the Junior Service League, presented Mayor Cheatham with a check in the amount of \$1,275.00 for the renovation of Stevenson Auditorium. This check will be for one box seat and two regular seats.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to sell real property in Aiken, South Carolina. This motion was unanimously approved. Mayor Cheatham stated that the closing was scheduled for December 28, 1995.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve Second Reading of an Ordinance authorizing the lease of a hangar located at the Orangeburg Municipal Airport to Southern Music, Inc., for a period of two years with an option to renew for an additional one year for the storage and maintenance of said corporation's aircraft. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to amend Section 22-6.1, of the 1990 Code of Ordinances for the City of Orangeburg, SC, regarding weedy lots and other health hazards. This motion was unanimously approved.

Councilmember Haire arrived at the meeting.

A motion was made by Councilmember Rheney, seconded by Councilmember Salley, to approve the First Reading of an Ordinance to amend the Business License Ordinance provision for insurance companies and brokers to provide a 2% rate for title insurance companies. This motion was unanimously approved.

City Administrator Yow presented to Council a Resolution supporting safe speed limits on the interstate. Councilmember Salley stressed that special emphasis be put on "if its not going to be enforced do not do anything with it." The Mayor asked that if the Resolution was passed that it be sent to the Governor and the Municipal Association of South Carolina to send to other communities.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve a Resolution regarding the setting and enforcement of speed limits on interstate highways. This motion was unanimously approved.

City Administrator Yow told Council that the Department of Transportation has approved signalization at the intersection of Columbia Road and Bennett Avenue after conducting another survey. Councilmember Miller stated that it was a welcome sign of relief and would slow traffic down on Columbia Road. Mayor Cheatham stated it would also help with the traffic at Clark Middle School.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the installing and related costs (electricity) for a traffic signal at the intersection of Columbia Road and Bennett Avenue. This motion was unanimously approved.

Assistant City Administrator Robert Hemphill told Council that of nine bids solicited, seven were received and opened for the lease purchase for municipal equipment. Of the seven, Wachovia Leasing Corporation was low bidder at 4.54% fixed rate over a three year period.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to approve a Resolution authorizing the execution of a municipal lease purchase contract with Wachovia Leasing Corporation with a fixed rate of 4.54% for three years for municipal equipment. This motion was unanimously approved.

Assistant City Administrator Hemphill told Council that of nine bids solicited, two were received and opened for the lease purchase of hangars. Of the two bids, First National Bank met the terms requested in the RFP. They offered a variable rate of 61% of prime. Prime is currently at 8.75% which puts the initial rate at 5.33%. The lease will be for a twenty year period.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve a Resolution authorizing execution of municipal lease purchase contract with First National Bank of Orangeburg for municipal airport hangars. This motion was unanimously approved.

City Council authorized City Administrator Yow to cancel the January 2, 1996, Council meeting unless some urgent business necessitates meeting.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, for acceptance of bid for cement mortar lining of water mains along portions of Broughton, Glover, Union and Rowe Streets for a cost of \$217,740.00--Creamer Brothers, Inc., of Hackensack, New Jersey. This motion was unanimously approved.

Mr. Terry Roberson, Manager of Jones Intercable, presented to Council a completed video of the Childrens Garden Christmas.

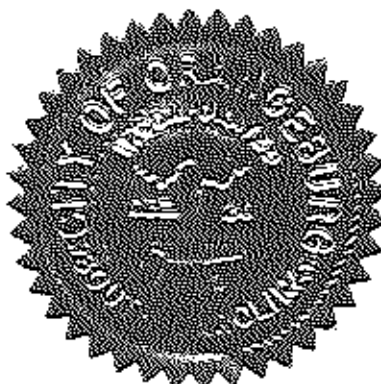
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/r



R E S O L U T I O N

WHEREAS, Herbert Lee Williams, faithfully served the City of Orangeburg Department of Public Works for twenty-eight years, five months, and twenty-three days with a retirement date of September 25, 1995; and

WHEREAS, he, through his long and faithful service, contributed greatly to the successful operation of the Department of Public Works; 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 Works in the capacities in which he served the Department for twenty-eight years, five months and twenty-three days and commend him for a job well done.

BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for his devotion of duty to the City of Orangeburg, be placed in the Minute Book of the City and a copy furnished to Mr. Williams in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 19th day of December, 1995.



Walter C. Clifton
MAYOR

James R. King
W. Keith Kelly
Richard H. Keith
Thos. J. Miller
Edward J. Harris
Samuel P. Corbett
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Fanning
CITY CLERK

**A RESOLUTION
SUPPORTING SAFE SPEED LIMITS ON INTERSTATE
AND EFFECTIVE ENFORCEMENT
BY STATE LAW ENFORCEMENT PERSONNEL**

WHEREAS, As of December 8, 1995, President Clinton signed into law a bill allowing total discretion and jurisdiction of speed limits on our highways to be given solely to each individual state; and

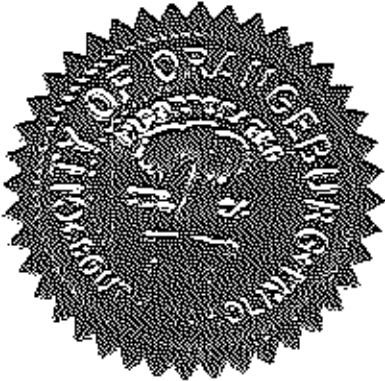
WHEREAS, Since 1974, the speed limit had been reasonably set by the federal government at 55 miles per hour on secondary roads and 65 miles per hour on interstate highways; and

WHEREAS, it is universally recognized and statistically proven that cars traveling at higher rates of speed result in a greater number of traffic accidents causing death.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Orangeburg City Council, duly assembled, do hereby strongly discourage increasing the current speed limit above 70 miles per hour on interstates, and that State law enforcement personnel be given the mandate that posted speed limits will be strictly enforced.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Honorable David M. Beasley, Governor of South Carolina, and to the Orangeburg County Legislative Delegation.

Passed by the City Council of the City of Orangeburg, State of South Carolina, this 19th day of December, 1995.



Martin C. Cheatham
Martin C. Cheatham, Mayor

[Signature]

[Signature]

[Signature]

[Signature]
Members of City Council

ATTEST:

Sharon A. Lanning
City Clerk

**RESOLUTION OF CITY COUNCIL
AUTHORIZING EXECUTION OF
MUNICIPAL LEASE PURCHASING OF EQUIPMENT**

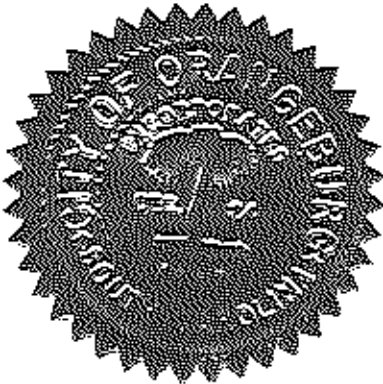
WHEREAS, the City Council of Orangeburg, South Carolina has determined that it is necessary for the City to acquire and install certain municipal equipment for the City and to obtain financing for the Project through a lease purchase agreement; and

WHEREAS, City Council determines that the financing of the acquisition and installation of the equipment pursuant to the terms of Lease Purchase Agreement providing for the lease purchase of the equipment by the City from Wachovia Leasing Corporation (at an annual rate of 4.54%) is in the best interest of the City and such lease purchase financing is authorized; and

WHEREAS, City Council designates the obligations of the City to make payments under the Agreement as "qualified tax-exempt obligations" in accordance with the provisions of Section 265 (b) (3) (B) (ii) of the Internal Revenue Code of 1986, as amended. City Council does not reasonably expect that the City (and any subordinate entities) will issue more than \$10,000,000 in qualified tax-exempt obligations during the current calendar year and City Council will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265 (b) (3) (B) (ii) during the current calendar year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Orangeburg City Council authorizes John H. Yow, City Administrator, to execute and deliver Agreement and any and all other documents, instruments, opinions, and certificates necessary to carry out the purposes of this Resolution and all such action previously taken is ratified and confirmed.

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 19th day of December 1995.



Martin C. Crafton

Mayor

James P. ...

John ...

Paul G. ...

Dan ...

Sam ...

COUNCIL MEMBERS

ATTEST:
Sharon M. Lanning

City Clerk

**RESOLUTION OF CITY COUNCIL AUTHORIZING EXECUTION OF
MUNICIPAL LEASE PURCHASE CONTRACT OF AIRPORT HANGARS**

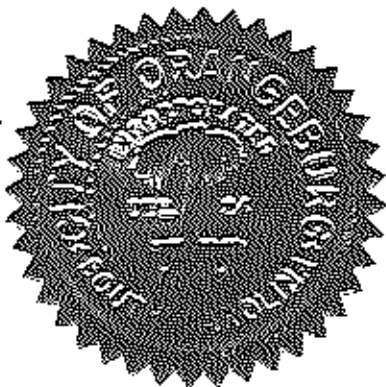
WHEREAS, the City of Orangeburg, South Carolina, wishes to obtain financing for the lease purchase of essential airport hangars; and

WHEREAS, the competitive interest rates were received through a bid process.

WHEREAS, City Council designates the obligations of the City to make payments under the Agreement as "qualified tax-exempt obligations" in accordance with the provisions of Section 265 (b) (3) (B) (ii) of the Internal Revenue Code of 1986, as amended. City Council does not reasonably expect that the City (and any subordinate entities) will issue more than \$10,000,000 in qualified tax-exempt obligations during the current calendar year and City Council will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265 (b) (3) (B) (ii) during the current calendar year.

NOW, THEREFORE, BE IT RESOLVED, that John H. Yow, City Administrator of the City of Orangeburg, be and he hereby is, authorized and directed to enter into, execute and deliver on behalf of the City of Orangeburg, Financing Sales Contract of Airport Hangars (at a floating rate of 61% of prime), and such other documentation required with First National Bank whereby this City will purchase the hangars described in said Financing Sales Contract of Airport Hangars.

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 19th day of December, 1995.



Master C. Chapman
MAYOR

James H. [unclear]

W. [unclear] Selley

L. [unclear] [unclear]

Paul [unclear]

Dennis [unclear]

James [unclear]
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Fanning
CITY CLERK

RESOLUTION

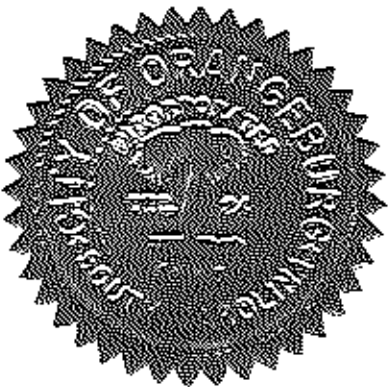
WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on November 29, 1995 for the cement mortar lining of water mains along portions of Broughton, Glover, Union, and Rowe streets.

WHEREAS, the low responsible bid for this work was submitted by Creamer Brothers, Inc. of Hackensack, New Jersey, in the amount of \$217,740.00; and

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

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

PASSED by the City Council, in Council assembled, at Orangeburg, South Carolina this 19th day of December, 1995.



Signed:

Monte C. Heathrow
Mayor
Benjamin Haire
Douglas T. Roberts
Frank Miller
James W. Boatwright
James W. Boatwright
Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer