

CITY COUNCIL MINUTES
JANUARY 7, 1997

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 7, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Timothy Brown.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts to approve the December 17, 1996, City Council Minutes as distributed. This was a 6-0 vote as Councilmember Miller abstained from voting.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to change A-2 Multi-unit Residential to B-1 General Business—a portion of Claflin College. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to amend Chapter XIII, 13.1 of the City of Orangeburg's Code of Ordinances. This motion was unanimously approved.

City Administrator Yow told Council that a Resolution for the appropriation of funds to DORA for \$50,000 that was approved in FY 1996-97 budget needed to be adopted. In addition to the \$50,000 from the City, DORA's funding includes \$15,500 from fund-raisers and pledges; \$5,000 from Orangeburg County and \$5,000 from memberships. Their total budget is \$75,500. As required by law, the funds will only be used for a public purpose. No city funds will be used for facade grants, direct grants, gifts, donations and contributions.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve a Resolution for the appropriation of funds to Downtown Orangeburg Revitalization Association. This motion was unanimously approved.

City Administrator Yow told Council that the Orangeburg County Magistrates will begin assisting the City in weekend bond setting. The joint effort will begin January 18, 1997. City Administrator Yow expressed his appreciation to Chief Magistrate Rita Brown for the cooperative effort.

There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to enter into an Executive Session for a legal matter concerning the purchase of property.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



CITY COUNCIL MINUTES
JANUARY 21, 1997

Orangeburg City Council held its regularly scheduled meeting on January 21, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mr. Bud Hunter from Orangeburg Baptist Tabernacle.

Present:

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

Absent:

Joyce W. Rheney

Mayor Cheatham opened the session by announcing that an anonymous gift of approximately \$12,000.00 had been made to the Stevenson Auditorium Renovation Fund.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt to approve the January 7, 1997, City Council Minutes. The motion was unanimously approved.

The City's Financial Report was presented by Mr. Joe Binnicker of C.C. McGregor & Company. Mr. Binnicker gave an unqualified opinion, and stated several figures from the audit. He stated that the Hillcrest Golf Course itself came within \$800.00 of breaking even, (which was a great improvement over previous years). Councilmember Salley asked him to repeat this information as it was such a welcomed fact. Mr. Binnicker informed Council that revenues for FY 95-96 exceeded expenditure resulting in a net income to fund balance. Also, that DPU's net income exceeded previous year by 7%.

Mayor Cheatham asked Mr. Binnicker how closely their office looked at the City's internal controls. Mr. Binnicker stated that they first asked the Department Head what steps were in place, then they do a random test. Mr. Binnicker replied that he had found no evidence of any wrong doings in handling of funds. Councilmember Salley then asked Mr. Binnicker to sign his copy of the audit (Independent Auditor's Report) and Mr. Binnicker did.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to change A-2 Multi-Unit Residential to B-1 General Business -- a portion of Claflin College. The 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 Chapter XIII, 13.1 of the City of Orangeburg's Code of Ordinances. The motion was unanimously approved.

City Administrator, John H. Yow, presented the next agenda item which was authorization to enter into a contract with Ferland, Inc., to provide a flight school at the Orangeburg Municipal Airport. Mr. Yow stated that the Aviation Commission had not had the opportunity to review everything yet; and that he would like to bring this back before Council at a later date. This was agreeable with Council.

Mr. Fred Boatwright, Department of Public Utilities Manager, requested Council to make a Resolution regarding flyer inserts in their utility bills. He stated that now that they have the capability (by machine) that he would like to allow other government agencies to send mailers

RESOLUTION TO AUTHORIZE THE FUNDING OF THE
DOWNTOWN ORANGEBURG REVITALIZATION ASSOCIATION
AND APPROVING THE 1996-97 BUDGET OF THE DOWNTOWN
ORANGEBURG REVITALIZATION ASSOCIATION

WHEREAS, the City of Orangeburg was instrumental in the establishment and formation of the Downtown Orangeburg Revitalization Association (hereinafter referred to as "DORA") which has as its primary purpose the revitalization of the downtown area of the City of Orangeburg, and

WHEREAS, the City of Orangeburg has continuously provided funds for the general operation of said association and has budgeted funding for said purpose for the 1996-1997 fiscal year and wishes to authorize the expenditure of said funds; and

WHEREAS, the City of Orangeburg finds that the activities of said association serve a public purpose, including, without limitation, those purposes as outlined in that certain letter of the South Carolina Downtown Development Association dated December 9, 1996, attached hereto and made a part hereof by reference,

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL DULY ASSEMBLED that the City of Orangeburg is hereby authorized to provide funding for the Downtown Orangeburg Revitalization Association (DORA) for the fiscal year beginning July 1, 1996, and ending June 30, 1997, in the sum of Fifty Thousand and no/100 (\$50,000.00) Dollars; said funds to be used in accordance with the attached budget for the 1996-1997 fiscal year which is hereby approved as restricted hereinbelow and, provided further, that an accounting of said funds shall be provided the City within thirty (30) days after the end of DORA's fiscal year.

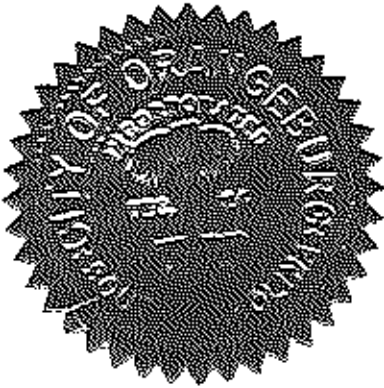
BE IT FURTHER RESOLVED, that no funds provided said association by the City of Orangeburg shall be used for the purpose of facade grants, direct grants, gifts, donations, contributions or other forms of gratuities to any person, public or private corporation, association, political subdivision or other entity of any kind.

BE IT FURTHER RESOLVED, that the City of Orangeburg does hereby find that the activities of said association serve a public purpose by substantially contributing to the revitalization of the downtown area of the City of Orangeburg.

BE IT FURTHER RESOLVED, that a condition of any future funding is that the annual budget of said association shall be submitted and approved by City Council prior

to the beginning of each fiscal year of said association and an accounting for the previous fiscal year shall likewise be submitted and approved by City Council within thirty (30) days of the end of each fiscal year.

RESOLVED by City Council duly assembled this 7th day of January, 1997.



Martin L. Chesfame
Mayor

Sam Haire
Sandra P. Knotts

Paul G. Miller

J. J. [unclear]
[unclear]
Jayce W. [unclear]
Members of Council

ATTEST Sharon M. Lanning
City Clerk

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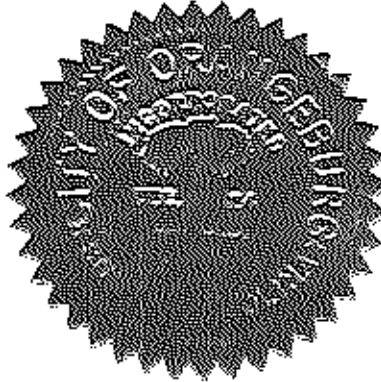
with the bills. He also stated that although there are many worthy causes (many of them have approached him before), he did not feel that they could leave an open door policy on flyers, and that it should be restricted to other government agencies. There were other guidelines as well; such as, they must be prefolded (if needed) and there were certain size and paper weight restrictions.

There being no further business - a motion was made by Councilmember Haire, seconded by Councilmember Miller, to adjourn the meeting. This motion was unanimously approved.

Respectfully submitted,



Susan M. Cuttino
Deputy City Clerk



CITY COUNCIL MINUTES
FEBRUARY 4, 1997

Orangeburg City Council held its regularly scheduled meeting on February 4, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mr. Douglas Johnson of Claflin College.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the January 21, 1997, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow gave Council an update on the meeting between the Mayor, City Attorney Walsh and himself with Time Warner, Inc., officials. He stated that Time Warner did not say the Charleston stations would be added back to the cable line-up. They did say that technical limitations only allow so many channels. The City asked if they had technical capacity to channel line-up. Time Warner Manager Terry Roberson, is studying that. City Administrator Yow stated that if additional consumer research is done, the City wants input into the format. He stated the only formal action Council could take is to reject the basic tier rate within forty-five (45) days from the January 1, 1997 (February 15th); he did not recommend doing that. If the City rejected the change for the basic tier--that was the one reduced--they (Time Warner) would just shift it from the satellite tier back to the basic tier, so he did not see any need to do it that way.

Councilmember Haire stated whether rejecting the rate change would not at least send the cable firm a strong message of Council's displeasure. "If we deny it, it would strongly say we strongly disapprove of the way the channels were removed." I am a subscriber and I am concerned about some of the programs I get, compared to what I had before." City Administrator Yow stated that there are additional ways to send a message of displeasure to Time Warner.

Mayor Cheatham stated he has decided to write letters. I do not think we have been treated fairly in this situation. He stated that Time Warner subscribers in both Summerville and Georgetown receive a Columbia based television station, even though the cities have little in common, but I see a close connection from Orangeburg to Charleston. Mayor Cheatham also pledged that, "We're not giving up our efforts to see Charleston stations restored. We're going to pursue this matter."

Mayor Pro Tem Keitt questioned to whom the survey went. Time Warner Manager Terry Roberson, stated that the survey was random and not every subscriber received one. Mayor Pro Tem Keitt stated, "It's sad we have one agency in Orangeburg that everyone has to use and that's cable television and they do not have consideration of our constituency at all."

Councilmember Haire questioned why the surveys where not sent out with the bills.

Manager Roberson stated that Time Warner will look at sending a survey with the bills. He stated, "there are people who do enjoy the two (2) new channels, 'The Learning Channel and The History Channel.'"

Mayor Cheatham stated he felt Time Warner needed to remove the duplicate news channels.

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FEBRUARY 4, 1997
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City Administrator Yow told Council that one (1) bid had been received by Ferland, Inc., to operate a flight school at the Orangeburg Municipal Airport. Ferland Inc., operates the maintenance facility at the Airport and operates flight schools in Hilton Head and Beaufort County. The Aviation Commission has reviewed the proposed contract and recommend we proceed with the agreement with Ferland, Inc.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, for authorization to enter into a contract for a flight school operation at the Orangeburg Municipal Airport with Ferland, Inc. This motion was unanimously approved.

The contract states that Ferland, Inc., will pay the Airport three percent (3%) of gross revenues derived from all commercial flight operation, including airplane rentals, flight instruction and sale of supplies. The company will also purchase fuel from the Airport for aircraft used in operation and pay tie-down space rental fees.

City Administrator Yow recommended to amend the "Purchases and Contracts" section of the City codes to clarify the authority of the City Administrator. The language will be changed to include the word "services" in addition to purchased materials, supplies and equipment that are under the supervision of the administrator.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the First Reading of an Ordinance amending Section 2-5.2(c), of the City Code of Ordinances entitled "Purchases and Contracts". This motion was unanimously approved.

City Administrator Yow gave Council a report on health insurance cost. He stated that several expensive claims exceeding \$40,000 and high frequency claims have exhausted the City's \$200,000 plus the health insurance reserve funds over the past six (6) months. The City is a member of the SC Local Government Assurance Group, under which all city costs and claims come directly from its own money. There has been one small increase in the last four years. The City now has a situation, which has occurred, over the past several months in which cost greatly exceeded contributions. In addition to the \$60,000 monthly contributions, the \$200,000 plus reserve has been depleted. He stated DPU's figures are somewhat better than the City's but he and Manager Boatwright agreed that some adjustments must be made. A recommendation will be brought back to Council. Councilmember Salley requested insurance figures from both the City and DPU be made available to Council.

City Administrator Yow told Council that the Election Commission member Carol Riley's term was about to expire. He stated that a letter had been received by Mrs. Riley stating she would be glad to serve another term if reappointed. Councilmember Haire nominated Evelyn Hubbard for this position. A vote was taken by ballot. Mrs. Carol Riley was reappointed to the Election Commission for a six year term.

Assistant City Administrator Hemphill asked Council for their approval of the last of twenty (20) original houses in the target area for rehabilitation under the CDBG Grant. He stated after a change order reduction, the house at 568 Riggs Street will be renovated for \$16,095. Any other changes must be with City staff approval and not exceed the grant average. There may be enough money left for additional houses to also be renovated. A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the rehabilitation of 568 Riggs Street at \$16,095 under the CDBG Grant. This motion was unanimously approved.

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A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to accept the bid of \$189,756 submitted by Mainlining Service Inc., of Elma, New York for cement lining rehabilitation of water mains for the Department of Public Utilities. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for discussion on real property.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



RESOLUTION

WHEREAS, the Department of Public Utilities receives requests from various organizations and individuals to put flyers in its utility bills, and

WHEREAS, the City of Orangeburg through its Department of Public Utilities wishes to accommodate legitimate requests for flyers from other governmental entities when possible, and

WHEREAS, the City of Orangeburg through its Department of Public Utilities wishes not to include flyers in its utility bills from organizations or individuals other than other government agencies,

BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled and by the authority of the same that the Department of Public Utilities may at its discretion include flyers in its utility bills for government agencies only, provided that the flyers are provided in the size, weight and quantity required, by the government agency for whom the flyer is being included, and

BE IT FURTHER RESOLVED, that the Manager of the Department of Public Utilities at his discretion shall be authorized to make the final decision on the suitability and timeliness of the flyers from other government agencies.

RESOLVED by City Council, in Council assembled this 21st day of January, 1997.



Mark C. Cheatham
Mayor

Glenn Harris
Sandra P. Knotts
Paul G. Miller

L. J. Farnsworth
D. J. Smith
Members of Council

ATTEST:

Sharon M. Fanning
City Clerk and Treasurer

RESOLUTION

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on January 8, 1997 for cement lining rehabilitation of 10,040 feet of water mains; and

WHEREAS, the low responsible bid for this work was submitted by Mainlining Service, Inc. of Elma, New York in the amount of \$189,756.00; 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 City Council, in Council assembled, at Orangeburg, South Carolina this 4th day of February, 1997.



Martin L. Cheatham
Mayor

Bernard H. Hines
Douglas P. Krotts

Paul G. Miller Jr.

L. J. H. Hines
W. H. Hines

James R. Hines
Members of Council

ATTEST:

Sharon N. Lanning
City Clerk and Treasurer

City Council Minutes
February 18, 1997

Orangeburg City Council held its regularly scheduled meeting on February 18, 1997, at 7:00 PM, in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend William Washington from Rowesville.

PRESENT:

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

ABSENT:

L. Zimmerman Keitt

A motion was made by Councilmember Miller and seconded by Councilmember Knotts, to approve the February 4, 1997, City Council Minutes as distributed. This motion was unanimously approved.

The Mayor welcomed Laura Simmons and her friend to the council meeting. Miss Simmons is attending Edisto High School and Orangeburg-Calhoun Technical College.

A motion was made by Councilmember Haire and seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance amending Section 2-5.2(c), of the City Code of Ordinances entitled "Purchases & Contracts". This motion was unanimously approved.

City Administrator Yow, presented a Resolution conferring general authority on officers to assign securities. A motion was made by Councilmember Salley and seconded by Councilmember Miller to accept this Resolution. This motion was unanimously approved.

City Administrator Yow presented a Resolution regarding Disposal and Demolition Permit Fees on condemnable houses. This would allow for a six month period of a free demolition permit and free access to the landfill to dispose of the ruins, in hopes, of having the property owners voluntarily cleaning their own sites. Councilmember Miller asked how this would be publicized, and City Administrator Yow responded by Public Notice both in the papers and on the radio. Persons will also be notified directly. A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to accept this Resolution. This motion was unanimously approved.

A First Reading of an Ordinance to adopt a Comprehensive Plan, as required by the 1994 Local Government Enabling Act, was presented by City Administrator Yow. This Ordinance would bring the City under Title 6, (the City is currently under Title 5). City Administrator Yow stated that the City has already begun making changes toward compliance with Title 6. A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to accept this Ordinance. This motion was unanimously approved.

City Administrator Yow, related information that had been provided by the Department of Public Safety regarding the Four Holes Volunteer Fire Department's request that the City voluntarily give up a proposed section to them. Among the information, was the petition to request this change, a map outlining the area requested and other information about number of residential buildings, miles from City limits, etc. Councilmember Haire asked if any other areas may make this request later. Public Safety Director Davis stated that there is one other area that may make this request; however, it was not very populated. Mayor and Council agreed to defer this to a later session, to allow them more time to review this information.

City Administrator Yow requested an amendment to the Arts Center Lease to explicitly state that the Arts Council has the right to sublet or rent the Arts Center and Terrace Gardens, and to

include improvements to real property to the existing lease. A motion was made by Councilmember Salley and seconded by Councilmember Haire, to approved this change. This motion was unanimously approved.

Department of Public Utilities Manager, Fred Boatwright, stated there was no business pertaining to the Department of Public Utilities.

The Mayor then asked if anyone else had any business to bring before Council. Ms. Delores Frazier presented a request for assistance from the City and Department of Public Utilities in getting sewer to the homes on Edisto Drive. She stated that there were still "out-houses" being used. Councilmember Haire asked Ms. Frazier if any effort had been made to obtain a grant to help defray costs. Councilmember Salley stated that County Councilmember McGee had stated once that the County had tried to get a tax district to help with this sewer problem, but that it had stopped right there. Ms. Frazier stated that they needed a collaborative effort from the County, City and Department of Public Utilities. Mayor Cheatham stated that he had spoken with County Councilmembers and told them that the City would help however they could and it was pointed out that the Department of Public Utilities already has a plan drawn and ready to go. Mayor Cheatham then asked Ms. Frazier if this area wanted to be annexed into the City; if so, then the City would be able to do more. The Mayor related all of the benefits provided by the City. Ms. Frazier said she would look into the matter further and thanked the Mayor and Council for its time.

Ms. Novice Walker, an apartment owner on Douglas-McArthur Street, requested assistance from the City to get this street paved. She stated she had been trying to get it paved since 1989. She had spoken with the Transportation Committee and basically they told her they could not pave it as it did not meet their criteria.

Mayor Cheatham stated that City Administrator Yow had had some unsuccessful contact with that committee previously. Mr. Yow said that he had not been able to get any funds from them either. Yow said that the C-Funds is money from the gasoline tax and it is regulated by a Transportation Committee. He stated that he believed that the City of Orangeburg has not received any of this funding in the four (4) years except for a County request made to pave the area by the County Courthouse. The discussion continued with stories of other requests that had been turned down and the point was made that other Counties pro-rated out their funding by population or land area, but that Orangeburg's committee did not. Ms. Walker asked what her next step would be and Mr. Yow suggested that she contact the Legislative Delegation. Councilmember Haire asked if the City Council could meet with the delegation to express its concerns about the problem with no funding.

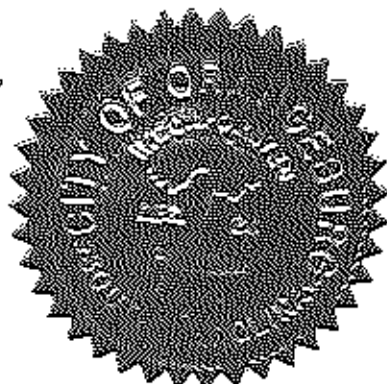
The Mayor stated that the City Council would try to contact the County Delegation and that Ms. Walker should also. Ms. Walker thanked Council for its time and future assistance.

There being no further business, a motion was made to adjourn by Councilmember Haire and seconded by Councilmember Salley. This motion was unanimously approved and the meeting was adjourned.

Respectfully submitted,

Susan M. Cuttino

Susan M. Cuttino
Deputy City Clerk



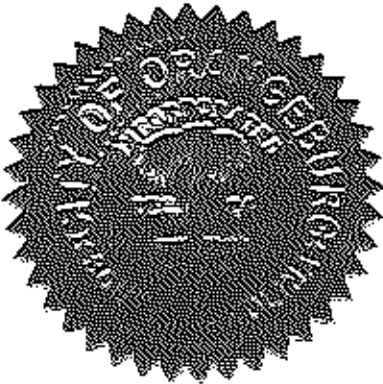
RESOLUTION

Resolution By the Mayor and Members of Council For the City of Orangeburg
Regarding Inert Landfill Disposal and Demolition Permit Fees on Dilapidated
Condemnable Houses

- Whereas, It is the intent of the City of Orangeburg to promote beautification, eradicate blight, prevent danger, guard against injury, and ensure safety through law and order for its citizens'; and,
- Whereas, The City of Orangeburg recognizes that there are unsafe, dilapidated, and condemnable structures within its limits which pose a threat to its citizens' health, safety, and moral welfare; and
- Whereas, The City of Orangeburg desires to encourage all property owners who have in their possession these substandard dwellings to demolish these structures independent of a condemnation order or other official action by the City of Orangeburg Building Official; and

Now, therefore be it resolved, by Mayor and Members of Council Duly Assembled and by authority of the same that for a period of six months from the date of passage of this resolution, all demolition permit fees and all inert disposal fees for waste/debris materials from these voluntarily razed structures within city limits will be waived as they apply to The City of Orangeburg's Inert Land Fill located on Pitt Road with the exception that all materials so brought there will be of the generally accepted type within both DHEC and City of Orangeburg Regulations.

Passed by City Council, in Council assembled at Orangeburg, South Carolina, this 18th day of February, 1997.



Martin E. Cheatham
Mayor

[Signature]
Members of Council

Attest:

[Signature]
City Clerk and Treasurer

RESOLUTION BY CORPORATION CONFERRING GENERAL
AUTHORITY ON OFFICERS TO ASSIGN SECURITIES

"Resolved, that the following named officer:

John H. Yow

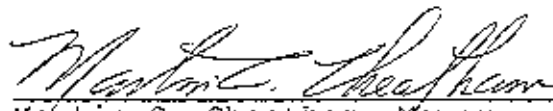
City Administrator

and/is hereby authorized and empowered to sell, assign and transfer any and all bonds, certificates of deposit, stocks or other securities which may be registered in the name of this corporation or which may now or hereafter be assigned to it.

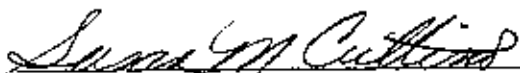
And it is further resolved that any and all such assignments of securities registered in the name of or assigned to this corporation, heretofore or hereafter made by the above named officer, are hereby ratified and confirmed."

I hereby certified that the foregoing is a true and correct copy of a Resolution passed at a regular meeting of the Orangeburg City Council, the governing body of the City of Orangeburg, South Carolina, a corporation duly authorized and existing under and by virtue of the law of the State of South Carolina held on the 18th day of February, 1997, at Orangeburg City Hall, and I further certify that due notice of said meeting was given to each member of said Council, that a quorum was present and that said Resolution has not been amended or repealed and it is presently in full force and effect.

Witness my signature and the seal of this corporation this 18th day of February, 1997.


Martin C. Cheatham, Mayor

ATTEST:


CITY CLERK



CITY COUNCIL MINUTES
MARCH 4, 1997

Orangeburg City Council held its regularly scheduled meeting on March 4, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Ebell Tucker.

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 Miller, seconded by Councilmember Rheney, to approve the February 18, 1997, City Council Minutes as amended. This motion was unanimously approved.

Mr. E. C. Honeycutt, from the FAA in Atlanta, presented Council and City persons with the 1996 Innovative Environmental Award. This award was for adding and replacing wetlands and ensuring compatibility with wildlife and water fowl as part of the initial stage of the new runway development project at the Orangeburg Municipal Airport.

Mr. Gregg Frierson of NationsBank presented Council with a \$3,000 donation for the Stevenson Auditorium Renovation Fund. Half of the donation is to go toward meeting the challenge to the Rotary Club and the other half to the Kiwanis Club. He stated that NationsBank hopes to set an example for other businesses.

Mayor Cheatham proclaimed the month of March, 1997, as American Red Cross Month.

Mrs. Ruth Poole asked Council for permission to be allowed to finish renovations of her garage apartment on Ellis Avenue. Mayor Cheatham stated that she was advised when she first began renovations that an apartment could not be built above the garage but she proceeded anyway and that the garage could not be renovated or converted to apartments. He stated the City has certain zoning procedures to follow. She stated she did not think she had done anything wrong and would never have put anyone in the apartment until the matter was cleared up. Mayor Cheatham stated that Council does not have the authority to grant permission to allow an apartment to be built there. When she questioned what legal or other avenues were possible to pursue, she was told that City Council could not provide her with legal counsel.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance amending Section 2-5.2(c), of the City Code of Ordinances entitled, "Purchases and Contracts". This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to adopt a Comprehensive Plan as required by 1994 Local Government Enabling Act. This motion was unanimously approved.

City Administrator Yow informed Council that Time Warner was going to do a programming survey of approximately three hundred (300) subscribers. This will be a telephone survey that will contain ten (10) questions. This survey mentions duplication of channels but does not specifically address the key issue of the Charleston stations. City Administrator Yow stated that the primary question

that needs to be asked on the survey is; do you prefer Charleston

CITY COUNCIL MINUTES

MARCH 4, 1997

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stations or one Charleston station over any of the added stations. While Time Warner is asking questions about duplicate channels, they are not asking that question point blank. Mayor Cheatham stated, "that's the number one question our citizens have. We did not create this problem but we have to answer to our citizens and we need a good forthright survey." City Administrator Yow stated the City has no legal authority to insist that the question be included.

Councilmember Haire asked if the citizens were being asked if they subscribe to Time Warner? Time Warner Manager, Terry Roberson, stated that all those surveyed would be subscribers to Time Warner Cable. Mayor Pro Tem Keitt asked Roberson how many subscribers are with Time Warner Cable? He stated 12,750. Mayor Pro Tem Keitt asked if the survey was being done system-wide. Roberson stated that it was. Councilmember Rheney stated that an insert should be included with the bill instead of a telephone survey. Manager Roberson stated that 300 surveys would be a valid statistical analysis and would represent a good variety. He stated that the results will be provided to Council and he would take back to Time Warner the suggestion of asking the question about the Charleston stations.

City Administrator Yow asked Council to pass a Resolution to officially state that the City is financially committed to completing the proposed new runway at the Orangeburg Municipal Airport. The FAA provides 90% of the estimated \$5.8 funding with the City and State each providing 5%. The state allocation is not always available when the Federal money is received. The City will have to commit to 10% funding and then pursue the state share. The purpose of the Resolution is if the City asks the FAA to fund the runway in one or two years, we would be demonstrating our commitment.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to pass a Resolution on the Orangeburg Municipal Airport Runway funding. This motion was unanimously approved.

Public Works Director Bowden gave Council a report for consideration on a new Comprehensive Solid Waste Management Program that would provide citywide recycling and same day, once a week pickup of recyclable, garbage and yard rubbish. The Sanitation Division would be reorganized. There would be changes along the residential routes and commercial businesses that have a roll-out container.

1. Recycling will be citywide and once a week pick-up.
2. Residential garbage pickup will be once a week pickup.
3. Acceptable rubbish will be picked up once a week.
4. Supervisor will be with the crews and they will stay in the area until the work is completed.
5. City will be rerouted.
6. Pickup days will be changed.
7. Route crews will work Monday through Thursday.

The benefits of the program are:

1. Supervisor is in the area to handle problems as they occur and to promote recycling, clean yards, removal of junk cars, etc.
2. All solid wastes (garbage, recyclable and acceptable rubbish) are picked up on the same day.
3. There is less confusion for citizens about pickup days. Citizens will only have to remember the one day that their solid waste is picked up.
4. Less solid waste collection vehicles being used, giving us

RESOLUTION

Whereas, The City of Orangeburg has demonstrated the need for an additional runway at the Orangeburg Municipal Airport for general aviation purposes, economic development and safety enhancement through the establishment of RUNWAY PROJECT 17/35 ,and;

Whereas, The City of Orangeburg has received both financial and technical support on this project to date from the Federal Aviation Administration and the South Carolina Division of Aeronautics, and;

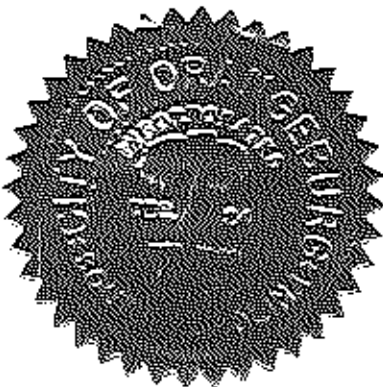
Whereas, Several phases of the pre-construction preparation have been completed and RUNWAY PROJECT 17/35 is now at a critical juncture to start actual runway construction , and;

Whereas, It is now the City of Orangeburg's desire to demonstrate its financial commitment to this project and to encourage the Federal Aviation Administration and the South Carolina Division of Aeronautics to do the same, and;

Whereas, The City of Orangeburg will appropriate funds for the construction costs of this project according to the funding method chosen from the attached table as developed by the Federal Aviation Administration, and;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council assembled of the City of Orangeburg that the City of Orangeburg will appropriate monies to fund the City of Orangeburg's share of the construction cost on RUNWAY PROJECT 17/35 at the Orangeburg Municipal Airport at the appropriate time in the city's fiscal year budget which runs from October 1st through September 30th.

Passed by City Council in council assembled at Orangeburg, South Carolina, this 4th day of March, 1997.



Martin C. Cheatham
Mayor

James W. Shepherd
Robert Kelley
L. Zimmerman Keitt
Paul Miller
David Haire
Members of Council

Attest:

Sharon G. Fanning
Sharon G. Fanning, City Clerk

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1

—

Mayor
James H. Hume
James G. Miller

L. J. Kennedy

ATTEST:

Sharon N. Lariviere
City Clerk and Treasurer

- spare vehicles for backup.
5. Recycling is available City wide.

CITY COUNCIL MINUTES
MARCH 4, 1997
PAGE 3

Councilmember Haire expressed his concerns about employees having to work on holidays. Public Works Director Bowden stated they are happy about the chance to earn extra pay. They also are pleased with the three day weekend. Councilmember Haire expressed his concerns about the once a week pickup and that citizens would have to pay for a second cart if once a week was not enough.

City Administrator Yow stated that these issues were addressed in the survey done previously and the pilot recycling program. At that time, Council had not wanted to increase costs or add positions. Mayor Cheatham stated that recycling be watched closely to determine if it is beneficial to the citizens or if it costs the City money. Mayor Pro Tem Keitt asked if the plan does not work would we consider going back to the old method. City Administrator Yow stated that the timing is pretty good if we get started in April and if Council feels it is not working, it can then be addressed in the budget cycle.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to pass a Resolution authorizing DPU Manager Boatwright to sign a supplemental agreement with the Southeastern Power Administrative contract. This motion was unanimously approved.

DPU Manager Boatwright stated that SEPA provides a source for some of DPU's electric energy.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a contractual matter concerning the purchase of real property.

There being no further business, the meeting was adjourned.

Respectfully submitted, -

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



CITY COUNCIL MINUTES
MARCH 18, 1997

A Public Hearing was held on the rezoning of Claflin College campus to change from "A-2 Multi-Unit Residential" to "O-I Office-Institutional-Residential". Mayor Cheatham opened the Public Hearing for comments. Ms. Delores Kirkland Harden, an adjoining property owner to Claflin College, asked what effect the rezoning would have on her property taxes. City Administrator Yow explained that there would be no effect on her property taxes due to the rezoning. The zoning is being changed to a classification that best meets the mission of a college campus. The zoning change applies only to Claflin College not adjoining property owners.

There being no further comments, the Public Hearing was closed.

The regularly scheduled City Council meeting was held immediately following the Public Hearing. An invocation was given by Councilmember Rheney.

PRESENT:

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

ABSENT:

L. Zimmerman Keitt
Paul A. Miller

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the March 4, 1997, City Council Minutes as amended. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance to adopt a Comprehensive Plan as required by 1994 Local Government Enabling Act. This motion was unanimously approved.

City Administrator Yow stated that previous discussions had been held on a request to name a recreation facility in honor of Coach James Hedgepath. Coach Hedgepath was the Director of Recreation for black youth in the City. It was proposed that the softball field at the Zimmerman Youth Center be named in honor of Coach James Hedgepath. Councilmember Haire stated that he had held discussions with the Zimmermans letting them know that Council was not attempting to rename the Center but to name only the ballfield. The Zimmerman family thought this was an excellent idea.

A motion was made by Councilmember Haire, seconded by Councilmember Salley, to name the softball field behind the Zimmerman Center in honor of Coach James Hedgepath and the appropriate sign be erected. 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 rezone Claflin College Campus from "A-2 Multi-Unit Residential" to "O-I Office-Institutional-Residential". This motion was unanimously approved.

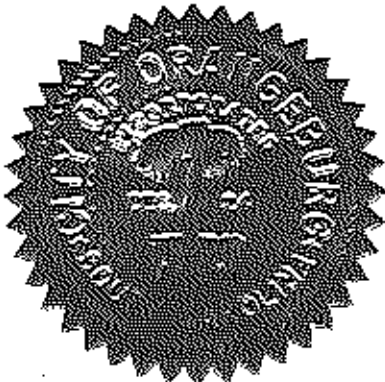
City Administrator Yow stated that the old zoning ordinance also limits height to 35 feet. In the future Council will be asked to amend the zoning ordinance to allow building heights of over 35 feet pending approval by the Planning Commission on a case by case basis. Councilmember Salley asked how the City would handle fires above 35 feet, such as South Carolina State University and The Regional Medical Center. Public Safety Director Davis stated that the City has one ladder truck and that it goes 75 feet. All buildings are required to have sprinkler systems, but additional

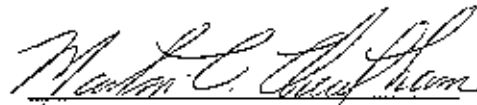
RESOLUTION


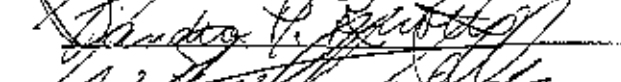

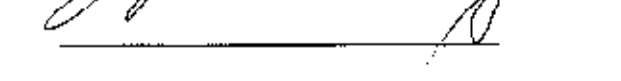
- WHEREAS, It is the intent of The City of Orangeburg to acquire the lowest ISO rating possible for its citizens in order to save its citizens in Fire Insurance Premium Costs, and;
- WHEREAS, In acquiring a lower ISO rating, The City of Orangeburg Department of Public Safety has taken a systematic approach through the efforts of its ISO task force, and;
- WHEREAS, The Department of Public Safety has instituted several changes in its mode of operation which should lower our ISO rating even more, and;
- WHEREAS, These changes in its mode of operation involved the purchase of Fire Suppression Equipment which has already helped lower our ISO Rating, and ;
- WHEREAS, It is now The Department of Public Safety's desire to use \$6,000.00 from The FIRE RESERVE FUND to cover the expense of a pre-assessment review in order to recognize our areas of improvement and our areas that need further adjustment, and;

NOW THEREFORE BE IT RESOLVED THAT THE MAYOR AND MEMBERS of City Council Duly assembled do hereby this day authorize the expenditure of \$6,000.00 from the Fire Reserve Fund in order to pay for a pre-assessment review of our current efforts in making Orangeburg a benchmark of excellence in fire safety and prevention.

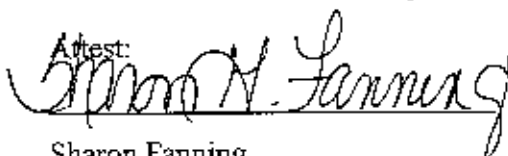
Signed this 18th day of March, 1997




Mayor

City Council

Attest:


Sharon Fanning

City Clerk

CITY COUNCIL MINUTES
MARCH 18, 1997
PAGE 2

equipment is needed in this area. He stated that aerial apparatus would help and hopefully, " they won't catch fire at the same time."

Director Davis asked Council to consider transferring up to \$6,000 from the Fire Equipment Reserve Fund to cover the expenses of a preassessment-assessment review. The preassessment-assessment is in preparation for a new review from ISO. He stated the City hopes to reduce its ISO fire insurance rating, which largely determines citizens' insurance premiums. "We have done a great number of things to help with the reduction of the ISO. We would like to use up to \$6,000 to have a pre-assessment-assessment of our present status to get an idea of exactly where we are." He stated once the preassessment is done DPS will have a better idea of what gains have already been made and what areas need to be improved in before the ISO inspection.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve the Resolution to expend up to \$6,000 from Fire Equipment Reserve Fund for fire services assessment. This motion was unanimously approved.

City Administrator Yow presented to Council the FY 1997-98 Budget Calendar. He presented Council with several dates to choose from for a full one day budget retreat. He asked Council to get back with him if they have any conflict or preference on dates, so that a date may be set.

City Administrator Yow gave Council, as information, SCSU's petition for annexation. He stated that it is an 87-acre area which only includes land that is part of the University. Action will be taken at a later date.

Mr. Spencer Anderson from Claflin College presented Council with a long range master plan on Claflin College's property.

DPU Administrative Director Mike Sells gave Council an update on the gas leak at the service station on the corner of Russell Street and Magnolia Street. (See Attachment)

Councilmember Salley stated that he had concerns about the proposed change to once a week garbage pickup as it could make residential users, who already pay for a second roll-out cart for a twice-a-week service, to pay for even more carts. He stated Councilmember Haire raised concerns at the last Council meeting and the more he thought about it, he had concerns too. "It didn't bother me when a man needed two carts and we picked it up twice-a-week, but to cut it to once a week, he'd need four carts and that bothers me."

Mayor Cheatham asked for a report on how many people had two carts and Councilmember Rheney asked for a copy of the recycling survey results for the next meeting.

There being no further business the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



CITY COUNCIL MINUTES
APRIL 1, 1997

Orangeburg City Council held its regularly scheduled meeting on April 1, 1997, 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
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

ABSENT:

L. Zimmerman Keitt

A motion was made by Councilmember Rheney, seconded by Councilmember Knotts, to approve the March 18, 1997, City Council Minutes as distributed. This was a 5-0 vote. Councilmember Miller abstained from voting.

Ms. Anna Elizabeth Gramling, representative for the Paul McMichael Chapter of the United Daughters of the Confederacy, asked Council for their consideration on honoring all confederate soldiers who lost their lives in the War Between the States by placing Confederate flags on each side of the Confederate Monument on Memorial Plaza, on the gates of three cemeteries in the City and at a monument in Sunnyside Cemetery. The Olin N. Dantzler Camp of the Sons of Confederate Veterans in Orangeburg joins the Paul McMichael Chapter of the United Daughters of the Confederacy in this request. They requested permission to place Confederate flags in the areas listed above on Saturday, May 10, 1997, between the hours of 8:00 A.M. and 6:00 P.M.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve this request.

Councilmember Haire stated he had an unreadiness. He stated he would like Council to go on record allowing this request to be approved on a continuing yearly basis. Councilmember Miller, seconded by Councilmember Rheney, amended this motion to approve this request on a yearly basis, May 10th, Confederate Memorial Day. This motion was unanimously approved.

City Administrator Yow told Council that June 28, 1997, had been set as a full day budget retreat.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney to approve the Second Reading of an Ordinance to rezone Claflin College Campus from "A-2 Multi-Unit Residential" to O-I Office-Institutional-Residential". This motion was unanimously approved.

City Administrator Yow stated that the C&D Landfill on Pitt Road was first permitted in 1974. Since that time, the City of Orangeburg has continuously disposed of yard trash, building materials and furniture, etc. at this site instead of at the County's C&D Landfill. In 1994, the South Carolina Solid Waste Policy and Management Act was passed which resulted in the Construction, Demolition and Land Clearing Debris Landfills Regulation 61-107.11 being enacted with a compliance date of July 23, 1994. The act required the development of a closure plan that included the construction of a sediment pond, improved drainage and a two foot separation from the water table. The act also caused the size of the working face to become more critical.

CITY COUNCIL MINUTES
PAGE 2
APRIL 1, 1997

Compliance with this act by the City of Orangeburg has been difficult and expensive. This has been due primarily to the fact that our cover dirt is located off site and must be trucked to the landfill. When we finally close the landfill, the act requires a two foot thick earthen cover be applied to the entire twenty-five acre landfill. This cover will also have to come from off site and will have to be applied within the six month period after closure.

In order to comply with Regulation 61-10711 in our daily operation and meet the closure requirements, we need to take action to reduce the daily volume of debris going into our C&D Landfill. To accomplish this, we must begin to direct more waste to the County's C&D Landfill. We propose to accomplish this by giving a two week public notice that we will no longer accept waste generated outside the City limits of Orangeburg with a maximum of 20 cubic yards that will be accepted from any one individual or business during this period. We also propose to give a 60 day notice that we will no longer allow individuals or businesses within the City limits to haul debris to the City C&D Landfill. Additionally, we will need to begin hauling two thirds of the debris collected by our yard rubbish crews to the County C&D Landfill. The time to drive the additional three miles to the County landfill will be offset by increased efficiency.

Councilmember Rheney asked why a 30-day notice verses 60 day notice was not given. City Administrator Yow stated that the longer notice would allow any contractors who had submitted bids based on the use of the landfill time to finish their projects.

Mayor Cheatham stated that, "The landfill is about at capacity and it is good we are taking this initiative to close it now."

City Administrator Yow presented Council with a draft of a new Noise Ordinance for review. He stated he was not asking for any action at this meeting. At the last budget retreat (planning session), Council requested an ordinance that would be easier to enforce. City Administrator Yow stated that complaints range from loud music downtown in cars and parking lots to loud animals. Mayor Cheatham also stated this includes loud parties. City Administrator Yow stated that staff has looked at Noise Ordinances in other cities, in an effort to draft an Ordinance that would fit Orangeburg. In particular, is the City of Beaufort, whose Noise Ordinance has been enforced and then tested at the State Supreme Court level and is currently being appealed to Fourth Circuit Federal Court. City Administrator Yow stated he was not sure of the status, but we want to make sure if it's contested in Federal Court, we comply with the courts determinations. We may wait until we determine the status to proceed. He stated, "I am asking Council to review it in the initial phase." One addition that may be required is a reference to decibel levels.

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

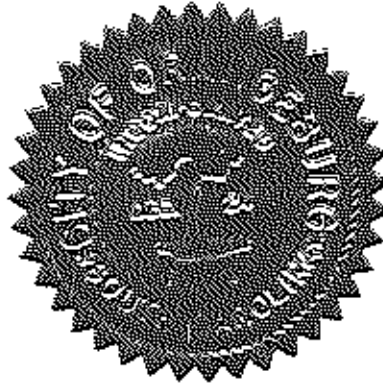
Mayor Cheatham presented DPU Manager Boatwright, with the Herman F. Wiedman Award for excellence in high quality water in Orangeburg.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to enter into an Executive Session for a contractual matter, sale of real property, and a legal matter, litigation involving the Department of Public Safety.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning
Sharon G. Fanning
City Clerk



CITY COUNCIL MINUTES
APRIL 15, 1997

Orangeburg City Council held its regularly scheduled meeting on April 15, 1997, at 7:00 p.m. in Council Chambers with Mayor Cheatham presiding. An invocation was given by Rev. George Manigo, Pastor of the Trinity United Methodist.

PRESENT

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

ABSENT:

Paul A. Miller
Sandra P. Knotts

Mayor Cheatham welcomed everyone to the last Council meeting for the month of April.

Mayor Cheatham brought the following matters to the attention of the Councilmembers:

Several years ago, Orangeburg City and Orangeburg County were awarded a grant for the construction of about 50 HUD housing units. A ground breaking for these units will be held Tuesday, April 29, 1997, at 10:00 a.m. at the corner of Summers and Ellis Avenue. This project is a big step in the right direction to the overall housing improvements in the City and the County. Mayor Cheatham invited each Councilmember to attend.

Mayor Cheatham announced that Adrian Williams, Director of the Waste Water Division of DPU, was leaving. Mayor Cheatham stated that Mr. Williams has been a valuable asset to the DPU staff and the City will miss him.

Mayor Cheatham also called to the attention of Councilmembers a letter from Terry Roberson, General Manager of Time Warner Cable, concerning service changes they will be implementing soon.

Mayor Cheatham called for a motion on the minutes from the April 1, 1997, Council meeting. A motion was made by Councilmember Rheney, seconded by Councilmember Haire to accept the minutes as written. This was a 4-0 vote. Mayor Pro Tem Keitt abstained from voting.

Mr. Eugene J. Robinson, representing the Sunnyside Community Crime Watch Committee, voiced his concern for the Sunnyside Community safety. Mr. Robinson also asked for assistance from the Mayor and City Council to help or direct them in whatever means available to purchase and renovate a vacant building in the forks of Sunnyside and Gibson Streets owned by Mary Furtick to be used as a Community Policing Substation and recreation facility. The Community Policing Substation is now located at the corner of Middleton and Cemetery Streets, but the Sunnyside Community Crime Watch Committee feels that the relocation of this facility will be beneficial to the security of the elderly and safety of the children in the Sunnyside Community. They feel that the presence of a Policing Substation will deter the current and future criminal activities, i.e., drugs, guns, loud music, and children on the street late at night. Mr. Robinson also expressed concern for the repair needs of the basketball court in the park. The ground is uneven and needs to be leveled because injuries have occurred. Mr. Robinson thanked the Mayor and Council for giving him the opportunity, on behalf of the Sunnyside Community Crime Watch Committee, to present their concerns.

Mrs. Andrew Louise Jordon, also representing the Sunnyside Community Crime Watch Committee, expressed her desire to relocate the Community Policing Substation to Sunnyside stating that the children needed a place to go, have refreshments, and play games. Mrs. Jordon stated that the Sunnyside Community Club would do all they could to help in renovating the building and basketball court. She also stated that there is a problem with larger children playing on the rides in the park that are designed for smaller children, resulting in breakage. She also expressed concern for the crime in the area. Mayor Pro Tem Keitt questioned Mrs. Jordon about how many people in the area try to work together. Mrs. Jordon responded by saying that not a lot of people come together, but the Committee usually tries to meet every 3 months or as the need arises. Mayor Cheatham stated that he understands their concerns for wanting a good clean community for the children and elderly. Speaking on behalf of the City, Mayor Cheatham stated that "we have done a lot for the Sunnyside Community and have made some progress. We do not always get the grants that we apply for each year and when we are awarded the grants, we have to use them all over the city". Mayor Cheatham also stated the many improvements already made in the Sunnyside Community such as Habitat for Humanity constructing a house, closing of a bar and rezoning for residential only, demolition scheduled on several houses, and the building of new housing units. Mayor Pro Tem Keitt suggested that the Committee meet every month and to keep the communications open with Public Safety. "You need to commit yourselves to stay on top of the community. Neighbors have to do what they can as well, because Public Safety cannot always be there. If you see something not going right or strangers in the community, call Public Safety." City Administrator Yow mentioned that Public Safety Officer, Jackie Wade, be used as the contact person. Mayor Cheatham told Mr. Robinson and Mrs. Jordon that they would take the information presented and see what they could do.

A motion was made by Mayor Pro Tem Keitt and seconded by Councilmember Haire, to approve the third reading of an ordinance to rezone Claflin College Campus from "A-2 Multi-Unit Residential" to "O-I Office-Institutional-Residential". This motion was unanimously approved.

Public Safety Director Wendell Davis gave a brief description of the Victim's Assistance Advocate Grant awarded to the City of Orangeburg. The grant is a recurring grant and will be applied for each year. It will involve the hiring of one advocate, providing a vehicle, and a computer that will be connected state-wide to assist victims. The total grant award is \$50,784.00 and requires a 20% match from the City. The 20% match of \$12,696.00 has been identified in the current budget. A motion was made by Councilmember Salley and seconded by Mayor Pro Tem Keitt to accept the Victim's Assistance Advocate Grant and authorize City Administrator Yow to sign the grant agreement. This motion was unanimous approved.

City Administrator Yow gave Council information concerning the Medical and Dental Program costs. He stated that we will not be able to meet costs at the current rates. He recommended to City Council that a lump sum payment of \$150,000 be made now to be brought forward from the general fund balance. It is also necessary for a 10% rate increase. The City will absorb 100% of the increase for employee coverage and 50% of the increase for dependent coverage. All of the increase will be passed on to the retirees. Being aware that this increase will not take care of the situation, it will give a few more months monitoring time and allow this issue to be addressed in the upcoming budget plans. An increase greater than this 10%--possibly another 30% will be needed.

CITY COUNCIL MINUTES

PAGE 3

April 15, 1997

This increase will also include DPU. A motion was made by Councilmember Salley, seconded by Councilmember Haire to proceed with these recommendations. This motion was unanimously approved.

City Administrator Yow presented a request from DORA Manager, Bernice Tribble, to allow a sidewalk sale to be held May 2 and 3, 1997. After researching the City Codes, it was found to be unlawful according to Code 17-5. City Administrator Yow stated that he could not recommend to City Council to allow this sidewalk sale to take place, but recommended an amendment to the code allowing special events such as this to take place. Mayor Cheatham stated that staff should look into revising the ordinance to allow these events so the work can continue on Downtown's Revitalization Project.

DPU Manager Boatwright brought before City Council for consideration, a Resolution to accept the low bid from Caldwell Tank, Inc., Louisville, Kentucky for \$381,000 to construct a new 300,000 gallon elevated ~~water~~ tank in the Limestone Community. The bid was \$14,000.00 less than the budgeted amount of \$395,000. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to pass a Resolution accepting the bid of \$381,000.00 from Caldwell Tanks, Inc., of Louisville, Kentucky. This motion was unanimously approved.

DPU Manager Boatwright also brought forth a consideration from Midlands Utilities, Inc., being fully licensed by the Public Service Commission, to provide wholesale wastewater service to Northwoods Estates Subdivision. He stated that they have approached us on accepting wastewater from them on a wholesale basis. They would continue to own and operate the collection system and pump waste water into the nearest gravity sewer on 21 By-pass. Midlands is under a deadline by the Department of Health and Environmental Control and the Public Service Commission to complete the arrangement. Midlands will absorb all expenses and our only cost would be to install and maintain a meter on the pump. Manager Boatwright stated that this is a good business move for DPU. This agreement also limits them to the existing Northwoods Estates lots. A motion was made by Councilmember Salley, seconded by Councilmember Rheney to pass a Resolution accepting an agreement to provide wholesale wastewater service to Midlands Utilities, Inc. and authorize the Mayor to sign the agreement. This motion was unanimously approved.

Manager Boatwright proposed a residential wholesale wastewater rate which would be called Rate 5J. It would be similar to the industrial rate, but a little less costly. This rate would be in effect for Midlands Utilities, Inc. and perhaps other wholesale customers in the future. The rate would be \$7.50 per unit per month for service charge and \$1.12 per cubic feet per month for commodity charge. After a brief discussion, Manager Boatwright stated that the agreement allowed City Council the right to increase rates, terminate agreement and verified that this was for residential wastewater wholesale only. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt to pass a Resolution to adopt a new wastewater rate 5J (Midland Utilities, Inc.) for wholesale wastewater rates. Attorney Walsh questioned the term of the contract. It was decided that this would be for a 5 year term, with provision for extention, termination and rate changes. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to pass a Resolution to adopt a new wastewater rate 5J for wholsale wastewater rates with a five year term. This motion was unanimously approved.

CITY COUNCIL MINUTES
PAGE 4
APRIL 15, 1997

Mayor Cheatham presented a letter of appreciation and thanks from Koyo Corporation to the Department of Public Safety for prompt and efficient response to a fire which occurred in their plant last month.

Mayor Cheatham brought to the attention of City Council the Departmental Progress Reports included in the packet. He encouraged each Councilmember to read these reports and if they had any questions, call Mr. Yow and discuss it with him.

Councilmember Haire stated that he doesn't recall the issue of continuing full force with the recycling program taking place with Council. He stated that he was not satisfied with the pilot study conducted during the trial period as to the efficiency and he was very surprised when he got the notice that we were going to go full steam ahead or relating to the changes in which waste is collected from residential areas. He was under the impression that they voted on the pilot project and at some point in time the matter would come before Council, and Council would give its approval or disapproval. At a Council meeting some time ago, Councilmember Haire said that he raised the issue of some residents being concerned about having to endure the stench of garbage due to collection over a longer period of time as it relates to the weekend. He said that he has thought very carefully about this matter and feels that as a Councilmember, he would have had the opportunity to go on record in relation to this matter and doesn't believe he has had the opportunity to do so. Bringing everyone's attention to the maps showing the routes and days, he was concerned about the large area for Monday pickup. Councilmember Haire's concern was that it seems there was an attempt to be selective as to the areas picked up closest to the weekend and stated that he was not in favor of this program being implemented. He further stated that he did not see the savings, the kinds of return they were expecting in the initial pilot project, or the response from the community that was served. Councilmember Haire made a proposal that the collection dates be reversed stating that looking at the demographics in that area gave him a problem. Councilmember Haire wanted to vote on this matter of reversing the collection dates and to also put another motion on the floor about the recycling project not to take place if this motion was defeated. Mayor Cheatham asked Councilmember Haire if he was removing his first motion and if the motion was now not to go with the recycling program in the entire City and he agreed. A motion was made by Councilmember Haire, seconded by Councilmember Salley not to continue with the recycling program. This was a 2 to 3 vote. Councilmembers Rheney, Mayor Cheatham and Mayor Pro Tem Keitt opposed. Councilmember Salley also expressed concern over the additional cost of \$75,000. Mr. Yow explained that this cost would be incurred if they kept the twice a week collection in addition to the recycling program. The original design was not to hire new personnel. Mayor Cheatham also expressed concern about the figures, but feels we should give it a try. He also stated that one cost you can't measure is the amount of waste taken to the landfill. A vote was taken on the motion not to continue with the recycling program with a 2 in favor and 3 opposed.

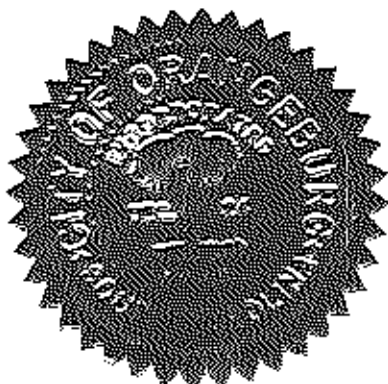
A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, that the collection dates be reversed. This was a 2-3 vote. Councilmembers Rheney, Salley and Mayor Cheatham opposed this motion. Public Works Director Bowden stated that they tried to make the least change possible for the greatest number of people and that the section in question is a Monday route now. The majority of the Monday route will stay Monday and some will now be on a Thursday route. He stated that the reason this area is so big and presents problems is that less than 50% of the people are participating in the current garbage program and that

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 5J (Midlands Utility, Inc. Wholesale Wastewater Rate) of the Department of Public Utilities of the City of Orangeburg pertaining to Wastewater, hereto attached, be adopted, and declared effective and in full force on June 1, 1997.

PASSED by City Council, in Council assembled, at Orangeburg, South Carolina this 15th day of April, 1997.



Marion L. Heath
Mayor

James Haire
James W. Roberts
W. Keith Elder
James J. [illegible]

Members of Council

ATTEST:

Sharon N. Lammung
City Clerk and Treasurer

RESOLUTION

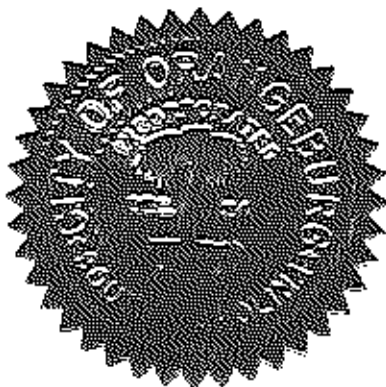
WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on March 26, 1997 for a new 300,000 Gallon Elevated Water Tank at Limestone; and

WHEREAS, the low responsible bid for this work was submitted by Caldwell Tanks, Inc. of Louisville, Kentucky in the amount of \$381,000.00; 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 City Council, in Council assembled, at Orangeburg, South Carolina this 15th day of April, 1997.



Martin L. Chatham

Mayor

Sam Harris

James D. King

W. J. Hall

James D. King

Members of Council

ATTEST:

Sharon M. Lanning

City Clerk and Treasurer

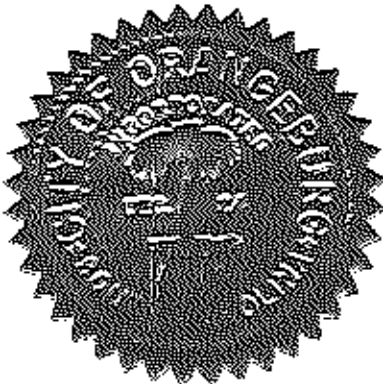
RESOLUTION

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

That the City of Orangeburg enter into a contract dated April 28, 1997 with Midlands Utility, Inc., whereby the City of Orangeburg and Midlands Utility, Inc. enter into an agreement whereby the City of Orangeburg, Department of Public Utilities will provide wholesale wastewater service to Midlands Utility, Inc. beginning on or about June 1, 1997.

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 City Council, in Council assembled, at Orangeburg, South Carolina this 15th day of April, 1997.



Martin C. Cheatham
Mayor

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

Members of Council

ATTEST:
Sharon M. Lammery
City Clerk and Treasurer

CITY COUNCIL MINUTES
PAGE 5
APRIL 15, 1997

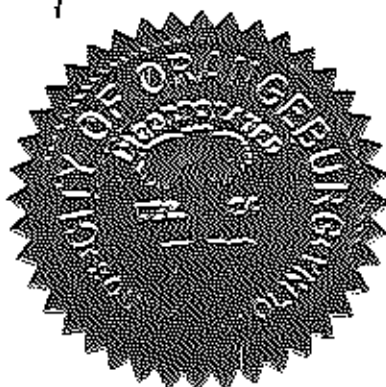
is why they are able to pick up such a large area. Mayor Cheatham also stated that a large portion of that area is the Airport. Councilmember Haire said that the folks he talked to feel it is a longer period of time that they will have to endure the stench over the weekend that may be created from that garbage and would prefer to have a later collection during the week so they wouldn't have to endure it over the weekend. Councilmember Rheney stated that no matter what collection day they have, it is still seven days between collection.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk



CITY COUNCIL MINUTES
MAY 6, 1997

Orangeburg City Council held its regularly scheduled meeting on May 6, 1997, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Reverend Wesley Farnum of Bethel Fellowship 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 Rheney, to approve the April 15, 1997, City Council Minutes as distributed. This was a 4-0 vote as Councilmembers Miller and Knotts abstained from voting.

Mayor Pro Tem Keitt presented City Council with a plaque for First Place Award in the State Keep America Beautiful Government Division of the beautification category for the City of Orangeburg's Thoroughfare Beautification Project.

Mr. Frank Lucician of Regency Development Association presented to Council the idea of converting the Russell Street Inn into housing for senior citizens. The Russell Street Inn would be converted into a 32-unit affordable apartment complex for senior citizens. A building like the Russell Street Inn can be, if properly done, a quality place for seniors. This is a very good housing environment for seniors due to the grocery store across the street and the pharmacy next door as well as all City services and utilities.

City Administrator Yow stated that when he was approached by Regency Development Association a few weeks ago, he suggested the 60-room hotel as a potential site. Several objectives would be met, including the Downtown Revitalization, the provision of affordable housing and the use of an existing building. Mr. Lucician stated that new construction projects were in Conway, Bishopville, Hartsville, Marion and Dillon. Most of the rehabilitation is happening in North Carolina. The closest similar project is in Smithfield, North Carolina, where a downtown building was renovated as apartments for seniors. Mr. Lucician stated that Regency Development Associates will pursue three state funding sources in an effort to keep rent as low as possible. He estimated that to be about \$300 for one bedroom units. This project will be \$1.3 million dollars. The state application for funding must be filed by May 28, 1997. Final word of the application should be received in July or August. He asked Council for a \$10,000 local contribution which would be worth twenty points on the application. A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve funding of \$10,000, contingent upon the project being structured to City approval. This motion was unanimously approved. DPU Manager, Boatwright, also agreed to participate jointly with the City.

City Administrator Yow stated that several Council meetings before the City was informed that Time Warner was going to conduct a survey on their services and subscriber's satisfaction. They have conducted the survey and the Mayor, some Councilmembers and I have inquired about the survey. There has been discussion about

CITY COUNCIL MINUTES
MAY 6, 1997
PAGE 2

the City conducting its own survey CA Yow deferred to the Mayor to lead the discussion on this topic.

Mayor Cheatham stated that his thoughts were that we have been put between our citizens and the Time Warner Cable system. I requested Time Warner question whether our citizens prefer the Charleston station over the channels that they were replaced by. The question was not specifically asked. It is the Mayor's intention to ask City Council to approve the authority of a survey to ask the specific question of our citizens, but first must ascertain if they are subscribers to Time Warner. The second thing is to inquire Time Warner about the possibility of a governmental channel which is granted in our franchise agreement with Time Warner. The Mayor would like the authority from City Council for Mr. Yow and himself to draw up the questions that they would ask on a survey which would be conducted through an insert in the DPU billing and return it to City Hall or wherever we want it returned.

Mayor Pro Tem Keitt suggested that they come back to DPU since they have the envelope already. When they send the bill back this would prevent two mailings.

City Administrator Yow stated City Hall would compile data received for the results. If Council deems survey to be conducted. But he reiterated that he wanted the public to understand regardless of survey results, the City can't require the Charleston station.

Mayor Cheatham stated he understood but it is just that we have been put in between the citizens and Time Warner Cable and we need to resolve this issue and see how citizens feel. We need to survey all of them.

Mayor Pro Tem Keitt stated she feels our citizens would appreciate the survey because she doesn't think they have gotten the answers they want to hear and this will at least give us the opportunity to survey.

Mr. Terry Roberson, Time Warner Manager, stated that the only comment he had was once you get the survey back, how do you know responses you get are a good return on the survey. DPU has lots of customers. How many do you think you need?

City Administrator Yow stated that it would be compared to the number of responses sent to Time Warner service, if they deem their number of responses valid.

Mayor Pro Tem Keitt stated, "I think what will happen is that the citizens will see that we are concerned about the calls and letters and we need some kind of answer even though it won't be a definite answer from it."

City Administrator Yow stated one concern City Council has expressed, collectively and individually, was addressed by Time Warner. That was how many people we are going to be sending the survey to? City Council didn't feel that the number was sufficient and sometimes when people do call, I say call Time Warner and get survey results and they say they didn't participate in survey or didn't have a chance to participate. Maybe this will eliminate that concern.

Terry Roberson stated Time Warner feels their survey gave a good statistical percentage of who was in favor and who was not. His concern is that you are sending out some 22,000 to 23,000 surveys which was confirmed by me and Mr. Boatwright. Mr. Roberson said he only has about 12,800 customers. That is just doubling work and he hates to see that happen. He was hoping the survey did answer Council's questions. There is a small percentage of people and you

CITY COUNCIL MINUTES
MAY 6, 1997
PAGE 3

are probably not getting as many letters that I would think you would be. Everybody understands your feelings, understands the position of Time Warner that we decreased the value or channels and going forward is nothing but purposeless. I feel it is something we are going to keep hashing our public about and Time Warner understands what we did in our survey is respectful. I am concerned about using the citizen's taxes to conduct a survey such as this but I know it is small and minimal compared to what you are going to spend. These are issues I have concerns about if you send out 10,000 to 11,000 more surveys to people than we have subscribers. Will it be a valid response?

City Administrator Yow stated that the City will address who it is sent out to later.

Terry Roberson asked how is the City to know who the subscriber's are?

City Administrator Yow stated we will work on this. We didn't try to identify the 300 people you called.

Terry Roberson stated that coming from our subscriber database, we pretty much know who they are. In your respect, you don't know who they are and we won't know either because I am sure you will want to keep it to yourself and just show us the responses which is fine because we believe in the City of Orangeburg. I have other concerns, but I can come back to discuss it as new business.

Mayor Cheatham stated that will be fine. The Mayor then stated that Roberson had said that it would be purposeless to conduct a survey. We respond to our citizens because they want us to respond. We are elected by citizens and we are going to respond to their request.

Terry Roberson stated, "Just as we respond to our subscribers, we understand."

City Administrator Yow asked Council to amend the Street and Sidewalk Ordinance, Section 17-5 continuing a general prohibition of this activity, but allowing for exceptions in certain situations expressly approved by the City Administrator.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to amend Chapter XVII, 17-5 of the City of Orangeburg, South Carolina, code of Ordinances adopted October 21, 1996, relating to displays of merchandise on streets and sidewalks. This motion was unanimously approved.

City Administrator Yow asked Council to amend the Truck Route Ordinance Section 9-13.4. It is particularly necessary to include Herron Street for prohibited truck routes since it encompasses several residences and a formerly contained cul de sac which now opens into the new Winn Dixie parking lot.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to amend Chapter IX, 9-13.4 of the City of Orangeburg, South Carolina, code of Ordinances adopted April 21, 1992, relating to prohibited truck route established. This motion was unanimously approved.

A motion was by made by Councilmember Miller, seconded by Councilmember Knotts, to approve Fersner's Pawn Shop application at 435 John C. Calhoun Drive. This motion was unanimously approved.

City Administrator Yow asked Council to approve an Ordinance to annex properties of South Carolina State University into the city

CITY COUNCIL MINUTES
MAY 6, 1997
PAGE 4

limits and zone as Office-Institutional Apartments. City Administrator Yow stated SCSU has not asked for any additional services, but, if they should, they would be charged like any entity. Water and sewer rates will be reduced when the area is annexed. Any vendors or contractors operating at SCSU would be subject to a City business license. A Public Hearing has already been held and the State Budget and Control Board has approved the request. Councilmember Salley asked what SCSU paid in lieu of taxes. City Administrator Yow responded that they do not pay anything. A motion was made by Mayor Pro Tem Keitt and seconded by Councilmember Knotts. This was a 5-1 vote. Councilmember Salley opposed this motion.

City Attorney Walsh gave Council a report that after two years of litigation, a judge ruled Monday in favor of the City and issued a judgement against the architect and contractor of the Horne Wetland Park Boardwalk for \$47,248. The amount is what is required to repair the four-foot section that received the most damage.

The Department of Public Utilities brought no matters before Council.

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 Horne Wetland Park. This motion was unanimously approved.

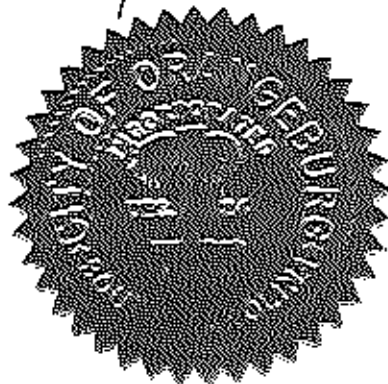
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



CITY COUNCIL MINUTES
MAY 20, 1997

Orangeburg City Council held its regularly scheduled meeting on May 20, 1997, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Councilmember Haire.

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 Mayor Pro Tem Keitt, seconded by Councilmember Miller to approve the May 6, 1997, City Council Minutes as amended. This was a 6-0 vote. Councilmember Haire abstained from voting.

Mr. F. A. Johnson of Johnson Consulting, Inc., gave Council a report on a Conceptual Plan for Railroad Corner/Boulevard area. He explained there were five (5) steps for development.

A CONCEPTUAL PLAN

1. To come up with ideas
2. Determine level of feasibility
3. A business and financial plan
4. Construction phase
5. Management and operation

He stated to put together the Conceptual Plan he worked with DORA, Claflin College, and South Carolina State University. This Conceptual Plan calls for a pedestrian bridge over the railroad tracks and U.S. Highway 601 at Amelia Street to link college students and staff with the downtown marketing area. He described a railroad depot restaurant, shops, parking and housing all with the railroad theme. He stated the key was to pull the tremendous market in the institutions across the barrier of the railroad and highway and tie that market into continued growth and development downtown. He used SCSU's marketing data with 95% of the employees living within twenty-five miles of the campus and spend 84% of their income locally. The University spends over 72% in the Orangeburg area, for a total investment of \$30 million in the local economy. Representatives from SCSU, Claflin College and DORA are working on the project and that indicates ideas that are generated come from within the community. The property owners can also participate in a true public-private partnership. City Administrator Yow stated that the next step will be the formation of a non-profit development corporation to seek grants, funding and developers and continue to work with SCSU, Claflin and DORA.

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to proceed with the involvement of endorsing the non-profit private/public project to develop the designated Railroad Corner at Boulevard and Russell Street along with SCSU, Claflin College and DORA. This motion was unanimously approved.

Public Safety Director Davis announced the Third Annual Memorial Service for Law Enforcement Officers on May 29, 1997 at 10:00 A.M. This service will include all law enforcement agencies in Orangeburg County.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to appoint David Stevenson of the Public Works Department/Garage Division to the Grievance Committee. This motion was unanimously approved.

CITY COUNCIL MINUTES
PAGE 2
MAY 20, 1997

City Administrator Yow told Council that staff submitted two P.A. R.D. Grant applications to the Orangeburg County Legislative

Delegation for consideration. The first grant was in the amount of \$20,200 and would be used to renovate the Mirmow Field roof. The second was a \$5,000 request to establish a formal entrance at the Orangeburg Cemetery. Notification has been received from the Delegation that a \$13,104 grant for the Mirmow Field project and a \$5,000 grant for the Orangeburg Cemetery was approved and forwarded to the South Carolina Department of Parks, Recreation and Tourism for processing. An earlier P.A.R.D. Grant was received in the amount of \$6,800 for underground electrical supply for the Edisto Memorial Gardens, bringing this years total of P.A.R.D. Grants to \$24,904. A motion was made Councilmember Miller, seconded by Mayor Pro Tem Keitt, to accept these two P.A.R. D. Grants and authorize City Administrator Yow to execute the grant agreements on the City's behalf. 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 amend Chapter XVII, 17-5 of the City of Orangeburg, South Carolina, Code of Ordinances adopted October 21, 1969, relating to displays of merchandise on streets and sidewalks. 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 amend Chapter IX, 9-13.4 of the City of Orangeburg, South Carolina, Code of Ordinances adopted April 21, 1992, relating to prohibited truck routes established. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the ~~Third~~ ^{Second} Reading of an Ordinance to annex properties of South Carolina State University into the corporate limits of the City and to zone said properties as Office-Institutional. This motion was unanimously approved.

Mayor Cheatham stated that at the May 6, 1997, City Council Meeting, Councilmembers indicated that they wanted to conduct a survey relating to Time Warner cable television stations. However, a formal vote was not taken. Councilmember Rheney asked what the costs of the survey would be. She also asked how many letters, calls and petitions the City has received on Time Warner removing the Charleston stations. City Administrator Yow told Council that the costs would be the printing of the surveys. Mayor Cheatham responded that he had approximately 15 to 25 phone calls and letters on this subject. There was approximately 20-25 letters and a petition with 30-40 signatures against eliminating the Charleston stations.

City Administrator Yow stated that no matter what the survey results were that the City can not force Time Warner to change its channel selections.

Councilmember Miller stated he felt the survey was a waste of time because Time Warner had basically told us what they are going to do. He stated, "I'm not in favor of beating a dead horse."

Mayor Pro Tem Keitt stated the survey would show the constituents that Council is concerned about their questions and will do what they can to satisfy these questions.

Mayor Cheatham stated that he wants to respond to the complaints and bring closure to the issue.

Councilmember Haire stated he would like to see the survey results and give all citizens a chance to express their feelings.

CITY COUNCIL MINUTES
PAGE 3
MAY 20, 1997

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to survey the citizens who live within the corporate limits of the City of Orangeburg, regarding the two Charleston stations that were removed from the channel make-up and ask the questions--Are you a subscriber to Time Warner cable television System? On January 1, 1997, Time Warner removed the two Charleston Stations from their channel lineup--Do you favor having a Charleston station to replace one of the recently added stations? This was a 5-2 vote. Councilmembers Miller and Salley opposed this motion.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve a Resolution to grant wastewater right-of-way to the Department of Public Utilities. This motion was unanimously approved.

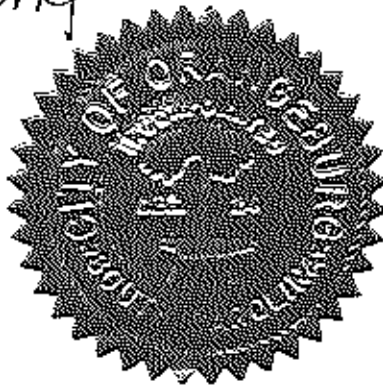
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



A RESOLUTION TO GRANT AN EX PARTE UTILITY EASEMENT
TO THE CITY OF ORANGEBURG, SOUTH CAROLINA

Be it resolved by City Council duly assembled that the Honorable Martin C. Cheatham, Mayor of the City of Orangeburg is hereby authorized to execute and deliver the attached 15' Utility Easement to the Department of Public Utilities of the City of Orangeburg State of South Carolina.

RESOLVED by City Council duly assembled this 20th day of May, 1997.



Martin C. Cheatham
Mayor

Edward Hair

Dennis P. Knotts

Clayton Min

L. J. [unclear]

[unclear]

[unclear]
Members of Council

ATTEST

Sharon M. Fanning
City Clerk

CITY COUNCIL MINUTES
JUNE 3, 1997

Orangeburg City Council held its regularly scheduled meeting on June 3, 1997, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the May 20, 1997, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance amend Chapter XVII, 17-5 of the City of Orangeburg, South Carolina, Code of Ordinances adopted October 21, 1969, relating to displays of merchandise on streets and sidewalks. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend Chapter IX, 9-13.4 of the City of Orangeburg, South Carolina, Code of Ordinances adopted April 21, 1992, relating to prohibited truck routes established. This motion was unanimously approved.

A motion was made was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to annex properties of South Carolina State University into the corporate limits of the City and to zone said properties as Office-Institutional. This motion was unanimously approved.

City Attorney Walsh told Council that the annexation is subject to U.S. Justice Department approval.

Mayor Cheatham proclaimed June 1-7, 1997, as National Garden Week. He presented Ms. Williamson and Ms. Mack of the Garden club the Proclamation.

DPS Director Davis told Council that the Drug Control and System Improvement Program Grant that provides the school resource officer at William J. Clark Middle School has been approved for continuation. He stated that, "We've gotten a great deal of benefit from the school resource officer this year, it creates a feeling of safety and a better learning environment." The grant pays for salary and equipment. The City will commit a 25% match in the FY 1997-98 budget.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to authorize City Administrator Yow to accept the continuation grant and sign the grant agreement. This motion was unanimously approved.

Assistant City Administrator Hemphill asked Council for approval of two (2) additional houses for rehabilitation under CDBG #3-L-94-017. The two properties are:

415 Glover	\$5,200.00
350 Albert	\$12,820.00

(reduction possible due to a change order)

The original twenty (20) houses designated in the grant proposal are almost complete. The two above properties will be renovated with the remaining funds from the award amount.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the bids for the rehabilitation of two (2) CDBG houses. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to re-appoint Billy Hickson, Administration Division and Jimmy Davis, Wastewater Division, to DPU's Grievance Committee. 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 Contractual Matter concerning DPU Electric Division.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



SPECIAL SESSION
CITY COUNCIL MINUTES

JUNE 9, 1997

Orangeburg City Council held a Special Session Meeting on Monday, June 9, 1997 at 12:30 PM in the Assembly Room of the Department of Public Utilities, 1016 Russell Street, Orangeburg, South Carolina with Mayor Martin C. Cheatham presiding. An invocation was given by Councilmember Salley.

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

Mayor Cheatham opened the meeting by expressing this was a day we have been looking forward to for many months, maybe a year. He stated he wanted to take the opportunity on behalf of the Members of City Council to welcome the officials from South Carolina Electric & Gas Company. He then stated he felt we have the finest operating public utility system in America. Councilmember Salley expressed the best in the nation. Mayor Cheatham introduced two of the former managers Alan McC. Johnstone and Ted M. Johnson and the present manager Fred Boatwright. Mayor Cheatham then introduced all the members of Council.

Mayor Cheatham introduced John "Jack" Skolds, President of South Carolina Electric & Gas Company and asked that he say a few words. Mr. Skolds stated that he felt this was also a "great day" for their company. He stated that he was very happy to continue the good relationship we've had for so many years. He stated he felt that the contract will provide a "win-win" situation for both parties. He then introduced Mitchell Tibshirany. Mr. Tibshirany introduced the rest of the SCE&G team; George C. How, John Hendrix, Marcus Harris and Billy Bookhardt, a member of the Board of Directors.

Mayor Cheatham asked Fred Boatwright to introduce the DPU staff members. Fred Boatwright proceeded to introduce Jim Horwood and Peter Hopkins of Spiegel & McDiarmid, Larry Loos of Black & Veatch, Ted Johnson, David Gillam (Director of Electric Division), Fred Yandle (Director of Water Division), Mike Sells (Director of Administrative Division), and Tommy Miller (Director of Gas Division). Fred Boatwright also introduced Mary Green Brown of SCANA Corporation.

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

Fred Boatwright expressed the purpose of the Special Session Meeting was to present to the Mayor and Members of Council for their consideration a Resolution authorizing the Manager of the Department of Public Utilities to terminate the present WR Contract with South Carolina Electric & Gas Company and to purchase replacement electricity. He stated Department of Public Utilities and South Carolina Electric & Gas Company were today planning to sign a new market-based electricity supply agreement. Based on current load forecasts, DPU expects that during its initial four-year term the new agreement will reduce cost by about \$3.5 million per year. The new six-year agreement, SCE&G will provide DPU with its total energy needs through April 30, 2001. During the final two years, SCE&G would provide 100 megawatts of electricity capacity, with the ability to provide more. The contract may be extended on a year-by-year basis for six years afterwards. The agreement has been filed with the Federal Energy Regulatory Commission for final approval.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to accept the Resolution authorizing the Manager of the Department of Public Utilities to terminate wholesale electric service agreements with South Carolina Electric & Gas and to purchase replacement electricity. This Resolution was unanimously approved.

There being no further business, the meeting was adjourned.

Fred Boatwright and Jack Skolds then proceeded to sign the Power Agreement between South Carolina Electric & Gas Company and the City of Orangeburg, Department of Public Utilities.

Respectfully submitted,



Becky A. Austin
Secretary to Manager
Department of Public Utilities

CITY COUNCIL MINUTES
JUNE 17, 1997

Orangeburg City Council held its regularly scheduled meeting on June 17, 1997, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Reverend Michael Sides of Northside Baptist Church.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the June 3, 1997, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham stated the Time Warner Cable Television Survey as inserted in the DPU bill reads as follows:

1. Are you a subscriber to Time Warner Cable Television System?
2. On 1-1-97, Time Warner removed the two Charleston stations from their channel line-up. Do you favor having a Charleston station to replace one of the recently added stations?

The survey results will be mailed back to DPU or can be turned in to City Hall.

Mayor Cheatham informed Council that SCDOT has approved a traffic signal for the intersection of Riley and Chestnut Streets. City Administrator Yow stated that the City will pay half of the cost of installation. Councilmember Rheney stated that an effort needs to be made to get a traffic signal at Old St. Matthews Road and State A&M Road, which is the intersection at the Hillcrest Recreational Facility. She stated 16,000 cars use old St. Matthews Road a day and it is impossible to get out at this intersection.

City Administrator Yow stated that the City has had problems with 18-wheelers parked in City parks and parking lots overnight and entire weekends. A chemical leak occurred with one truck and the City has had to clean up tire carcasses and trash.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to amend Chapter IX, 9-13.1 and 9-13.2 of the City of Orangeburg, South Carolina, Code of Ordinances adopted April 21, 1992, relating to prohibited truck routes established. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to reappoint G.W. Berry and Louis Boone to the Construction Board of Adjustments and Appeals. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to reappoint Marion Black and Jimmy Evans as alternates to the Construction Board of Adjustments and Appeals. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to reappoint Joseph L. Kiett, Joseph Ashley, Francis Faulling and Jane Covington to the Hillcrest Golf Commission. This motion was unanimously approved.

CITY COUNCIL MINUTES
PAGE 2
JUNE 17, 1997

City Administrator Yow stated that Dr. Louie C. Roache and Leon Sanders were reappointed by SCSU to serve on the Commission.

Mayor Cheatham lead a discussion on salaries for Mayor and City Councilmembers. He stated, "This Council has worked untiringly and with diligence strengthening the governmental side of our City operations. I am not going to say a lot about DPU because it has always been very strong. During the past five years, remarkable progress has been made in many areas. While much credit goes to our City Administrator, his staff, his employees, the ability to work and concerns of Council has contributed significantly to the progress that has been made on the governmental side. It is now time to be recognized and rewarded for the effort this Council has put forth.

Mayor Cheatham further provided an extensive list of accomplishments and improvements by the City over the last several years. He also stressed the importance of future planned projects and challenges ahead.

These projects and others will take time and study. Councilmembers should be adequately compensated for these, their ability and their willingness to lead, which this Council has done. I think all of us should be proud of that."

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, that effective October 1, 1997, that the six Councilmembers salaries be increased from their present salary of \$4,500 to \$5,500. The motion did not pass. This was a 2-4 vote. Councilmembers Rheney, Salley, Miller and Haire opposed this motion. Councilmember Knotts abstained from voting.

Councilmember Salley stated, "I'm opposed to raising the salaries at all. Most of what you said is true, we have done a lot of things and a lot of things have been accomplished, but 90% of what was accomplished was done by employees. The only thing you can take credit for is hiring John Yow and Fred Boatwright and turning them loose to do their jobs and they've done that. I think it is wrong to raise salaries of Council. We have employees that need salaries raised and until that's addressed, I'm not in favor of raising Council's salary. This motion did not say anything about the Mayor's salary, but I'm opposed to raising either one."

Mayor Pro Tem Keitt stated, "We deserve a raise. We do the work and we're here for the citizens and I think we have shown that in every aspect."

Councilmember Haire stated, "All you said was true and a lot of that which takes place on a daily basis because of your (Mayor Cheatham) leadership. I feel that the member of Council deserving a raise is you. You have put tireless hours working here for the citizens of Orangeburg."

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, that the Mayor's salary be raised to \$10,000 effective October 1, 1997. This was a 4-3 vote. Councilmember's Rheney, Salley, and Miller opposed this motion.

There were no utility matters brought before Council.

CITY COUNCIL MINUTES
PAGE 3
JUNE 17, 1997

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Hayire, to enter into an Executive Session for a Contractual Matter concerning the City Attorney. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



RESOLUTION AUTHORIZING THE MANAGER OF THE
DEPARTMENT OF PUBLIC UTILITIES TO TERMINATE
WHOLESALE ELECTRIC SERVICE AGREEMENTS WITH
SOUTH CAROLINA ELECTRIC & GAS COMPANY
AND TO PURCHASE REPLACEMENT ELECTRICITY

WHEREAS, the City of Orangeburg is of the opinion that it is in the best interest of its citizens and its electrical customers that the electrical requirements of its Department of Public Utilities be purchased or obtained on an economic basis, and

WHEREAS, due to changes in the electric utility industry, the City of Orangeburg has more potential sources of power and energy available to it than it has previously, and

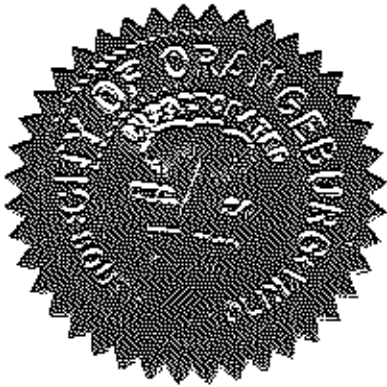
WHEREAS, emerging changes in the electric utility industry will increase the need for the City of Orangeburg to be able to meet competition from other suppliers of electricity.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL DULY ASSEMBLED, that Fred H. Boatwright, Manager of the Department of Public Utilities is hereby authorized to terminate all electric service at all delivery points under the present Wholesale Electric Service Agreements and under South Carolina Electric & Gas Company's Wholesale Electric Tariff and Schedule WR at 11:59 PM on April 29, 1997, or such other time as is necessary to facilitate and implement the receipt of service under South Carolina Electric & Gas Company's Negotiated Market Sales Tariff and the related Transaction Agreement proposed to be made and entered into the 9th day of June, 1997, by and between South Carolina Electric & Gas Company, its successors and assigns, and the City of Orangeburg.

BE IT FURTHER RESOLVED, that upon said termination, Fred H. Boatwright, Manager of the Department of Public Utilities, is hereby authorized, at his discretion, to purchase or obtain, electrical capacity and energy from any available sources (including self-generation) and transmission service as he deems appropriate and at economic terms, conditions and costs.

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, is authorized to take any and all other necessary actions in furtherance of the intent of this Resolution.

RESOLVED, by City Council assembled this 9th day of June, 1997.



Martin L. Chestnut
Mayor

James Whelan
David H. Alley

James R. Reid
Sam Q. Hare

Paul J. Min

Sandra L. Knott
Members of Council

ATTEST:

Sharon A. Samuels
City Clerk and Treasurer

CITY COUNCIL MINUTES
JULY 1, 1997

1019

Orangeburg City Council held its regularly scheduled meeting on July 1, 1997, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

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

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the June 17, 1997, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham and DPU Director Boatwright presented Betty J. Ott, an employee of the Department of Public Utilities, with a Resolution of appreciation of her devotion to the City for 20 years and 17 days of service. Mrs. Ott retired on June 30, 1997.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to amend Chapter IX, 9-13.1 and 9-13.2 of the City of Orangeburg, South Carolina, Code of Ordinances adopted April 21, 1992, relating to prohibited truck routes established. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, not to pass the First Reading of an Ordinance to increase the annual salary for the office of the Mayor. This motion passed on a 5-2 vote. Mayor Cheatham and Councilmember Haire opposed this motion. Discussion was held on this item. Mayor Pro Tem Keitt stated that she would like Council to study this particular issue and bring it back to Council for the next meeting. Councilmember Haire stated that his unreadiness was that he was opposed to the motion made by Councilmember Salley. He stated, "I am an individual who will not allow editorials to dictate to me as to how I will vote on issues at this Council. I'm not saying that there are those who have done so, but I have some concerns about the editorial that came out as it relates to passage of the recommendation that the Mayor's salary be increased and I will never as an individual be dictated to by editorials. I think that you (Mayor Cheatham) are deserving of what's been proposed and I will not back down from that. I will not be pressured into making any changes of what I originally said. There are those who initially voted against any increase in Council's salary and I was one of those who voted against it, but there are those who consistently vote against increasing Council's salary but consistently accepts it. I think that's hypocritical. I think that the editorial did not state all that this Council does as relates to budget. I don't know where they got their figures from. I'm quite sure they did not include DPU's budget when they quoted budget figures. And I would hope that when the editorials are written all the facts are given, not just planted facts. I am opposed to this motion to delay."

City Administrator Yow reminded Council of budget workshops on July 8th and July 9th.

CITY COUNCIL MINUTES
JULY 1, 1997
PAGE 2

Mayor Cheatham read a statement to clarify some things. He stated that soon after becoming Mayor in 1989 he began review of the effectiveness and efficiency of each department of the government side. It was obvious that salaries were too low in many areas. Since that time salaries have been raised in most areas and other benefits, such as dental insurance have been added. For example, police officers started at approximately \$16,500 but now start at an average of \$21,000-\$21,500. The Mayor stated that he doesn't have to defend anything he's done since becoming Mayor or how hard he's worked and personal remarks about individuals on Council are uncalled for.

There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to enter into an Executive Session for a legal matter pertaining to the Department of Public Safety's fire service area. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



RESOLUTION

WHEREAS, Betty Jean Ott. has faithfully served the Department of Public Utilities of the City of Orangeburg for the past twenty years, and seventeen days, and

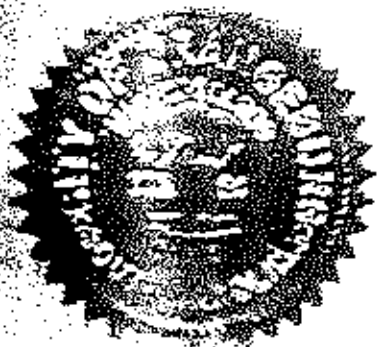
WHEREAS, She, through her long and faithful service contributed greatly to the successful operation of the Department of Public Utilities, and

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

BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially take cognizance of the faithful service rendered to the Department of Public Utilities of the City of Orangeburg by Betty Jean Ott in the capacities in which she served the Department for the past twenty years and seventeen days, and commend her for a job well done.

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

PASSED By the City Council of the City of Orangeburg, State of South Carolina, this 1st day of July, A.D., 1997.



Martin Lee Thompson
Mayor
Paul H. Kelly
William H. Harts
Charles P. Knotts
Edward Haine
James Phang
Lane A. Min
Members of Council

ATTEST:

Spencer H. Lanning

City Clerk and Treasurer

CITY COUNCIL MINUTES
JULY 15, 1997

Orangeburg City Council held its regularly scheduled meeting on July 15, 1997, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Reverend Ben Gafford of St. Paul Methodist Church.

PRESENT:

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

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the July 1, 1997, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend Chapter IX, 9-13.1 and 9-13.2 of the City of Orangeburg, South Carolina, Code of Ordinances adopted April 21, 1992, relating to prohibited truck routes established. This motion was unanimously approved.

Councilmember Salley asked, "If a man is a truck driver who lives in town and he brings his tractor home, is that allowed?" City Administrator Yow stated that this is not allowed unless he lives on the truck route. These would be looked at if a person notifies City and registers a complaint.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to bring an Ordinance to Council to consider raising the Mayor's salary \$2,500 per year and Councilmember's salary \$1,000 per year. This was a 3-4 vote. Councilmembers Rheney, Salley, Miller and Haire opposed this motion. Councilmember Salley asked for discussion on this matter.

He stated, "The budget we are in the process of working out is not yet balanced, and yet it seems you want to raise Council's salaries. To ask the citizens of this town to raise salaries at the same time possibly raise taxes or raid DPU yet another time, particularly at a time deregulation has cast so many shadows, is not good business nor is it good politics. Just a short time ago we raised the Mayor's salary \$600, to even consider raising salaries again is totally unjustified."

Mayor Cheatham stated, "These salary increases are justified and this Council has worked hard. They are deserving of the increase and the only thing wrong about it is, we have to recommend our own increases. These things come about and have to be faced sometime and unfortunately this is the time we have to face it. We haven't raised taxes in four years and we've raised close to \$200,000 of private money. We've done a lot for this City and this Council is deserving." He stated he wanted to reassure the citizens that he has served for eight years with honesty and integrity and will continue to do so if reelected.

Mayor Pro Tem Keitt stated that she thinks of the long-term and short-terms of what we have on Council. To look at what we've done as Councilmembers and the Mayor it's been a tremendous job. She stated, "We have to think of the young people who will come on the job and the salaries they will get. It's peanuts. They won't come on Council and serve for the money we get. We are not thinking about ourselves but the people who are coming after us." She stated that those persons who don't want a salary increase, should give it to Hospice or Project Life Positeen. I don't see you giving money back when you get it. The increase you got last time, you didn't give it back. You kept it. When it comes to voting, I

CITY COUNCIL MINUTES
PAGE 2
JULY 15, 1997

think we should be fair about this thing. Councilmember Miller stated, "When you say we don't give it back, I take exception to that. I give money to Stevenson Auditorium, Mirmow Field, a plaque for Sharperson. We do give back. I do."

A motion was made by Councilmember Haire, seconded by Mayor Cheatham to bring an Ordinance to Council to consider raising the Mayor's salary to \$10,000 and this would begin October 1, 1997 (new term begins). This was a 2-5 vote. Councilmember's Rheney, Salley, Keitt, Miller and Knotts opposed this motion. Mayor Cheatham stated he was very disappointed in this Council. "All of you have worked very hard, you're deserving of this raise. The Mayor's position regardless of who sits in it is deserving of more compensation for the work that's done. I hope we don't pay for this in later years."

Assistant City Administrator Hemphill recommended to Council approval of the final house for rehabilitation under CDBG-3-L-94-017. He stated this will be the last house rehabilitated under this grant. Twenty-three (23) houses, including this one, have been assisted with this grant. This figure exceeds the original twenty (20) we proposed in our grant application. The address and amount is 491 Browdy Street at \$17,200. The amount to be spent is well within the \$19,500 average per home.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to proceed with this project with the stipulation that the repair costs do not exceed the average per home. This motion was unanimously approved.

City Administrator Yow asked for Council's consideration of agreement concerning City and County Fire Service areas. The agreement concerns the City's Fire Service Area, which dove tails with the County Fire Tax District and includes the provision for fire protection boundaries. He stated, basically the agreement relinquishes three areas we're currently serving to the County Fire Tax District. He recommended that Council authorize him or the Mayor to execute this agreement after they meet with County officials to make sure we have a full understanding of all the details and answer all pertinent questions. We endorse what they are wanting to do with county wide fire service but we need to really review this to make sure we have a full understanding.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to authorize the City Administrator to execute an agreement after the meeting with County officials concerning City and County fire service areas. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to pass a Resolution authorizing DPU Manager Boatwright to sign a contract with Tideland Utilities of Summerville, South Carolina for the construction of the Whitford Stage Creek Wastewater Project at a low bid of \$447,878.00.

Councilmember Haire asked, "What do we know about Tideland as it relates to their liability and as it relates to this project? Do they have any previous experience?"

DPU Manager Boatwright stated they have not done work for us in the past, however, we investigated Tideland, their track record and bonding. They appear to be a reputable company.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to enter into an Executive Session to discuss the purchase of real property by the Department of Public Utilities Administration Division. This motion was unanimously approved.

RESOLUTION

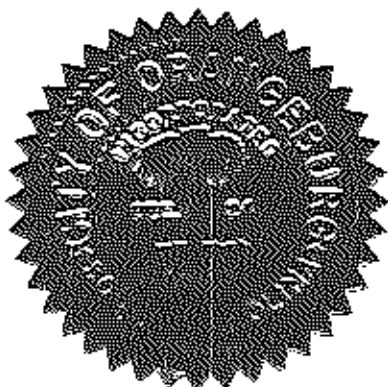
WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on June 25, 1997 for an 18" inch gravity sewer along Whitford Stage Creek; and

WHEREAS, the low responsible bid for this work was submitted by Tideland Utilities of Summerville, South Carolina the amount of \$447,878.00; 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 City Council, in Council assembled, at Orangeburg, South Carolina this 15th day of July, 1997.



Martin C. Heath
Mayor

Samuel J. Haire

Douglas P. Kirtos

Paul A. Min

P. Randolph Riggs

R. Keith Kelly

James W. Rhea
Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

Council entered into a regular session.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to authorize DPU Manager Boatwright to purchase three (3) parcels of land.

Parcel #2 --	260 Cuttino	\$47,000
Parcel #3 --	288 Cuttino	\$71,000
Parcel #4 --	290 Cuttino	\$160,500

TOTAL	\$278,500
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This will be pending the Environmental Impact Study. This motion was unanimously approved.

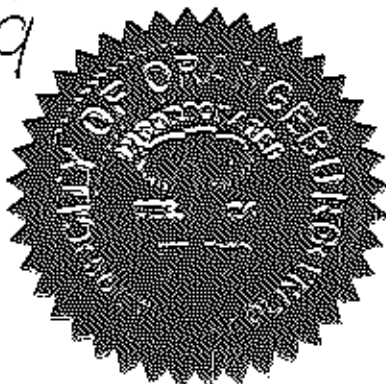
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



BUDGET WORKSHOP MINUTES
JULY 8, 1997

Orangeburg City Council held a Budget Workshop meeting on July 8, 1997, at 6:00 P.M., in Council Chambers at City Hall. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
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 1997-98. City Administrator Yow gave Council a budget summary overview (See attachment). Some of the topics discussed were:

- (1) City Administrator Yow opened the meeting with discussion on health insurance rates. He stated the health insurance increase of 15% accounts for \$182,000 of the budget's increase on the final numbers. This is the first rate increase passed on to employees in SIX years not counting the 10% increase that was done on May 1, 1997. Councilmember Salley stated that the City needs to address what we pay on dependents. He suggested contacting industry to see what they pay. City Administrator Yow stated we would contact other cities.
- (2) Researching recent legislative acts, i.e., Local Government Fiscal Autonomy Act, that outlines allowable Local Government Financing sources; Council discussed several allowable sources. It was discussed that a Hospitality Tax could be put on restaurants up to 2%. Also, an Accommodations Tax could be put on motels cumulative to 3%. The Fiscal Autonomy Act was just passed and necessitated further review. Counties can implement up to one and one-half percent in municipalities. It was suggested that the City proceed with gathering information on these pieces of legislation. City Administrator Yow stated that these monies would have to be used for tourism related activities.
- (3) Increase in franchise fee revenues due to expected partial year payment from BellSouth. Also, looking at cellular telephone business license rates. City Administrator Yow stated the franchise fee was increased substantially, about \$80,000. Our attorney thinks we will get a favorable decision on the Southern Bell lawsuit this year. This \$80,000 only reflects a partial year (three months).
- (4) Fire contracts changed to Fire Tax District; generate approximately \$250,000 more income allowing us to better address Public Safety's related needs. Fifteen (15) mills will be proposed for the fire tax district. First, approval must be given by Orangeburg County Council and then an ordinance establishing this would be done by the City. We cannot address all current and future needs under current arrangement.

Public Works Director Bowden discussed with Council several merit raises and organizational restructuring plans for his department. Also, all capital items were discussed. Councilmember Salley suggested that landing fees at the airport needed to be reviewed before completion of new runway. Curbside recycling and sanitation services were also discussed in relation to budget.

Budget Highlights
FY 1997-1998
(for workshops July 7 & 8, 1997)

- ◆ No Tax Rate Increase included in numbers to date - very modest growth.
- ◆ No DPU Transfer Increase for operational budget in numbers to date.
- ◆ Budget is currently \$189,000 out of balance as of workshop dates.
- ◆ Health Insurance accounts for \$182,000 increase above this year's final numbers (city share total \$773,690 - rate sheets to be provided). First pass on to employees in 5 years.
- ◆ Property, Tort Liability, and Vehicle liability account for \$47,000 increase this year vs. last year.
- ◆ No increase in business license rates, however, this continues to be one of our best growth areas.
- ◆ Researching recent legislative acts i.e., Local Government Fiscal Autonomy Act that outlines allowable Local Government Finance Sources. There are several allowable sources that we currently do not utilize and are not in this budget.
- ◆ Victims Bill of Rights affects revenues and expenditures.
- ◆ Increase in Franchise Fee Revenues due to expected partial year payment from BellSouth; also looking at cellular telephone business license rates.
- ◆ 3% cost of living raise for employees; merit raise for various employees included, but final decision not made on all.
- ◆ \$300,000 cash forward from fund balance of greater than \$3 million . This year's budget will result in revenues exceeding expenditure.
- ◆ \$100,000 cash forward from fund balance restricted for fire equipment.
- ◆ No inert disposal fees budgeted due to closure.
- ◆ No new general obligation debt budgeted; current debt capacity greater than \$2 million. Under \$200,000 debt currently obligated.
- ◆ \$250,000 ISTEADowntown Grant - match is not included in this document. Tax Increment District will be explored as well as accommodations and hospitality taxes.

- ◆ Fire contracts changed to Fire Tax District allowing us to better address Public Safety related needs.
- ◆ Aerial Platform Pumper (\$600,000) included; 40,000 annual revenue budgeted from SCSU and Clafin; \$300,000 pumper deferred to future budget.
- ◆ Approximately \$250,000 General Fund Transfer to Airport, primarily needed as grant match for runway. No timber sales revenues this year.
- ◆ No new positions approved in any department above approved slots in last year's budget.
- ◆ \$150,000 shown for Special Projects.
- ◆ \$25,000 from City for DORA; also \$25,000 from DPU.
- ◆ \$25,000 from City for Stevenson Auditorium; also \$15,000 from DPU.
- ◆ \$12,000 for Arts Council.
- ◆ \$7,500 for Orangeburg Keep America Beautiful.
- ◆ Continue employee tuition reimbursement program.
- ◆ Continue to match several grants throughout budget, i.e., several COPS grants, Airport Grant, Housing grants, PARD, Urban and Community Forestry.
- ◆ Renovation of existing playgrounds.
- ◆ Expansion of Children's Garden Christmas plus other beautification improvements.
- ◆ Hillcrest continues to be self-sustaining; no need for General Fund Transfer.
- ◆ Continue to collect \$25,000 annually for Hillcrest Cart Path; funds put in escrow account.
- ◆ Financing \$735,000 worth of equipment over 3 to 7 years.
- ◆ SCDOT reimbursement of \$17,00 for annual operational costs of traffic signals.
- ◆ No expenditures to State for detention of juvenile offenders.
- ◆ No new positions budgeted in Sanitation to return to twice a week roll-out collection and continue curbside recycling. Approximately \$75,000 annually to do both.

BUDGET WORKSHOP MINUTES
PAGE 2
JULY 8, 1997

Service Department Director Brant discussed with Council all capital outlay items. There were no substantial changes in his budget. Mr. Brant's departmental goals are largely determined by assisting other departments in attaining their goals.

Department of Public Safety Director Davis discussed with Council several merit raises he was proposing to give. He gave a brief overview of all his capital needs. The largest capital item being an aerial platform pumper at a cost of \$600,000. A payment of \$100,000 will come from the Fire Equipment Reserve Fund as a down payment with South Carolina State University and Claflin College giving \$40,000 total. The \$500,000 balance will be lease-purchased over a five year period. Also, there is a need for a \$300,000 pumper within the next couple of years as well as an additional substation.

Director Davis gave Council an update on his grant divisions, along with personnel and capital requests. The Fire Tax District was again discussed.

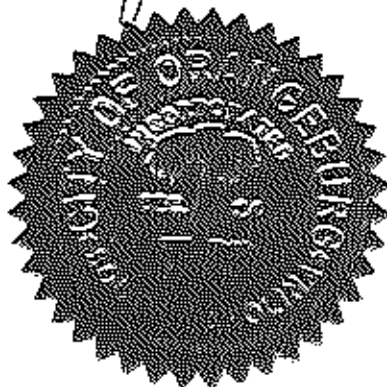
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



BUDGET WORKSHOP MINUTES
JULY 9, 1997

Orangeburg City Council held a Budget Workshop Meeting on July 9, 1997, at 6:00 P.M., in Council Chambers. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
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 1997-98 Budget.

Finance Director Fanning gave an overview of the Finance Department's proposed budget. There were no substantial changes in this budget. The only capital item will be lease-purchase in the Data Processing Division. This will be an upgrade for the IBM AS/400 computer. This will upgrade the system from an E-109404 to 9404-400 which will be year 2000 compliant. The current system's software will no longer be supported by IBM after January, 1998.

City Administrator Yow and Assistant City Administrator Hemphill highlighted the Administrative Department's budget. In the Administrative Division the Special Projects Coordinator has been budgeted again. In the Community Planning Division \$10,000 has been budgeted for Building Code Enforcement and also \$10,000 for grants match possibly used for the Russell Street Inn or any other housing grants we might have to match.

Mayor Cheatham brought up the issue of additional space for offices in City Hall being needed. Councilmember Rheney suggested possibly using the old jail for additional space. Mayor Cheatham stated the biggest problem with that building would be connecting it to City Hall. City Administrator Yow suggested a breezeway directly connected. Also, major renovations would be needed to make it decent. Councilmember Salley suggested possibly the Public Works Department moving into that building.

City Administrator Yow gave Council an overview of the Executive Department's budget. Two (2) capital items are requested. A new recorder is needed for the Council Chambers. The Computerized Imaging System will be used to index, copy records and minutes and also as back-up for our records. A change is reflected in the expenditures for Attorney Walsh's salary. A new proposed rate was added in the Administrative salaries but the special expense was reduced to \$20,000 due to this change. On the revenue side DPU is reflected in paying half of Attorney Walsh's salary and benefits.

City Administrator Yow reported on the Hospitality Tax and Accommodations Tax. He gave results of a survey done on several cities. He stated he thought the Accommodations Tax needed to be coordinated with the County because a 3% cumulative (City & County) maximum could be passed. Counties can pass up to a 1% in municipalities without consent of municipality.

Discussion was held on the Fire Tax District. An additional \$250,000 was preliminarily budgeted in revenue for this district. If this does not pass the City still has the option to increase fire contract rates.

City Administrator Yow stated \$400,000 in reserve monies have been budgeted - \$300,000 as general revenues and \$100,000 to go toward down payment on aerial pumper.

City Administrator Yow stated that in the Hillcrest Pro Shop Fund the thing that stands out is that you have a transfer to the Hillcrest Golf Course of \$33,203 which assists in making the whole Hillcrest Operations self-sustainable.

Hillcrest Manager Bryant told Council that the golf course membership revenues reflect an increase in fees. Senior membership dues are increasing by \$60.00 per member. The single and family membership increased by \$25.00 per membership. He went over all capital outlay requests. Cart paths were briefly discussed with general understanding that we should continue to build on escrow fund of approximately \$25,000 for FY 96-97.

Parks and Recreation Director Smith reviewed with Council his capital requests. Mayor Cheatham stated his concern with the City providing the only organized recreational activities in the county. He discussed the P.A.R.D. Grant line item with Council. He would like to request in excess of \$20,000 to go toward development in the gardens, such as a Garden for the Blind. Also, the construction drawings and specifications on the RV Park in the gardens and development of canoe docks.

No decisions were finalized on balancing the budget. All options, ranging from small tax increase plus small increase in DPU transfer, were discussed. Also local accommodations and hospitality taxes were discussed. City Administrator will further research options and discuss with Councilmembers in order to recommend a final budget.

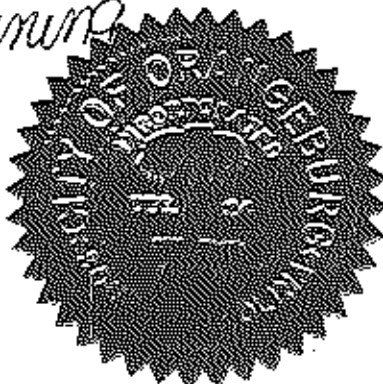
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/b



CITY COUNCIL MINUTES
AUGUST 5, 1997

Orangeburg City Council held its regularly scheduled meeting on August 5, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Leroy Thomas, Pastor of A.M.E. Church.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the July 15, 1997, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the July 8, 1997, Budget Workshop Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the July 9, 1997, Budget Workshop Minutes as distributed. This motion was unanimously approved.

City Administrator Yow presented to Council a balanced budget for FY 1997-98. He stated to be able to present a balanced budget the property tax millage was increased by four mills, from 71 to 75. The Department of Public Utilities transfer to the general operating fund was increased by \$35,000.

Mayor Cheatham stated that the tax increase was attributed primarily to the purchase of an aerial platform ladder pumper truck in the upcoming budget. The four mill increase will pay the debt service payment for one year. He stated, "We've delayed the purchase as long as we can. In order to finance it, it's necessary to put it in the budget. This should be a real plus for the community."

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, 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 beginning October 1, 1997 and ending September 30, 1998. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to delay further implementation of the proposed RV park at Edisto Memorial Gardens beyond the current phase. This was a 4-3 vote. Councilmembers Rheney, Salley and Miller opposed this motion. Councilmember Haire stated that he was not comfortable right now with what was done with the budget and millage to move forward with the project. He stated he would like the project delayed, not eliminated. "We're having to raise taxes 4 mills and it gives me a little problem to go forward with that project."

City Administrator Yow explained it would be difficult to stop the phase of work--the geological survey and mapping have already been done and the architectural work that's already under contract. The current contract will be completed but no additional work will be done without Council's review and direction.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the First Reading of an Ordinance amending the Budget for the City of Orangeburg for the Fiscal Year beginning October 1, 1996 and ending September 30, 1997. This motion was unanimously approved.

CITY COUNCIL MINUTES
AUGUST 5, 1997
PAGE 2

Mayor Cheatham presented Orangeburg Wilkinson High School students, John Paul Sibley and Sterling Dowling, plaques in recognition for national honors they received. Dowling was honored as Governor of Boy's State and President of Boy's Nation. Sibley was honored by Discover Card Tribute Award Program.

Mayor Cheatham recognized Tommy Miller, Director of Gas Division at the Department of Public Utilities, for receiving the national Community Service Award from the American Public Gas Association.

City Administrator Yow presented Council with a summary of the cable TV surveys. The results are as follows:

TOTAL RESPONDENTS - 1303

ARE YOU A SUBSCRIBER TO TIME WARNER CABLE SYSTEMS?

YES	1217	93% Respondents
NO	54	4% Respondents
UNCLEAR	32	3% Respondents

ON JANUARY 1, 1997, TIME WARNER REMOVED THE TWO CHARLESTON STATIONS FROM THEIR CHANNEL LINEUP. DO YOU FAVOR HAVING A CHARLESTON STATION TO REPLACE ONE OF THE RECENTLY ADDED STATIONS?

YES	1079	83% of Respondents	89% of those with cable
NO	155	12% of Respondents	
UNCLEAR	69	5% of Respondents	

Mayor Cheatham asked that City Administrator Yow and City Attorney Walsh contact Time Warner and go over the franchise agreement and see if we can get them to respond to the survey results.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to authorize City Administrator Yow to accept a SCDOT Traffic Enhancement Grant in the amount of \$250,000. This motion was unanimously approved.

City Administrator Yow stated that the grant would be used for the following:

1. Replace old sidewalks to make them more attractive and safe for pedestrians.
2. Curb cut strategically located to make downtown area more accessible.
3. Street crosswalks that are clearly delineated to encourage orderly pedestrian crossings.
4. Historic, attractive street lights that make area more scenic while also improving the lighting for both pedestrians and automobiles.
5. Placing of utility lines underground to improve appearance and decrease likelihood of damage to lines.
6. Improved, attractive intersection signalization and signage to enhance traffic flow and direct travelers.
7. Replace old broken storm water drop inlets to more effectively remove surface water and alleviate pedestrian safety concerns from falls and trips.

CITY COUNCIL MINUTES
AUGUST 5, 1997
PAGE 3

8. Bike storage facilities to allow all citizens and students from SCSU and Claflin College to access downtown by bicycles versus automobiles.
9. New attractive litter control receptacles strategically located to mitigate litter in the downtown.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to appoint City Administrator Yow and DPU Manager Boatwright to the Community Development Corporation Board for development of Railroad Corner. This motion was unanimously approved.

Councilmember Salley asked whether a representative from the black business community wasn't also needed on this board. City Administrator Yow stated that South Carolina State University and Claflin College have each appointed a member and that DORA will appoint a member and ex-officio. Also, that with negotiations expected for the buying and leasing of area property, we don't want to designate that. There is a potential conflict of interest down the road.

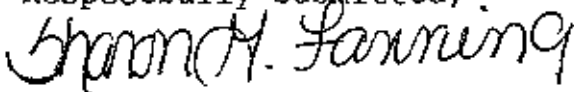
DPU Manger Boatwright asked Council for consideration of a Resolution authorizing the manger to sign a right-of-way easement to the SCDOT for a 12-foot strip of the City's property on U.S. Highway 178 (North Rd) at the Electric Substation 16 and North Road water pump station for the improvements to the North Road right-of-way. He stated he was asking for approval of the easement with the provision that the SCDOT consent to a utility agreement whereby the Department of Public Utilities is fully compensated for the relocation of its electric utilities on both sides of the North Road. The estimated relocation cost is approximately \$700,000.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve a Resolution to grant right-of-way easement to SCDOT. This motion was unanimously approved.

DPU Manager Boatwright introduced to Council Mr. Richard Labrador, the new Wastewater Division Director.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/b



A RESOLUTION AUTHORIZING THE EXECUTION
OF A RIGHT-OF-WAY EASEMENT TO THE
SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED by council duly assembled that Fred H. Boatwright, Manager of the Department of Public Utilities, is hereby authorized and directed to execute a right-of-way easement to the South Carolina Department of Transportation for the consideration of Three Thousand Four Hundred Seventy-five and no/100 (\$3,475.00) Dollars, a copy of said right-of-way easement being attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that said right-of-way easement shall not be delivered to the South Carolina Department of Transportation until said Department of Transportation has executed and delivered to the City of Orangeburg two (2) utility agreements providing for the reimbursement of all costs of relocation of utility facilities located on both sides of US Highway 178 (North Road), including, without limitation, all costs and expenses incurred in acquiring a substituted twelve (12') foot utility right-of-way on both sides of said road.

PASSED by City Council of the City of Orangeburg, State of South Carolina duly assembled this 5th day of August, 1997.



ATTEST:
Sharon N. Lanning
City Clerk and Treasurer

Mark L. Thompson
Mayor
Bernard Hair
Dwight P. Roberts
Paul G. Miller
James H. Lanning
W. Keith Allen
James H. Lanning
Members of Council

THE STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

RIGHT OF WAY EASEMENT
Approximate Survey Station

Road/Route No. U. S. 178 200+29.1 To 209+45.5 RT
File No. 38.971 _____ To _____
Item _____ To _____
Project No. STP-NU38(001)
Pin No. 13191

KNOW ALL MEN BY THESE PRESENTS, That I (or we) City of Orangeburg,
Orangeburg, South Carolina 2911 in consideration of the sum of Three Thousand Four
Hundred Seventy-Five and No/100 (\$3,475.00) Dollars, to me (or us) in hand paid, and other valuable consideration
at and before the sealing and delivering thereof, by the South Carolina Department of Transportation, receipt of which
is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, give, bargain, sell,
release and quitclaim, unto the said South Carolina Department of Transportation, its successors and assigns, an
easement or right of way for the construction, improvement, operation and maintenance of a public road as a State
Highway from Near Road S-1637 to 0.204 mile beyond Road S-1203 (Lake Edisto Road) on U. S. Route 178.
State and County aforesaid, as shown on plans prepared by the South Carolina Department of Transportation, upon
and across the land which I (or we) may own, in whole or in part, between the survey stations referenced above and as
depicted and described on the above reference plans together with, all and singular, the rights, members, hereditaments,
and appurtenances thereunto belonging, or in any way incident or appertaining. Said right of way to have a width of
45 feet on the right side of the survey centerline of the highway. The grantor expressly recognized the possibility that
the property herein may be used in the future by public utility or others granted the statutory right to use the right of
way.

SPECIAL PROVISIONS:

Tax Map No. 0154-00-00-027.

Checked _____ By _____
Recorded _____ By _____
Project _____ File No. _____

TRACT 58

TO HAVE AND TO HOLD, all and singular, the said easement or right of way and the rights hereinabove granted, unto the said South Carolina Department of Transportation, its successors and assigns forever for a public road, highway, other public transportation purposes or other public uses as are permitted within and in conjunction with highway rights of way and the grantors hereby dedicated their respective interest in said strip of land to public use for such purposes.

It is agreed that buildings, fences, signs or other obstructions will not be erected by me (or us), my (or our) heirs, assigns or administrators within the limits of the right of way herein conveyed and that such buildings and fences are now within the right of way herein conveyed will be moved from the right of way and restored in as good condition as before moving at the expense of the South Carolina Department of Transportation.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand(s) and seal(s) this 8th day of August, in the year of our Lord, One Thousand Nine Hundred and 97.

Signed, sealed and delivered in the presence of:

John W. Buehler
1st Witness
Gwen Lewis
2nd Witness

CITY OF ORANGEBURG

BY: And H. Bonfanti
ITS: _____ (L.S.)

(L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Transportation.

THE STATE OF SC)
COUNTY OF Orangeburg) PROBATE

Personally appeared before me the undersigned witness and made oath that she/he saw the within named grantor sign, seal and as the grantor's act and deed, deliver the within written easement; and that she/he with the other witness whose signature appears above witnessed the execution thereof.

John W. Buehler
1st Witness

SWORN to before me this 8th
day of August, 19 97
Becky A. Austin
NOTARY PUBLIC FOR SC
My Commission Expires: 1-22-2006

SPECIAL SESSION
CITY COUNCIL MINUTES
AUGUST 12, 1997

Orangeburg City Council held a Special Session Meeting on Tuesday, August 12, 1997, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Martin C. Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT: Martin C. Cheatham, Mayor
L. Zimmerman Keitt, Mayor Pro Tem
Bernard Haire
Sandra P. Knotts
Paul A. Miller
W. Everette Sailey
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 of the Special Session Meeting was to present to Mayor and Members of Council for their consideration the proposed 1997-1998 Budget.

Fred Boatwright then proceeded to go over the basis of the proposed budget. He highlighted the Department's gross billings will be less than they have been for the past two years. He explained there are two major reasons for this, 1) the new electric contract with our electric supplier has resulted in a lower price that we pay for electricity and 2) anticipated overall growth for the Department. He also stated he anticipates coming to Council in October or November of this year to ask for the electric rates to be reduced for our customers.

Fred Boatwright then reported on the Gas Division. He stated the Department anticipates a slight decrease in sales, due to the fact that we will not be running the turbines as much. The Department anticipates a 3.75% decrease in sales. Councilmember Sailey asked if this was because of not using the turbines. Fred Boatwright answered, yes.

Next, Fred Boatwright reported on the Water Division. He reported a 5% growth due to last years rate increase.

Fred Boatwright then reported on the Wastewater Division. The net profit will be significantly down, due to the sludge dryer going on line and adding depreciation for the dryer and anticipated repairs to the Wastewater Plant.

Fred Boatwright stated the Department does not anticipate any rate increases in any of the Divisions, but does anticipate a rate decrease in the Electric Division.

The meeting was then turned over to the Director of each Division to give a brief summary of their projects.

Various Questions Asked By Council:

Councilmember Rheney asked why will we not be running the turbines. Fred Boatwright answered "as part of the new contract with SCE&G we do not have to run the turbines for peak shaving".

Councilmember Haire asked where was the Department in regards to electric "wheeling" and asked if we have started looking into it. Fred Boatwright stated the Department has definitely started looking into this matter. He explained wheeling is not the law in our state as of now, but we anticipate it will be effective maybe next year or by 1999, but when it does come we want to be ready. He stated we are working now on reducing rates not only for the sale of energy, but for transportation and distribution rates.

Mayor Cheatham asked Fred Boatwright if the newspaper was made aware of this meeting, since they were not present. He replied that the media was notified but they had another obligation. He expressed that he did brief the Times and Democrat earlier that morning.

Councilmember Rheney asked Mike Sells how the new software was working since our last meeting. He replied that it is much smoother than it was a year ago, but is not moving as fast as we anticipated but that we will be ready for our future utility changes.

After Mike Sells presented the new inventory system project, Councilmember Salley asked when did we go under the Public Service Commission. Fred Boatwright replied that we are not at the present time, but pending legislation will put us or at least our transmission and distribution under the PSC Regulation. This will happen as part of the de-regulation of the industry. The Mayor asked that Council be made aware of any hearings that may be coming up. Fred Boatwright replied he would certainly keep Council informed and appreciates their willingness to be involved and their concern.

During Fred Yandle's presentation on Project #3 (Distribution System Cement Lining Rehabilitation) Councilmember Haire referred to the project map showing the streets to be relined in the Maxey and Dickson area and asked why were the adjacent streets not marked to be relined. Fred Yandle replied due to the lack of historical data, the Department is presently investigating what type of piping exists in this area.

List of Proposed Projects

ADMINISTRATIVE DIVISION PROJECTS

Project #1 - Repairs/Improvements to Warehouse & Inventory System

<u>Total Project Cost:</u>	<u>\$775,000</u>
<u>Estimated 1997-1998 Cost:</u>	<u>\$400,000</u>

To improve the Department's inventory system in order to provide an economical and an efficient means in which to administer and monitor the inventory in a manner consistent with the Federal Energy Regulatory Commission Standards and the Government Accounting Standards Board and to make needed repairs to the 30 year old warehouse (operations center) on Sprinkle Avenue.

ELECTRIC DIVISION PROJECTS

Project #1 - Cross Town 115 KV Transmission Tie

<u>Total Project Cost:</u>	<u>\$1,985,973</u>
<u>Estimated 1997-1998 Cost:</u>	<u>\$1,370,000</u>

Continuation of an ongoing project. Originally the sole purpose was to build a 7.7 mile tie line to strengthen and increase the capacity and stability of the Department's Transmission System. Due to the Federal Power Act of 1992 and FERC Order #888 open access (wholesale) will provide the Department with an opportunity for another transmission provider tie.

Project #2 - Installation of Distance Relaying For 115 KV Transmission Grid

Total Project Cost:	\$1,740,000
Estimated 1997-1998 Cost:	\$ 840,000

Continuation of an ongoing project 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 #3 - Substation #21

Total Project Cost:	\$1,428,534
Estimated 1997-1998 Cost:	\$1,065,000

Continuation of an ongoing 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 service as a junction point of the future 115 KV transmission cross-town tie.

Project #4 - Fiber Optic System Expansion

Total Project Cost:	\$766,500
Estimated 1997-1998 Cost:	\$350,000

The City of Orangeburg has in place a backbone of fiber optic cable to provide certain telecommunication services. Expanding the telecommunication services will provide data connectivity, Internet access, security, and other miscellaneous voice and information application to city agencies, government, and civic organizations.

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

Total Project Cost:	\$262,500
Estimated 1997-1998 Cost:	\$262,500

Continuation of an ongoing project of 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 improved voltage stability and regulation, and decrease losses in the electric distribution system.

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

Total Project Cost:	\$652,500
Estimated 1997-1998 Cost:	\$550,000

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

GAS DIVISION PROJECTSProject #1 - Natural Gas Service to Rowesville, S.C.

Total Project Cost:	\$550,000
Estimated 1997-1998 Cost:	\$550,000

A new project to install 14,500 feet of 100 psig and 22,475 feet of 30 psig natural gas piping to service the Town of Rowesville, South Carolina

WATER DIVISION PROJECTS**Project #1 - 300,000 Gallon Storage Tank - Limestone System****Total Project Cost: \$609,000****Estimated 1997-1998 Cost: \$400,000**

Continuation of a project to construct a new 300,000 gallon elevated water tank in the Limestone pressure zone and to increase the pumping capacity of the North Road Booster Pump Station.

Project #2 - 12" Ductile Iron Water Main Extension Along Highway 301 to I-26**Total Project Cost: \$498,340****Estimated 1997-1998 Cost: \$200,000**

Continuation of ongoing project to provide access to our water to the Brookland Plantation Home for Boys and to take advantage of growth in the area between the existing system and the U.S. Highway 301 / I-26 exchange.

Project #3 - Distribution System Cement Lining Rehabilitation**Total Project Cost: \$310,750****Estimated 1997-1998 Cost: \$310,750**

Continuation of an ongoing project to effectively rehabilitate all existing non-lied water transmission and distribution piping within our system. This can be accomplished through a trenchless, in-place cleaning and cement mortar lining process.

Project #4 - 24" Ductile Iron Water Main From Water Plant**To Existing 12" Mains on Riverbank Drive & Rutledge****Total Project Cost: \$439,590****Estimated 1997-1998 Cost: \$439,590**

Continuation of an ongoing project to improve our capacity to pump finished water from the Water Plant into the northwestern quadrant of our distribution system.

Project #5 - 4 Million Gallon Finished Water Reservoir at the Water Treatment Plant**Total Project Cost: \$2,746,000****Estimated 1997-1998 Cost: \$ 400,000**

A new project to construct a 4,000,000 gallon finished water reservoir at the Water Treatment Plant. It is anticipated that the space required for the new reservoir will be approximately 1.5 acres. The structure itself will be completely below ground and the top of the reservoir will function as a part of the Edisto Memorial Gardens.

WASTEWATER DIVISION PROJECTS**Project #1 - Whitford Stage Creek - Phase II****Total Project Cost: \$515,060****Estimated 1997-1998 Cost: \$409,370**

Continuation of an ongoing project to construct approximately 11,850 linear feet of fifteen inch (15") gravity sanitary sewer. This project is a continuation of the Whitford Stage Creek Project.

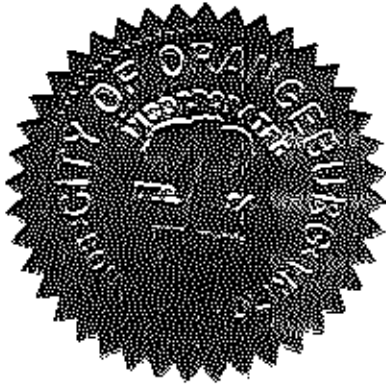
Project #2 - Infiltration and Inflow Rehabilitation**Total Project Cost: \$570,000****Estimated 1997-1998 Cost: \$200,000**

Continuation of an ongoing project to locate and rehabilitate areas in the collection system where storm water infiltration and inflow exist.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to accept the first reading of and Ordinance to adopt the 1997-1998 Annual Budget for the Department of Public Utilities. Council voted 7-0 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 Manager
Department of Public Utilities

CITY COUNCIL MINUTES
AUGUST 19, 1997

Orangeburg City Council held its regularly scheduled meeting on August 19, 1997, 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
Paul A. Miller
W. Everette Salley

ABSENT:

Sandra P. Knotts
Joyce W. Rheney

Mayor Cheatham stated that he will be excused from the Executive Session, Department of Public Utilities Matter pertaining to the sale of real property due to his firm's interest in the property. (See attached letter)

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the August 5, 1997, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the August 12, 1997, Special City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 1997 and ending September 30, 1998. 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 amending the Budget for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 1996 and ending September 30, 1997. This motion was unanimously approved.

Public Works Director Bowden stated, "We recently completed the Clearing and Stumping phase of the construction of the new runway 17/35 at our airport. We have now moved on to the next phase of construction which will be the Site Preparation and Drainage. We have received a tentative allocation of funds from the FAA for this phase based on an estimated cost of approximately \$3 million. We advertised for bids on this work and on August 5, 1997, at 2:00 P.M. opened bids from nine construction companies interested in doing the work. The apparent low bidder was Site Group, Inc., of Florence, South Carolina with a bid of \$2,359,476.75. The bids were reviewed for accuracy and completeness by the LPA Group, Inc., our engineering consultants on this project. LPA confirmed that Site Group, Inc., was the lowest bid and that they were a qualified company meeting the definition of a responsible bidder. A check of their references also confirmed this. The next step in the process is to award the contract for the Site Preparation and Drainage and then submit a grant application to the Federal Aviation Administration (FAA) for 90% of the funding and one to the SC Division of Aeronautics (SCDOA) for 5% of the funding."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to award the Site Preparation and Drainage contract for runway 17/35 to Site Group, Inc., in the amount of \$2,359,476.75 contingent upon receipt and acceptance of the grant offer from the FAA and to authorize City Administrator Yow to sign the



City of Orangeburg

Martin C. Cheatham

Mayor

August 19, 1997

Orangeburg City Council
City of Orangeburg
P.O. Drawer 387
Orangeburg, SC 29116-0387

Dear City Council Members:

It will be necessary at the August 19, 1997, City Council meeting, during the Executive Session, Department of Public Utilities Matter, pertaining to the sale of real property, that I excuse myself from participation, voting, deliberation and any other action.

I will excuse myself from the meeting and ask that Ms. L. Zimmerman Keitt, Mayor Pro Tem, conduct this session. This is due to my interest in property that will be discussed during this session.

Also, I will request that Mr. Yow, City Administrator, have this statement recorded in the appropriate minutes of the City Council meeting.

With kind personal regards.

Yours very truly,

Martin C. Cheatham
Mayor

MCC/b

P.O. Drawer 387
979 Middleton Street
Orangeburg, South Carolina 29116-0387
Business (803) 533-6000 Residence (803) 536-0202
Fax (803) 533-6007

contract on behalf of the City of Orangeburg. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to authorize City Administrator Yow to sign and submit grant applications for funding to the FAA and SCDOA on behalf of the City of Orangeburg. This motion was unanimously approved.

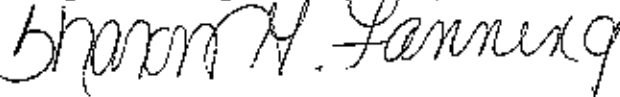
A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities for Fiscal year beginning October 1, 1997 and ending September 30, 1998. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller to approve the First Reading of an Ordinance to amend Chapter 23-Utilities-Article VI-Wastewater-Section 23-54. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve entering into an Executive Session for sale of real property concerning the Department of Public Utilities. Mayor Cheatham excused himself at this time.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/b



**ORANGEBURG CITY COUNCIL
SEPTEMBER 2, 1997**

Orangeburg City Council held a Public Hearing on September 2, 1997, 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 1997-98 budget. There were no public comments. The Public Hearing was adjourned and immediately followed by the regularly scheduled City Council meeting at 7:00 P.M. An invocation was given by Reverend Dora Gafford of St. Paul United 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 Miller, seconded by Mayor Pro Tem Keitt, to approve the August 19, 1997, City Council Minutes as distributed. This was 5-0 vote. Councilmember Rheney abstained from voting.

Ms. Nora Szarwinski presented to Council a petition of about 500 signatures supporting adding Trinity Broadcasting Network, a Christian Programming Channel to Time Warner's Cable TV lineup. She stated, "Orangeburg is one of the few communities in the South that does not offer TBN in its cable lineup." Mayor Cheatham stated that the petition would be turned over to Time Warner. City Council endorsed her request.

1

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 1997 and ending September 30, 1998. This motion was unanimously approved. (6-0 Vote)

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance amending the budget for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 1996 and ending September 30, 1997. This motion was unanimously approved. (6-0 Vote)

Assistant City Administrator Hemphill asked Council to amend Chapter XXIV, Section 24-5.1 of the Code of Ordinances, City of Orangeburg, State of South Carolina, to permit buildings in Office-Institutional Districts to exceed thirty-five (35') feet in height as conditional use. He stated the need for this amendment was precipitated in part by recent improvement and expansion plans announced by South Carolina State University and Claflin College. Their request demonstrated a need for entities in "O-I Office-Institutional" districts who propose to construct buildings exceeding thirty-five (35') feet, to have their request reviewed by the Planning Commission. Consideration of height restrictions are outlined in the (ACD) Airport Compatibility District. Councilmember Salley asked what additional cost in fire service would be needed. Assistant City Administrator Hemphill stated the only other need would be the aerial platform truck, which is already budgeted for next year. A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of the Ordinance. This motion was unanimously approved.

City Administrator Yow asked Council for consideration of sites selected by Orangeburg County Disabilities and Special Needs Board for Group Homes. Executive Director, Gene Marlow, told

CITY COUNCIL MINUTES
SEPTEMBER 2, 1997
PAGE 2

Council of three (3) new group homes planned for construction in Orangeburg. Sites are located on Columbia Road, George Pickett Street and Hampton Drive. He stated the homes will be built for individuals with mental retardation. Each home will be managed and operated in accordance with South Carolina Department of Disabilities and Special Needs standards and regulations. Plans for the four-bedroom homes have been designed so as to make them compatible with the neighborhoods in which they will be located. Also, the Columbia Road home will have a driveway designed to allow vehicles to exit without backing into the Road. He stated each home will have four adult residents. We have not yet determined how many homes we will use for female and male residents. There will be two of one gender and one for the opposite sex. As a minimum, one staff person will be on duty and awake twenty-four hours a day when the residents are at home. OCDSNB staffs its residential facilities on an 8-hour shift basis. If any resident should use a wheelchair, the number of staff on duty will increase. Staff do not reside, nor sleep, on the premises of the group homes. The health, safety and accountability of our residential clients is of paramount importance.

Mr. West Summers told Council, "That Columbia Road is a very dangerous Street. Our concern is for the safety of other residents that will live in this proposed area." Mrs. Freda Summers told Council, "They are not discriminating against the mentally handicap, what we are concerned about is the safety of the street."

Ms. Frankie Locklear, a member of the Board, stated her daughter falls under the jurisdiction of the Board and she would have no qualms with her living in such a home on Columbia Road. "We would never place our clients in a place that was not safe." She stated, "Not everyone is going to sell us a lot and not everyone wants us in their neighborhoods."

Council decided to take this matter under advisement and delay pending further review by the City Attorney and City Administrator.

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 Fiscal Year beginning October 1, 1997 and ending September 30, 1998. This motion was unanimously approved.

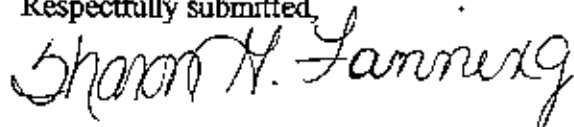
A motion was made by Councilmember Miller, seconded by Councilmember Salley, to approve the Second Reading of an Ordinance to amend Chapter 23-Utilities-Article VI-Wastewater-Section 23-54. This motion was unanimously approved. Mayor Cheatham excused himself from discussion and voting on this next matter.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve a Resolution authorizing the Manger of the Department of Public Utilities to purchase property at the corner of Bull and Chiller Streets for \$11,000 for the future expansion of the Department of Public Utilities Water Plant. This was a 5-0 vote. Mayor Cheatham was excused from voting on this matter.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve entering into an Executive Session for legal matters concerning the discussion of BellSouth Franchise Litigation-Administration Department, and condemnation of property-Department of Public Utilities.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

ORANGEBURG CITY COUNCIL

SEPTEMBER 16, 1997

Orangeburg City Council held its regularly scheduled meeting on September 16, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Steven Counts of the Orangeburg Lutheran Church.

PRESENT:

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

Mayor Cheatham proclaimed September 15-19, 1997, Industry Appreciation Week.

Mayor Cheatham proclaimed September 17-23, 1997, Constitution Week.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the September 2, 1997, City Council Minutes as distributed. This was a 6-0 vote. Councilmember Knotts abstained from voting.

City Administrator Yow gave Council an update on Orangeburg County Disabilities and Special Needs Board site selection. He stated that he met with City Attorney Walsh and the attorney's opinion is that City Council should not be involved in the actual site selection process for the group home proposed by the Orangeburg County Disabilities and Special Needs Board. He stated Attorney Walsh had based his opinion on a review of state law, the Fair Housing Act, case law and the City's Zoning Ordinance. The site selection process in both the state code and the City's Ordinance are in violation of the Federal Fair Housing Act because they both require a greater or different requirement on housing for the disabled. The proposed home may be required to meet the criteria of "group occupied dwellings" as permitted in the City's Zoning Ordinance. He stated, At this time, the City cannot determine if this home meets the criteria. If the home meets the criteria, then I think it would be a moot issue at this point. If it doesn't, the City must consider whether to make allowances under the Fair Housing Act, to make variances." Councilmember Miller asked what criteria needed to be met. City Administrator Yow stated that there are parking space requirements, proximity to an existing group home and signed documents for proper maintenance, etc. The criteria cannot be determined until the site plans are presented. Then the issue would probably not come back to Council but to the Planning Commission. City Administrator Yow stated we would see those plans before a building permit is issued. Councilmember Miller stated that the lot was small, but according to Attorney Walsh we do not have much to say, one way or the other. "I do not see how you could have off street parking and a house on such a small lot."

Councilmember Haire stated all his concerns about traffic have been satisfied. The proposed circular drive will allow for a van to get in and out. "I don't see that this Council has any other obligation but to go along with the request."

Mayor Cheatham stated, "I'm opposed to the site because of the location." The house will be unlike the rest of the neighborhood houses because it will have to be built sideways on the lot. He stated he supports the board wanting to build a home, if it was on a desirable lot. "It's just not a good location and I can't support it on that basis, not because I don't want you to have a home."

Councilmember Rheney agreed with Mayor Cheatham's concerns.

Mayor Pro Tem Keitt stated if the Board thinks it's a good site and they service it, then I agree it's a good idea.

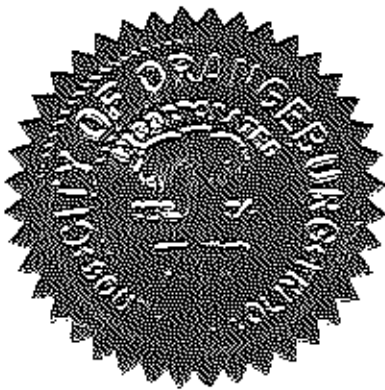
RESOLUTION
AUTHORIZING MANAGER OF THE DEPARTMENT OF PUBLIC UTILITIES
TO PURCHASE PROPERTY IN THE NAME OF
THE CITY OF ORANGEBURG

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

That Fred H. Boatwright, Manager of the Department of Public Utilities is hereby authorized to exercise that certain Land Option of J. Leonard Lee, et. al., dated August ____, 1997 and to purchase the property described therein in accordance with the terms and conditions of said Land Option, a copy of which is attached hereto.

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities is hereby authorized and directed to execute any and all documents in the name of the City of Orangeburg for the purpose of consummation of said purchase.

PASSED by the City Council, in the City of Orangeburg, State of South Carolina, duly assembled this 2nd day of September, 1997.



Martin L. Heathman
Mayor

Barbara Haire

Lana Miller

L. J. Johnson

James P. Rogers

W. Keith Sledge

Members of Council

ATTEST:

Sharon H. Lanning
City Clerk and Treasurer

State of South Carolina,

LAND OPTION

COUNTY OF ORANGEBURG.

Know All Men by These Presents, That J. Leonard Lee, Robert E. Lee and Sandy M. Evans in consideration of Five (\$5.00) Dollars, do hereby grant, bargain and sell unto City of Orangeburg the right and option of purchasing at any time on or before the 21st day of September, 19 97, at and for the price of Eleven Thousand and 00/100 (\$11,000.00) Dollars, payable in cash on date of closing.

All that certain piece, parcel or lot of land described on Exhibit A, attached hereto and made a part hereof by reference --

And we the said J. Leonard Lee, Robert E. Lee and Sandy M. Evans, do hereby represent that we are the owners in fee of the said premises, and have a full and perfect right to grant and sell this option, and do covenant and agree that upon compliance by the said City of Orangeburg, its successors or assigns, with the terms of this option we will make, execute and deliver to City of Orangeburg, its successors or assigns, a good and sufficient deed conveying the above-described premises to them, or such of them as shall exercise this option and comply with the terms thereof, in fee simple, free of all encumbrances, with covenant of general warranty.

Upon notice being given by the purchaser during the life of this option of its intention to take said property in compliance herewith, then this option shall be extended beyond the period of its expiration as aforesaid a further reasonable time, not exceeding 30 days, to allow for examination of title and preparation of papers.

The vendor, before compliance by the purchaser, if required, agrees to establish the property lines and free the title to said property of all defects. All current taxes, water rents and all other legal assessments shall be prorated to date of completion of said sale.

Witness our hands and seals this 21st day of AUGUST, 1997.

Signed, Sealed and Delivered in the
Presence of

Martin H. Thompson
Elizabeth D. Barnes

William D. DeLoach
William D.
Shelley Simmons
Betty R. DeVane

J. Leonard Lee (L.S.)
J. Leonard Lee - Seller

Robert E. Lee (L.S.)
Robert E. Lee - Seller

Sandy M. Evans (L.S.)
Sandy M. Evans - Seller

State of South Carolina,
COUNTY OF ORANGEBURG.

Personally appeared before me the undersigned witness and made oath that s/he saw the above-named J. Leonard Lee sign, seal, and as his act and deed, deliver the above-written option for the uses and purposes therein mentioned, and that s/he with the other subscribing witness witnessed the execution thereof.

Sworn to before me this 21st

day of AUGUST, 1997.

Martin C. Cheatham

Notary Public of S. C.

My Commission Expires: February 22, 1999

Elizabeth S. Harness

State of South Carolina,
COUNTY OF ORANGEBURG.

Personally appeared before me the undersigned witness and made oath that s/he saw the above-named Robert E. Lee sign, seal, and as his act and deed, deliver the above-written option for the uses and purposes therein mentioned, and that s/he with the other subscribing witness witnessed the execution thereof.

Sworn to before me this 28

day of August, 1997.

W. J. Moore

Notary Public of S. C.

My Commission Expires: Oct 8, 2001

Letitia Moore

State of South Carolina,
COUNTY OF ORANGEBURG.

Personally appeared before me the undersigned witness and made oath that s/he saw the above-named Sandy M. Evans sign, seal, and as her act and deed, deliver the above-written option for the uses and purposes therein mentioned, and that s/he with the other subscribing witness witnessed the execution thereof.

Sworn to before me this 26th

day of August, 1997.

Sharon D. Rindfoss

Notary Public of S. C.

My Commission Expires: 8/14/2001

Betty R. DeVane

CITY COUNCIL MINUTES
SEPTEMBER 16, 1997
PAGE 2

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to amend Chapter 24-Section 24-5.1 of the City of Orangeburg, South Carolina, to permit buildings in office-institutional districts to exceed thirty-five (35) feet in height as conditional use. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to accept a FAA Grant in the amount of \$2,770,654.00 for the New Runway 17/35 Construction (Phase IV). This motion was unanimously approved.

City Administrator Yow told Council that the FAA approved \$285,000 more than what the City had originally applied for.

City Administrator Yow recommended to Council to raise the pay for \$50 per election for poll workers from \$35. Also, raise the poll managers pay to \$100 per election from \$70. Mayor Cheatham recommended the pay for poll workers be increased to \$75 per election and poll managers to \$125 per election. He stated these people put in 13 to 14 hours each election day.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to increase the salary for poll workers to \$75 per election and \$125 for poll managers per election. This motion was unanimously approved.

Assistant City Administrator Hemphill told Council that a request had been made by Mr. James D. Rast, Jr., to rezone property located at the corner of Medford and Mills Street from A-3 Residential Mobile Home District to D-1 Industrial District. The request to rezone was brought before the Planning Commission on 8-28-97 and was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to rezone property located at the corner of Medford and Mills Street from "A-3 Residential Mobile Home District" to "D-1 Industrial District". This was a 5-2 vote. Mayor Pro Tem Keitt and Councilmember Haire opposed this motion.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend Chapter 23-Utilities-Article VI-Wastewater-Section 23-54. This motion was unanimously approved.

Councilmember Haire stated, "There are about four events that occur here in Orangeburg that has potential for bringing in a sizable number of visitors to our City. As I've looked at them they are the Claflin College Homecoming, the Rose Festival, the Great American Coon Hunt and the South Carolina State University Homecoming and Saturday football games. I think we as a Council and business community are missing a golden opportunity to bring thousands of people to our City. I would call your attention to this past weeks football game. South Carolina State University has a seating capacity of about 22,000, the gate attendance was about 6,000 and the week before about 13,000. It seems as if the business community says if it comes we'll accept it and if it doesn't, fine. I don't see us providing the leadership as it relates to helping to make these events successful. I observed at last week's football game that it seems to be only one group of people who enjoy football in Orangeburg. I would hope that there is some way that we as a Council will start doing things to make this opportunity for these events more successful in that we bring in more people to our City. I know that individuals have institutions they have graduated from and they are loyal. This is an institution that pumps millions of money into the economy here in Orangeburg. I don't see in the publicity the sort of forwardness on the part of us as a Council, or as a City or as a business community in promoting the football games. People who come here are going to spend nights, live in motels and spend monies in the various eating establishments. I would think, we as a City, could help promote these activities and ourselves be in attendance because Orangeburg is all of our homes.

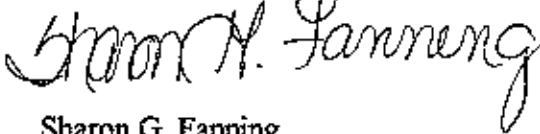
CITY COUNCIL MINUTES
SEPTEMBER 16, 1997
PAGE 3

It will take all of us and I don't see that kind of drive, that push and I'm disturbed about it. I would like to invite my fellow Councilmembers, citizens who are present to come out and enjoy a good game."

Mayor Cheatham stated that he supported Councilmember Haire's remarks and that we do need to support South Carolina State University and Claflin College.

There being no further business, the meeting was adjourned.

Respectfully submitted

A handwritten signature in cursive script that reads "Sharon G. Fanning". The signature is written in dark ink and is positioned above the printed name and title.

Sharon G. Fanning
City Clerk

/pfb

OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, 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."



Martin L. Chapman
COUNCILMEMBER

October 7, 1997
DATE

Sworn before me this 7th Day
of October, 1997.

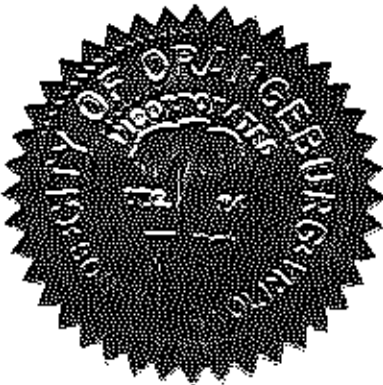
Paulette F. Blackwell
Paulette F. Blackwell
Notary Public

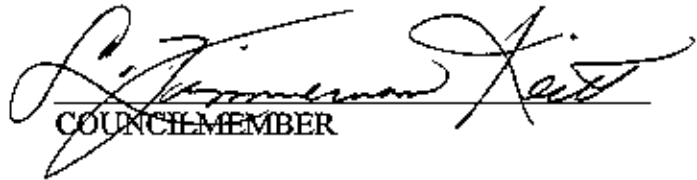
My Commission expires 06-19-07

OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, 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."

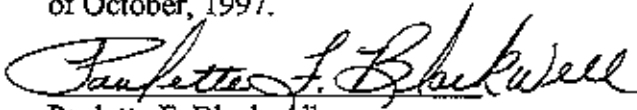
"I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office, to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the constitution of this State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




COUNCILMEMBER

10-7-97
DATE

Sworn before me this 7th Day
of October, 1997.


Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07

OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, 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."



Paula Min
COUNCILMEMBER

10-7-97
DATE

Sworn before me this 7th Day
of October, 1997.

Paulette F. Blackwell
Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07

OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, 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."



Joseph W. Rheneys
COUNCILMEMBER

10 - 7 - 97
DATE

Sworn before me this 7th Day
of October, 1997.

Paulette F. Blackwell
Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07

CITY COUNCIL MINUTES
OCTOBER 7, 1997

Mayor Cheatham opened the Public Hearing for consideration to amend Chapter 24-Section 24-5.1 of the Code of Ordinances of the City of Orangeburg, State of South Carolina, to permit buildings in office-institutional districts to exceed thirty-five (35) feet in height as conditional use. There were no public comments.

Mayor Cheatham opened the floor for comments on the second item on the PublicHearing Agenda for consideration to rezone property located at the corner of Medford and Mills Street from "A-3 Residential to Mobile Home District" to "D-1 Industrial District". Councilmember Keitt stated her concern is that the mobile home residents in that area are safe. Hearing no further comments the Public Hearing was closed.

The regularly scheduled Orangeburg City Council meeting immediately followed the Public Hearing. An invocation was given by Reverend Marvin Clark of Southern Methodist Church.

PRESENT:

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

City Attorney Walsh swore in Mayor Cheatham, Councilmember Keitt, Councilmember Rheney and Councilmember Miller. Each member took their oath of office.

A motion was made by Councilmember Miller, seconded by Councilmember Keitt, to approve the September 16, 1997, City Council Minutes as amended. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Salley, to re-elect Councilmember Keitt as Mayor Pro Tempore. This motion was unanimously approved.

Ms. Jeanette Jefferies thanked City Council for the Orangeburg Fire Department. She had concerns about the procedures for receiving a fire report which City Administrator Yow has already addressed with staff. Council also answered several questions concerning fire contracts and fire service area.

Mr. L. M. Bradshaw, of Fort Sumter Petroleum Company, told Council he had been a small businessman in Orangeburg for twenty-nine years. He stated that he did not want to be treated differently but to be treated fair and right. He remodeled a convenience store at the corner of Russell Street Extension and U.S. Highway 21 Bypass between sixteen and seventeen months ago and closed the store for four months. Eleven months after he reopened, he received a letter from the Department of Public Utilities Administrative Director, Mike Sells, explaining that for the eleven month period, there was a \$10,000 error for the utility bill and that DPU would add \$900 a month to his bill until the money was paid back. He stated he checked his previous bills and it was true. The electric bill was not as much as it was prior to the remodeling. He figured what the store could stand to pay back on this debt. He felt \$300 per month due to the amount of time elapsed was fair. He stated that he was then told by DPU that it was his electrician who had made the mistake and that DPU would settle for \$600 added to each monthly bill. Then he contacted Director Sells and was told that DPU accepted the responsibility but he did not have the authority to vary from the rules. The \$900 on top of a normal \$1,600 to \$1,700 bill for a store that size is too much. "I don't feel I've been treated fair as a small businessman and I don't feel I've been treated right."

DPU Manager Boatwright told Council that there was no doubt that DPU made several errors. "We are not blaming it on a computer. It was a human error." He explained that the meter base was wired

**CITY COUNCIL MINUTES
OCTOBER 7, 1997
PAGE 2**

backwards by manufacturer and after being inspected by Orangeburg County it was hooked up wrong again by DPU. Adding to the error, the mechanism that provides for a multiple of forty was never added to the meter. It ran backwards and it ran just enough so it looked like it was operating properly. "We did not catch the error for eleven months." Under billing is a very rare problem but because of two errors working against each other the error was not discovered for an inordinate amount of time. Another error, which has been taken care of was, the matter was not brought to his attention before Mr. Bradshaw was contacted. He stated under DPU's General Terms and Conditions, the governing regulations approved by City Council, under billing up to twelve months is to be collected in the same increments as the bill, therefore, the \$10,000 owed would be divided by the eleven months for a monthly payment of \$900. He stated he offered a compromise of \$600 a month because DPU had made multiple errors. "The point is Mr. Bradshaw has been a long and good customer of DPU. We want to keep him, but I do not have the authority to completely throw the rules and regulations of City Council out the window." He recommended to Council to either change the rules or stick to the rules. "I hope Council does not choose to make an exception or if it does, make one for everybody."

Councilmember Rheney stated by offering the \$600 compromise, DPU has already changed the rules. Mayor Cheatham suggested, "We digest the information we received this evening. It has gone on a good long while. Let's digest it a couple of weeks and decide next time. Let's give this serious thought. This is a big decision for us, one that affects DPU and we're the only utility in Orangeburg."

Mayor Pro Tem Keitt asked Council to take action immediately.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to delay this matter until the next Council meeting. This was a 6-1 vote. Mayor Pro Tem Keitt opposed this motion.

DORA Manager, Bernice Tribble, introduced Danish visitors to Council. One of the visitors presented a book on their City to Council.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to amend Chapter 24-Section 24-5.1 of the Code of Ordinances of the City of Orangeburg, State of South Carolina, to permit buildings in office-institutional districts to exceed thirty-five (35) feet in height as conditional use. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to rezone property located at the corner of Medford and Mills Street from "A-3 Residential to Mobile Home District" to "D-1 Industrial District". This was 6-1 vote. Mayor Pro Tem Keitt opposed this motion. Mayor Cheatham stated staff needed to look at the Ordinance on mobile home parks. There are streets in these parks in need of repair and many mobile homes need underpinning.

DPS Director Davis stated the Department of Public Safety has been notified of the receiving a COPS Universal Hiring Program Grant through the U.S. Department of Justice. This grant for additional officers will take the form of a second supplement to the original funding of a COPS Award (COPS-FAST). This Supplemental Grant Award will fund the approved salaries and benefits of four (4) newly hired officers for our agency. This brings the total number of officers hired under this award to ten (10). This additional award amount will be \$293,192 with an extended award end date of July 31, 2000. It will require a 25% match from the City of Orangeburg which will be met with funds from our existing budget.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to accept COPS Universal Hiring Grant in the amount of \$293,192 and authorized City Administrator Yow to sign the award documents. This motion was unanimously approved.

DPS Director Davis stated the Department of Public Safety has been notified of receiving U.S. Department of Justice grant funding of COPS MORE '96 (Making Officer Redeployment Effective).

**CITY COUNCIL MINUTES
OCTOBER 7, 1997
PAGE 3**

This award will fund the approved salaries and benefits of two (2) positions for support personnel and additional computer equipment for use by our officers. The amount of the award will be \$36,406, with an end date of 5-31-98. It will require a 25% match from the City of Orangeburg which will be met with approved funds in the 1997-98 fiscal budget.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to accept COPS MORE Grant in the amount of \$36,406 and authorize City Administrator Yow to sign the award documents. This motion was unanimously approved.

City Administrator Yow asked for Council's consideration on the County of Orangeburg's request for City support of Edisto Savannah Resource Conservation and Development Council. City Administrator Yow stated that since this request County Council has sent the matter to committee and not acted on it, he recommended to draft the City's endorsement letter after the County's committee findings had been heard.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to give City Administrator Yow the authority to write a letter of endorsement pending the approval of County Council. This was a 5-2 vote. Councilmember's Haire and Knotts opposed this motion.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to authorize the City Administrator to enter an agreement with the Lott Parrish and Associates, LPA. Group Inc., for engineering services for the Airport Runway Project 17/35 in the amount of \$385,740. This motion was unanimously approved.

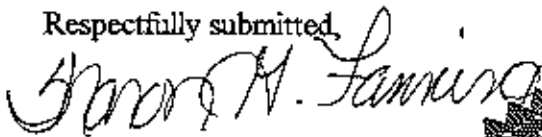
There were no further matters regarding the Department of Public Utilities.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller to enter into an Executive Session for purchase of property, legal matters concerning condemnation of real property on Seaboard Street and the Fair Housing Act--Orangeburg County Special Needs and Disability Board.

Council entered back into open session. A motion as made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to appoint City Administrator Yow and City Attorney Walsh to meet with Orangeburg County Special Needs and Disability Board to come up with a reasonable accommodation to resolve this issue. This was a 6-0 vote. Councilmember Haire was excused from this portion of the meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

OCTOBER 21, 1997

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 21, 1997, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Councilmember Knotts.

PRESENT:

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

Mayor Cheatham and Parks and Recreation Director Buster Smith, presented Herbert Williams, an employee of the Parks & Recreation Department, with a Resolution of appreciation of his devotion to the City for twenty-six years, six months and twelve days of service. Mr. Williams retired on September 30, 1997.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to rezone property located at the corner of Medford and Mills Street from "A-3 Residential Mobile Home District" to "D-1 Industrial District". This was a 6-1 vote. Mayor Pro Tem Keitt opposed this motion.

City Administrator Yow asked for City Council's consideration of an Accommodations and Compliance Agreement with Orangeburg County Special Needs and Disabilities Board (See Attachment). The agreement is applicable to the two home sites in the City only and not for future sites. He stated that City Council had taken the stand that they would not be involved in the site selection process. "If we do enter into this and the Board does also, then we would issue a building permit for these sites." He explained to Council that although the City Zoning Ordinances classify them as group homes, which must be approved as a conditional use by the Planning Committee. We are making a special accommodation by not requiring the Board to go before the Planning Commission. The City also agreed to waive the requirement of off street parking spaces at the George E. Pickett Street site and to waive the twelve month occupancy permit requirement. The Board agreed not to increase the occupancy or make any physical changes to the homes or sites and provide four (4) parking spaces at Columbia Road site. Councilmember Rheney stated she is against the Columbia Road site. Mayor Cheatham stated that the Columbia Road site is "an unwise location" and he hopes that the Board will give more thought and consideration for future sites. He also told the Board members that there was no animosity. "We go into a lot of detail when we make decisions that affect the City." Councilmember Salley asked what "WEMAR" stands for. Executive Director, Gene Marlow stated, "It's a private, nonprofit corporate entity required by HUD to be created for each grant project. It's just a name, no rhyme or reason."

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to accept the Accommodations and Compliance Agreement for both homes, Columbia Road and George Pickett Street and authorized City Administrator Yow to sign the agreement. This was a 5-2 vote. Councilmember's Rheney and Miller opposed this motion.

Mr. West Summers, a Columbia Road Resident, asked for Council to let him make a few statements for the record. He stated, "The neighbors never intended to cause controversy for City Council or grief for the Disabilities Board. The neighbors are concerned that the lot is awful small and that the traffic is very heavy." The grant application that was mailed to the Federal Department of Housing and Urban Development was checked that this was not a heavy traffic area. He stated that there were lots that are twice as wide as the one chosen and questioned why the Board had to go to a lot of trouble to turn the house around on Columbia Road to fit. "The law of the City and State gave every

A RESOLUTION TO APPROVE THE PURCHASE OF 14.56 ACRES
LOCATED OFF U. S. HIGHWAY 21, SOUTH, SURROUNDED
ON THREE SIDES BY THE ORANGEBURG MUNICIPAL AIRPORT
PROPERTIES, FOR THE TOTAL PURCHASE PRICE OF \$50,059.56

BE IT RESOLVED by City Council duly assembled that the City of Orangeburg purchase from Adele B. Bailey, Janie B. Gorter and Florence B. Iseley, the below-described property for the total purchase price of Fifty Thousand Fifty-nine and 56/100 (\$50,059.56) Dollars and the City Administrator is hereby authorized to execute and deliver any and all documents necessary to complete said sale in accordance with this resolution.

BE IT FURTHER RESOLVED, that the sellers of said property shall be responsible for delivery of a general warranty deed to the City of Orangeburg conveying said property free of encumbrances.

BE IT FURTHER RESOLVED, that real estate taxes for the year 1997 shall be paid by Sellers on date of closing, that the present tenant of said property shall be permitted to harvest the now existing crop located on said property within a reasonable time after maturity and that the conveyance of the below-described property to the City of Orangeburg shall constitute a merger of the dominant and servient estates in regard to that certain Easement Agreement between the City of Orangeburg, et al. and Adele Bates Bailey, et al. dated September 10, 1979, and recorded in the RMC office for the County of Orangeburg, State of South Carolina, in Deed Book 456 at page 51.

Description of Property:

All that certain piece, parcel or tract of land situate, lying and being in Orange Township, School District 5 (outside), County of Orangeburg, State of South Carolina, containing 14.56 acres and being set forth and shown on a plat thereof prepared for the City of Orangeburg by Edisto Surveyors, Inc., approved by A. R. Parler, Jr., R.L.S., dated February 15, 1996, and having the following boundaries and measurements: North by property of the City of Orangeburg, 1435.94 feet; East by the right-of-way of Norfolk-Southern Railroad, 607.40 feet; South by property of the City of Orangeburg, 1450.59 feet, and West by property of the City of Orangeburg, 284.05 feet.

RESOLVED by City Council duly assembled this 21st day of October, 1997.



Martin C. Sheahan
Mayor

James H. Haire
James P. Knotts

James H. Haire
James P. Knotts

James H. Haire
Members of Council

ATTEST: Sharon M. Lanning
City Clerk



RESOLUTION

WHEREAS,

Herbert Williams, faithfully served the City of Orangeburg Parks and Recreation Department for twenty-six years, six months and twelve days with a retirement date of September 30, 1997; and

WHEREAS,

he, through his long and faithful service, contributed greatly to the successful operation of the Parks and Recreation Department; and

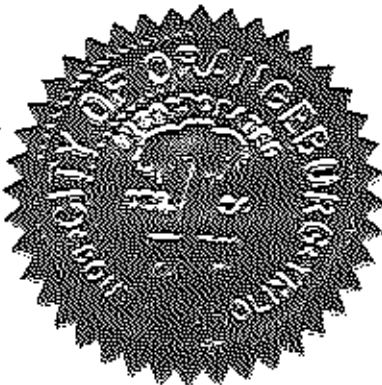
WHEREAS,

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 Parks and Recreation Department in the capacities in which he served the Department for twenty-six years, six months and twelve 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 21st day of October, 1997.



Martin A. Cheatham

MAYOR

Kenneth L. Kelly

Edmund Haine

D. Zimmerman

Gregory H. Haines

Angela P. Kuster

Paul J. Min

MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning

CITY CLERK

**CITY COUNCIL MINUTES
OCTOBER 21, 1997
PAGE 2**

right to express opposition and look at other sites and the Board refused. We'll continue our opposition with the building official."

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to pass a Resolution for the purchase of 14.56 acres of real property adjacent to Orangeburg Municipal Airport for \$50,059.56. This motion was unanimously approved.

City Administrator Yow told Council that an issue has arisen after a recent U.S. Court of Appeals for the Fifth Circuit reversed a decision of the Federal Communications Commission and held that gross revenue derived from the operation of cable TV should include any money received from customers that is allocated to franchise fees. He stated, "In layman's terms, that means a \$20 cable bill, with a 5% franchise fee would be \$21.00. Under the ruling, an additional 5% on the \$1 fee would bring the bill to \$21.05". The additional money would generate between \$4,000 and \$5,000 annually. Time Warner would pass the increase on to subscribers. Customers bills would go up .025%. Since Time Warner plans to appeal the court ruling and the Fifth Circuit does not necessarily apply to South Carolina, City Administrator Yow recommended that the City not adjust the franchise fee now.

City Administrator Yow stated the franchise fees are already budgeted and we'll monitor the appeal made by Time Warner and the City will not waive any future rights or rights to collect for several prior years.. A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to accept City Administrator's Yow's recommendation not to increase franchise fees at this time. This motion was unanimously approved.

A motion was made by Mayor Cheatham, seconded by Councilmember Miller, to accept a South Carolina Department of Commerce, Division of Aeronautic Grant Agreement, in the amount of \$153,925.50 for the development of Runway 17/35 and authorize City Administrator Yow to enter said agreement. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a contractual matter concerning the Orangeburg Municipal Airport.

There being no further business, the meeting was adjourned.

Respectfully submitted, .

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES NOVEMBER 4, 1997

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 4, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Miller.

PRESENT:

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

Mayor Cheatham proclaimed November, Hospice Month.

Mayor Cheatham proclaimed November, Visiting Nurses' Month.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the October 21, 1997, City Council Minutes as distributed. This motion was unanimously approved.

DPU Manager Fred Boatwright recited problems in an under billing for eleven months for Fort Sumter Petroleum Company. He stated there were a number of errors in this situation. He recommended a compromise of \$600 repayment schedule for the under billed amount of approximately \$10,000 instead of the \$900 a month required. Councilmember Haire stated that a situation that came about earlier in the day between an individual and DPU led him to see the importance of not making concessions to the General Terms and Conditions that regulate DPU. "I believe the fact that the service was under billed for eleven months and that someone got the profit. A profit was made above the normal. If we start making concessions here tonight, what are we going to do with the average citizen? I want to be fair to everybody. If this Council changes that tonight, then that is certainly a bad precedent."

Councilmember Miller stated that this is a pretty unusual situation. "It's almost \$10,000 and clearly a lot of errors were made. I think the compromise of \$600 a month is bending the conditions, but as a small businessman, to fork out \$900 on top of a regular \$1,600 bill is a lot"

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to accept the recommendation of adding \$600 per month to the bill until the under billed amount is paid off. This was a 6-1 vote. Councilmember Haire opposed this motion.

Mr. L. M. Bradshaw told Council that he had talked to other businessmen and that the problem of under billing had happened before, including one case of \$18,000. "That businessman was afforded the opportunity to sit down with members of DPU to work out a compromise. I was not given that opportunity. I was written a letter. If what I have been through is a taste of Orangeburg, I don't care for any of that food."

Mayor Cheatham stated that Council needs to look at Committees, Commissions and Boards that serve the City about an attendance policy. At a recent meeting of property rezoning, no quorum was present to conduct business. City Administrator Yow suggested that Council should look at adding more alternates to the Boards. Councilmember Miller expressed concern that people may have extenuating circumstances that would cause two absences, being under medical care for example. Mayor Chatham also stated that the committees often meet only once every thirty days or even less frequently.

ACCOMMODATIONS AND COMPLIANCE AGREEMENT

WHEREAS, Orangeburg County Disabilities and Special Needs Board (hereinafter referred to as "Board") intends to construct and manage two homes for the mentally retarded under the name WEMAR Homes, Inc. (hereinafter referred to as "WEMAR") on locations at Lot B, Moss Heights Subdivision, Columbia Road and Lot 1, Section N, the Heritage Subdivision, George E. Pickett Street, both being in the City of Orangeburg, and

WHEREAS, the Board and WEMAR have been duly licensed to construct, operate and manage said homes by the South Carolina Department of Disabilities and Special Needs and on September 2, 1997, notified the City of Orangeburg, State of South Carolina of their intent, but objected to the site selection process as set forth in S. C. Code Ann. Section 6-7-830 (1976) as being in violation of the Fair Housing Act of 1988 (42 U.S.C., Sec. 3604 et seq.), and

WHEREAS, the City of Orangeburg concurred with the said objection to the site selection process in a memorandum from James F. Walsh, Jr., City Attorney, dated September 10, 1997, and

WHEREAS, Robert R. Horger, Attorney for the Board, stated the position of the Board and WEMAR by letter dated September 19, 1997, and

WHEREAS, the parties have discussed their opposing positions involving the matter and have reached a resolution of the issues through accommodations from the City of Orangeburg and the signing of this agreement by the Board and WEMAR, although no party wishes to waive any rights which it may have as to the construction, management and operation of similar homes in the future, the intent being to resolve the differences between the parties as to the above described sites only;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the undersigned parties agree as follows:

1. Although the City of Orangeburg under its zoning ordinances classifies the above described homes as "Dwelling, group occupied" requiring that the Columbia Road site and home be approved as a "conditional use" by its Planning Commission, that a compliance agreement be executed by WEMAR pursuant to Section 24-10.7 (l)(1)(c) of the Code of Ordinances, City of Orangeburg, State of South Carolina for both the Columbia Road and George E. Pickett Street sites and off-street parking under Section 24-10.7 (l)(1)(a) of said Code, the City of Orangeburg does hereby accommodate the Board and WEMAR by waiving the requirement that a "conditional use" be obtained from the Planning Commission, waives the requirements of paragraphs (3) and (4) of said Section 24-10.7 (l) (1) (c), waives two (2) off-street parking spaces at the George E. Pickett site and waives the required twelve (12) months occupancy permits referred to in said Section 24-10.7(l).

2. The Board and WEMAR, in consideration of the accommodations referred to hereinabove, do hereby agree as follows:

- a. Except as to those conditions waived hereinabove, they will comply with the Conditions of Approval as set forth in Section 24-10.7 (l) (1) of the City's Code of Ordinances and agrees that in lieu of Section 24-10.7 (l) (2) they will not increase the occupancy of said homes (presently four (4) residents in each home) nor make any material physical changes to said homes or sites without submission of said occupancy increases or physical changes to the City of Orangeburg for approval and permitting.
- b. That said homes will be continuously licensed by the South Carolina Department of Disabilities and Special Needs and care for the occupants of said homes will be provided on a twenty-four (24) basis.

3. Except as to off-street parking, both the City, Board and WEMAR agree that the plans and specifications for the home to be constructed on the Columbia Road site and submitted to the City for approval as of the date of this agreement complies with the requirements of Section 24-10.5 of the Code of Ordinances of the City of Orangeburg. The City agrees not to impose any additional development restrictions and/or conditions pursuant to paragraph (g) of said Section and the Board and WEMAR agree to maintain and manage their Columbia Road home in compliance with said Section 24-10.5.


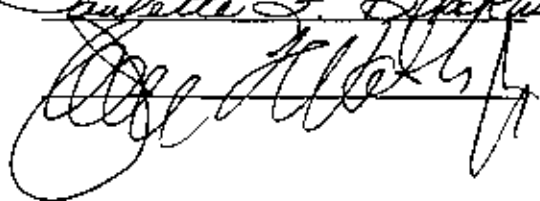
4. This Agreement shall constitute the Agreement required under Section 24-10.7(l) (1) (c) of the City's Code of Ordinances and the Board and WEMAR acknowledge and agree to comply with the terms and conditions of paragraphs (1) and (2) of said Section 24-10.7(l)(1)(c) of said Code.

5. No party waives any rights it may presently have or may have in the future in regard to the construction, management and operation of similar homes in the City of Orangeburg.


6. This Agreement and the terms hereof shall be binding on the parties, their successors and assigns and for said purpose any party may record same in the RMC office for the County of Orangeburg, State of South Carolina.

IN WITNESS WHEREOF, the parties have set their hands and seals this 22nd day of October, 1997.

WITNESSES:

 By: 

ORANGEBURG COUNTY DISABILITIES
AND SPECIAL NEEDS BOARD


Its EXECUTIVE DIRECTOR

Fanletta F. Blackwell By: [Signature]

WEMAR HOMES, INC.

[Signature]

EXECUTIVE DIRECTOR

Its

CITY OF ORANGEBURG

[Signature]

Its City Administrator

Fanletta F. Blackwell By: [Signature]

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

PERSONALLY appeared before me the undersigned witness who made oath that s/he saw the within named Orangeburg County Disabilities and Special Needs Board by W.E. MARLOW, its EXECUTIVE DIRECTOR and WEMAR Homes, Inc. by W.E. MARLOW, its EXECUTIVE DIRECTOR and seal as its act and deed and deliver the within written Accommodations and Compliance Agreement and that s/he with the other subscribing witness, witnessed the execution thereof.

Fanletta F. Blackwell

SWORN to and subscribed before me this
22 day of October, 1997.

[Signature]
Notary Public for South Carolina

My Commission Expires: 02/12/2001

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

PERSONALLY appeared before me the undersigned witness who made oath that s/he saw the within named City of Orangeburg by JOHN H. YOW, its CITY ADMINISTRATOR and seal as its act and deed and deliver the within written Accommodations and Compliance Agreement and that s/he with the other subscribing witness, witnessed the execution thereof.

Fanletta F. Blackwell

SWORN to and subscribed before me this
22 day of October, 1997.

[Signature]
Notary Public for South Carolina

My Commission Expires: 02/22/2001

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CITY COUNCIL MINUTES
NOVEMBER 4, 1997
PAGE 2

A motion was made by Mayor Cheatham, seconded by Councilmember Rheney, to approve that if any member of a Board or Commission of the City misses two consecutive meetings that they will automatically be terminated. This was a 5-2 vote. Councilmember Salley and Haire opposed this motion.

DPS Director Davis asked Council to accept a \$53,700 Local Law Enforcement Grant. This grant will be used to purchase computer technology to improve the efficiency of officers. The City will provide a 10% match, which has been budgeted.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to accept the grant for Local Law Enforcement Grant in the amount of \$53,700 and authorize City Administrator Yow to sign the grant agreement. This motion was unanimously approved.

City Administrator Yow discussed with Council about establishing a 2% Accommodations Tax and a 2% Hospitality Tax. He stated, "As we discussed during the budget cycle, there are many projects that would enhance the quality of life and attract tourists and grow the local economy. We will need to seek alternative funds instead of placing the burden on property taxpayers." Some \$400,000 is expected to be collected with the 2% tax. Two cents in tax would be added for every dollar spent on motel room rentals and meal purchases. The Accommodations Tax is on gross proceeds for motel room rentals, while the Hospitality Tax is on all prepared food and beverages sold in the City. These taxes will be collected monthly.

The monies would allow the City to fund a wide array of services. Those include many beautification projects, promotional efforts, Downtown Revitalization, the new airport runway, Edisto Memorial Gardens, development of an Internet website, a canoe dock, Christmas displays, Mirmow Field, a resort vehicle park, renovations to Stevenson Auditorium and Hillcrest Cart Path. He stated, "If we pass this, the money will be kept in a separate fund from the general fund for these type items. Not all of the projects could be funded in total by the \$400,000 in revenues."

Councilmember Salley stated, "Most of the people who will pay are people who use a lot of these things and are not paying for it in any other way. From a business standpoint, it makes good sense."

City Administrator Yow stated that the tax will be paid not only by residents of the City but also by non-residents and transients. It will allow the City to build a wide array of projects and help it be competitive with other cities within South Carolina and other states. He stated that the Finance Department would hold a workshop for businesses affected by the tax. That workshop will serve as a Public Hearing.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the First Reading of an Ordinance establishing a 2% Accommodations Tax. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the First Reading of an Ordinance establishing a 2% Hospitality Tax. This motion was unanimously approved.

There were no utility matters brought before Council.

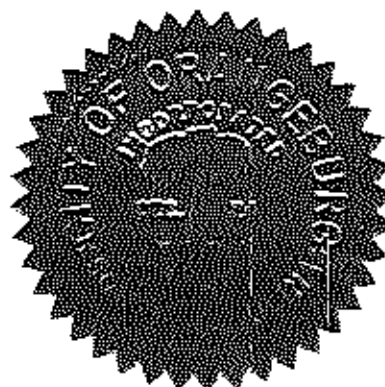
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

NOVEMBER 18, 1997

A Public Hearing was held on Tuesday, November 18, 1997, at 7:00 P.M., for the request to change "A-2 Multi Unit Residential District" to "O-I Office-Institutional-Residential District"--property on Stonewall Jackson Street.

Mayor Cheatham opened the floor for comments. Hearing no public comments, the Public Hearing was closed.

Orangeburg City Council held its regularly scheduled meeting immediately following the Public Hearing. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the November 4, 1997, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance establishing a two percent (2%) Accommodations Tax. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance establishing a two percent (2%) Hospitality Tax. This motion was unanimously approved.

City Administrator Yow told Council that a question and answer workshop will be held on Wednesday, December 3, 1997, for local businessmen. Two sessions will be scheduled, one in the morning and the other in the afternoon.

City Administrator Yow told Council that the United States Department of Justice approved the annexation of a portion of South Carolina State University. He recommended that this be referred to the state demographer to determine in which council district the new property and persons should be placed. This affects approximately fifty-four (54) persons. The City can now proceed with relocating the City limit signs.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the First Reading of an Ordinance to change "A-2 Multi Unit Residential District" to O-I Institutional-Residential District"--property on Stonewall Jackson Street. This motion was unanimously approved.

Parks and Recreation Director Smith told Council that for several years, Staff has considered requesting that traffic on Riverside Drive, in the Edisto Memorial Gardens, during the Children's Garden Christmas be one-way. This would be in effect seven days a week from 6:00 p.m. to 10:00 p.m. The display takes place from the Monday before Thanksgiving until New Year's Day. The main reason for the request would be to enhance the viewing of the displays by not having oncoming headlights in the eyes of the viewers since the displays are set up to be viewed coming from the Fountain. Also, it would be safer if traffic was flowing one-way without the possibility of hitting an oncoming vehicle while viewing the displays. The Public Safety Department has endorsed this traffic route and has indicated their willingness to assist with the heavier

RESOLUTION
TO GRANT AN EX PARTE UTILITY EASEMENT
TO THE CITY OF ORANGEBURG, SOUTH CAROLINA

BE IT RESOLVED by City Council duly assembled that the Honorable Martin C. Cheatham, Mayor of the City of Orangeburg is hereby authorized to execute and deliver the attached 30' Sanitary Sewer Easement to the Department of Public Utilities of the City of Orangeburg State of South Carolina.

RESOLVED by City Council, in the City of Orangeburg, State of South Carolina, duly assembled this 18th day of November, 1997.



Martin C. Cheatham
Mayor

James H. Haire

Sandra P. Kuytes

Paul A. Main

D. Zimmerman

Keith

Members of Council

ATTEST:

Sharon M. Lanning
City Clerk and Treasurer

CITY COUNCIL MINUTES
NOVEMBER 18, 1997
PAGE 2

concentration at the Fountain, the entrance to the one-way route. The South Carolina Department of Transportation has no obligation to this plan.

Councilmember Miller questioned if there would be one lane of traffic or two. Director Smith stated that there would be only one lane of traffic.

Mayor Cheatham suggested that signs be erected to guide out-of-town visitors back to U.S. Highway 301 once they finish viewing the display.

DPS Director Davis stated that the change will work but it will have to be monitored closely.

A motion as made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to approve making Riverside one-way during the Children's Garden Christmas presentation from 6:00 p.m. until 10:00 p.m. the Monday before Thanksgiving until after New Year's Day. This motion was unanimously approved.

A motion as made by Councilmember Salley, seconded by Councilmember Miller, to approve the purchase of weed eaters for the maintenance of Sunnyside Cemetery with \$1,500 from the interest of the Sunnyside Cemetery Fund. This motion was unanimously approved.

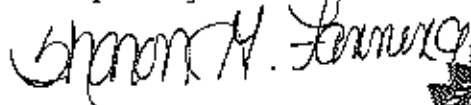
A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve a Resolution authorizing Mayor Cheatham to sign an "Ex-Parte" utility easement for the relocation of the thirty (30) foot sanitary sewer line on the airport site. This motion was unanimously approved. This work is to accommodate the new runway and will be paid for by the airport grant funds. The cost of the relocation is \$158,365.00.

Mr. Steven Nettles, Executive Director of the South Carolina Regional Housing Authority #3, gave Council an update on the ongoing grant projects in the City.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for legal matters concerning the Orangeburg Municipal Airport and condemnation/Brailsford Property.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

DECEMBER 2, 1997

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 2, 1997, 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
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the November 18, 1997, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance establishing a two percent (2%) Accommodation Tax. This motion was unanimously approved.

Mr. William Kuck, Manager of Piggly Wiggly on Russell Street, told Council that the grocery store's cash register system cannot handle the separation of the 2% tax. He stated, "I'm all out for the community, but there's no way I can do it this quick. The registers we've got won't separate it. To change one register would cost approximately \$20,000." He stated new registers are already planned for the first of February.

City Administrator Yow stated that the City realizes there will be transitional problems and that the Finance Department is planning two workshops on Wednesday. Councilmember Salley asked Mr. Kuck when he could be prepared to take in the 2% tax. Mr. Kuck stated mid February.

Ms. Loretta Scott Walker, City resident, expressed concern over the process and stated that the tax would foster further classism and impact businesses and consumers.

Mr. Greg Sutcliffe, owner of S&S Seafood stated he disagrees with the tax. "It may work in tourist centers like Charleston and Myrtle Beach but my people are local and if you change the cost a dime, they'll notice it and harp on it." He stated that City businesses would be at a disadvantage competing with county businesses, which don't have the tax.

Gary Patel, owner of Town Terrace Inn told Council that the tax was unfair and that room occupancy in the City is already going down.

Mayor Cheatham stated that Council has put a lot of thought and discussion into the issue. He stated the State Legislature gave local governments the Accommodations Tax and Hospitality Tax options to raise revenue for tourism related projects. "We make improvements for all the people and when we make decisions in Orangeburg, it's for all the people. We'll collect funds from people who use our facilities in the City, but don't usually support it by taxes. It's a small amount on hotels, motels and food and beverages." Mayor Cheatham stated that the tax revenues are kept in a special fund for tourism that's separate from the general fund. "We've done a lot of homework in this regards. We've followed the rules and regulations. In order to compete with other communities in South Carolina, we need to put this into effect.

**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 consisting of an Aerial Platform Pumper Truck for the City and to obtain financing for the equipment through a lease purchase agreement; and

WHEREAS, in order to facilitate this financing, on November 20, 1997, at 11:00 a.m., lease purchase bids for the City of Orangeburg were opened on the financing of an Aerial Platform Pumper Truck with NationsBank NA being low bidder; and

WHEREAS, City Council determines that the financing of the acquisition and installation of the equipment pursuant to the terms of a Lease Purchase Agreement providing for the lease purchase of the equipment by the City from NationsBank NA (at an annual rate of 4.63%) is in the best interest of the City and such lease purchase financing is authorized; and

WHEREAS, the City Council determines that the acquisition of equipment pursuant to the terms of a Lease Purchase Agreement is best accomplished by executing the attached Reimbursement Resolution providing for an after-the-fact reimbursement of expenditures relating to the equipment costing \$550,000; 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 that \$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 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 2nd day of December, 1997.



ATTEST:

Sandra P. Lanning
City Clerk

Martin L. Heath
Mayor

Sam Hane
Sandra P. Lanning

Paul A. Min

James W. Hane

John H. Yow

John H. Yow
COUNCIL MEMBERS

REIMBURSEMENT RESOLUTION

PRIOR TO THE EXECUTION BY THE CITY OF ORANGEBURG OF A LEASE AUTHORIZING THE CITY OF ORANGEBURG, SOUTH CAROLINA TO UNDER-TAKE CERTAIN EXPENDITURES WITH RESPECT TO AERIAL PLATFORM TRUCK PURCHASE AGREEMENT WITH NATIONSBANK NA FOR SUCH PURPOSES, AN AMOUNT NOT TO EXCEED \$550,000.

WHEREAS, the Internal Revenue Service and U.S. Treasury Department have published regulations that govern when a political subdivision such as the City of Orangeburg, South Carolina (the "Lessee"), can issue or execute tax-exempt obligations to reimburse itself or any agency or division thereof for expenditures on projects prior to the issuance of tax-exempt obligations for such projects; and

WHEREAS, the regulations require that the governing body of the political subdivision adopt a resolution reciting certain facts and intentions prior to the incurrence of the expenditures; and

WHEREAS, the Lessee anticipates incurring certain expenditures in an approximate amount not exceeding \$550,000 (the "Expenditures") with respect to the Aerial Platform Truck (the "Equipment") prior to the issuance by the Lessee of tax-exempt obligations in the form of a lease purchase agreement for such purpose in an amount not to exceed \$550,000.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Orangeburg City Council, duly assembled:

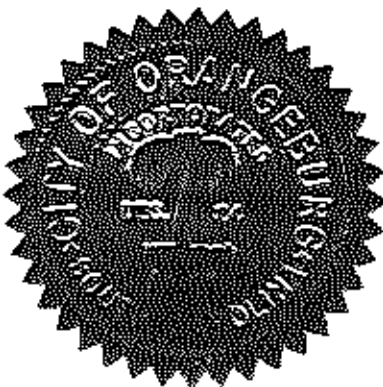
Section 1. City Council hereby declares a reasonable "official intent" pursuant to Regulation 1.103-18 to the Internal Revenue Code of 1986, as amended, to reimburse the Lessee from the proceeds of tax-exempt obligations in the form of a lease purchase agreement of the Lessee. Such expenditures must be incurred not later than two years from the date hereof in order to be eligible for reimbursement from the proceeds of the lease purchase agreement or such other date as may be applicable in the regulations. The Lessee anticipates incurring expenditures in an approximate amount not exceeding \$550,000 with respect to the Equipment prior to the execution by the Lessee for such purpose in an amount not to exceed \$550,000.

Section 2. To be eligible for reimbursement of the expenditures, the lease purchase agreement will be executed on or before the later of the date one year after the expenditure was paid or the date one year after the Project was placed in service, or such later date as may be applicable in the regulations as amended.

Section 3. The expenditures are incurred solely to acquire, construct or rehabilitate property having reasonably expected economic life of at least one year.

Section 4. The source of funds for the expenditures with respect to the Project will be general funds account derived primarily from ad valorem taxes of the Lessee. The lease purchase agreement executed to defray the costs of the Equipment will be paid primarily from ad valorem taxes and/or revenues.

Passed by the City Council of the City of Orangeburg, South Carolina this 2nd day of December, 1997.



Martin C. Cheatham
Martin C. Cheatham, Mayor

James H. Hain
Sandra P. Knott
Paul J. King

Council Members

ATTEST:

Sharon H. 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 consisting of rolling stock for the City and to obtain financing for the equipment through a lease purchase agreement; and

WHEREAS, in order to facilitate this financing, on November 20, 1997, at 11:00 a.m., lease purchase bids for the City of Orangeburg were opened on the financing of rolling stock with NationsBank NA being low bidder; and

WHEREAS, City Council determines that the financing of the acquisition and installation of the equipment pursuant to the terms of a Lease Purchase Agreement providing for the lease purchase of the equipment by the City from NationsBank NA (at an annual rate of 4.56%) is in the best interest of the City and such lease purchase financing is authorized; and

WHEREAS, the City Council determines that the acquisition of equipment pursuant to the terms of a Lease Purchase Agreement is best accomplished by executing the attached Reimbursement Resolution providing for an after-the-fact reimbursement of expenditures relating to the equipment costing \$235,475; 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 that \$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 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 2nd day of December, 1997.



Martin L. Thornton
Mayor

James Haire
Sandra P. Lott
James Haire

James Haire

[Signature]
[Signature]
[Signature]
COUNCIL MEMBERS

ATTEST:

Shirley M. Lanning
City Clerk

REIMBURSEMENT RESOLUTION

PRIOR TO THE EXECUTION BY THE CITY OF ORANGEBURG OF A LEASE AUTHORIZING THE CITY OF ORANGEBURG, SOUTH CAROLINA TO UNDER-TAKE CERTAIN EXPENDITURES WITH RESPECT TO MISCELLANEOUS CAPITAL EQUIPMENT PURCHASE AGREEMENT WITH NATIONSBANK NA FOR SUCH PURPOSES, AN AMOUNT NOT TO EXCEED \$235,475.

WHEREAS, the Internal Revenue Service and U.S. Treasury Department have published regulations that govern when a political subdivision such as the City of Orangeburg, South Carolina (the "Lessee"), can issue or execute tax-exempt obligations to reimburse itself or any agency or division thereof for expenditures on projects prior to the issuance of tax-exempt obligations for such projects; and

WHEREAS, the regulations require that the governing body of the political subdivision adopt a resolution reciting certain facts and intentions prior to the incurrence of the expenditures; and

WHEREAS, the Lessee anticipates incurring certain expenditures in an approximate amount not exceeding \$235,475 (the "Expenditures") with respect to rolling stock (the "Equipment") prior to the issuance by the Lessee of tax-exempt obligations in the form of a lease purchase agreement for such purpose in an amount not to exceed \$235,475.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Orangeburg City Council, duly assembled:

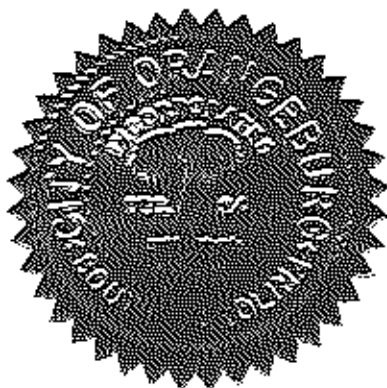
Section 1. City Council hereby declares a reasonable "official intent" pursuant to Regulation 1.103-18 to the Internal Revenue Code of 1986, as amended, to reimburse the Lessee from the proceeds of tax-exempt obligations in the form of a lease purchase agreement of the Lessee. Such expenditures must be incurred not later than two years from the date hereof in order to be eligible for reimbursement from the proceeds of the lease purchase agreement or such other date as may be applicable in the regulations. The Lessee anticipates incurring expenditures in an approximate amount not exceeding \$235,475 with respect to the Equipment prior to the execution by the Lessee for such purpose in an amount not to exceed \$235,475.

Section 2. To be eligible for reimbursement of the expenditures, the lease purchase agreement will be executed on or before the later of the date one year after the expenditure was paid or the date one year after the Project was placed in service, or such later date as may be applicable in the regulations as amended.

Section 3. The expenditures are incurred solely to acquire, construct or rehabilitate property having a reasonably expected economic life of at least one year.

Section 4. The source of funds for the expenditures with respect to the Project will be general funds account derived primarily from ad valorem taxes of the Lessee. The lease purchase agreement executed to defray the costs of the Equipment will be paid primarily from ad valorem taxes and/or revenues.

Passed by the City Council of the City of Orangeburg, South Carolina this 2nd day of December, 1997.



Martin C. Cheatham
Martin C. Cheatham, Mayor

James H. Hane

Stephen P. Kirtland

Paul A. Min

James A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

Robert A. Hearn

ATTEST:

Spencer H. Lanning
City Clerk

**CITY COUNCIL MINUTES
DECEMBER 2, 1997
PAGE 2**

Councilmember Salley made a motion, seconded by Councilmember Miller, to pass the Third Reading of an Ordinance establishing a 2% Hospitality Tax effective February 16, 1998. City Administrator Yow suggested that both motions become effective on February 16, 1998. A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to amend the Third Reading of an Ordinance establishing a 2% Accommodations Tax effective February 16, 1998. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to change "A-2 Multi Unit Residential District" to O-1 Office Institutional-Residential District"--property on Stonewall Jackson Street. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to pass a Resolution authorizing a municipal lease purchase for rolling stock at a cost of \$235,475 to NationsBank at a 4.56% interest rate. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to pass a Reimbursement Resolution for the Municipal Lease Purchase for rolling stock. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to pass a Resolution authorizing a municipal lease purchase for an aerial platform pumper truck at a cost not to exceed \$550,000 to NationsBank at a 4.63% interest rate. This motion was unanimously approved.

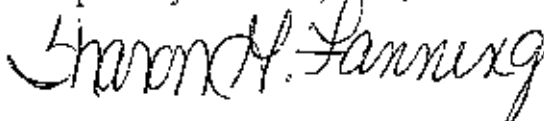
A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to pass a Reimbursement Resolution for the Municipal Lease Purchase for the aerial platform pumper truck. This motion was unanimously approved.

There were no utility matters brought before Council.

DPS Director Davis told Council that parking will be prohibited along the Russell Street Christmas parade route between Broughton and Doyle Street. He stated the street will be closed at 11:00 A.M., Sunday, December 7, 1997, but that church traffic will be allowed to get out and that drivers will be asked to move any parked cars before the 2:30 P.M. parade.

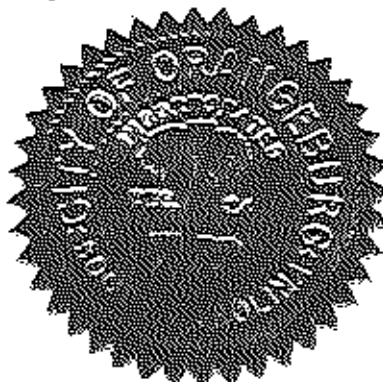
There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES
DECEMBER 16, 1997

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 16, 1997, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Marvin Sanders.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the December 2, 1997, City Council Minutes as distributed. This motion was unanimously approved.

Council welcomed Miss Toni Hartley, the 1998 South Carolina Queen of Roses. She told Council her theme was CROWN--Caring Reaches Others With Needs. Her platform is seat belt safety and also the issue of character education.

Council recognized the Edisto Habitat for Humanity who won the state's 1997 Housing Achievement Award.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to change "A-2 Multi Unit Residential District" to O-I Office-Institutional-Residential District"--property on Stonewall Jackson Street. This motion was unanimously approved.

Mr. Bill Ford and Mr. Jack Stroud from the landscape architectural firm of Pollock and Associates presented to Council the Resort Vehicle Park Master Plan to be located in the Edisto Memorial Gardens. This was received as information. The proposed park will have eighty-five (85) sites adjacent to the Edisto River and connected to the rest of the Gardens by a boardwalk.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to accept the recommendations of the Accommodations Tax Fund Advisory Committee for the following:

1. Orangeburg County Chamber of Commerce be designated as the lead agency for the City of Orangeburg
 2. The following agencies be funded at the stated amounts:

A. The Arts Council of Orangeburg County	\$ 1,882.00
B. The City of Orangeburg parks and Recreation Department	\$10,758.00
C. The Orangeburg County Chamber of Commerce	\$16,800.00
- | | |
|-------|-------------|
| TOTAL | \$29,440.00 |
|-------|-------------|

DPU Manager Boatwright asked Countl toconsider a Resolution to reduce the electric rates of the Department of Public Utilities and to make changes to the General Terms and Conditions as follows:

**CITY COUNCIL MINUTES
DECEMBER 16, 1997
PAGE 2**

Elimination of the 10% discount for early payment:

DPU proposes to eliminate the 10% discount for all rates of the Department of Public Utilities by reducing all the published unit consumption rates (Electric, Natural Gas, Water and Wastewater) by 10%. The service charges will remain the same.

- A. A late payment penalty of 1.5% to be applied after the close of business on the 20th day. Late charges would accrue on any part payments allowed.
- B. An increase in the late notice fee from the present \$2.00 to \$5.00.
- C. An increase in the charge for disconnection for non-payment and for second trip connection and inspection from the present \$20.00 to \$30.00.
- D. An increase in the fee for same day connection requests received after 2:00 P.M. from \$10.00 to \$30.00.
- E. Increase tampering penalties from the present \$50.00 to \$100.00.
- F. Change the due date to 20 days instead of the present 10 for net and 25 for gross.
- G. An increase in the fee charged for returned checks from \$20.00 to \$25.00 (there was some discussion about \$25 not being high enough, but after closer analysis \$25 will cover our costs at this time).
- H. Add a fee of \$30.00 for rereading meters at the customers request when no error is found and a fee of \$40.00 for testing meters at the customers request when the meter is found to be reading within recognized limits (+ or -2%).
- I. Change date of record on payments received from date of postmark to date actually received. (This will allow for machine processing of payments by mail.).

New features to enhance our service to DPU customers

When it is mutually beneficial to both the Department and the customer:

- 1. Allow customers with multiple bills in different billing cycles to move all billing dates to one cycle for summary billing.
- 2. Allow customers to choose their billing cycle if they participate in EFT (Electronic funds Transfer).
- 3. Allow customers with good credit history to average their bills.
- 4. Allow partial payments under certain conditions.

A motion was made by Councilmember Miller, seconded by Councilmember Salley, to pass a Resolution amending the Genral Terms and Conditons of the Department of Public Utilities. This motion was unanimously approved.

DPU Manger Boatwright asked Council to consider reducing the rates. His recommendation is to return all the savings realized from the new SCE&G contract with the bulk of the reduction in our rates going to the large customers and to distribute the \$3.5 million as follows:

Large consumers--greater than 200 kilowatts	\$2,000,000/yr
Medium size customers-less than 200 kilowatts	\$ 750,000/yr
Residential customers	\$ 750,000/yr

CITY COUNCIL MINUTES
DECEMBER 16, 1997
PAGE 3

1. **NMST Rate**--This is a new industrial and large commercial rate which is patterned after DPU's new contract with SCE&G. To qualify for this rate the customers demand must exceed 200 kilowatts and they must sign a contract for service until April 30, 2003. These customers will receive a reduction of approximately 14% when compared to what they are presently paying at net. Large customers who choose to use this rate will be required to forecast their net forecast peak much as we are required to do. If they manage their loads wisely and forecast accurately, their savings will be substantial. If not, a significant penalty in the form of a contract demand will apply. DPU is a summer peaking utility so our customer's contract demand will only be set during the summer months. There are 64 present customers who can qualify for this new rate. Use of this rate will be optional for our customers. Those large customers who choose not to use this rate will remain on the "e" or "H" rate. The rate reduction for the new proposed "e" and "H" rates will only be 2%. The goal is to get these customers to sign a five year commitment in order to get the advantages of retail open access before it becomes legal from other suppliers.
2. **Residential Rates**--Residential rates will be reduced by an average of 6.29% (base on 1000 kWh). The proposed rates will also be restructured by eliminating the minimum-replacing it with a service charge and reducing the number of tiers in the rate schedules.
3. **Commercial Rates**--commercial rates will be reduced by an average of 9.9% (based on 10,000 kWh). The proposed rates will also be restructured by eliminating the minimum-replacing it with a service charge and reducing the number of tiers.
4. **Security Lights and Street Lights**--the present antiquated 21 rate will be eliminated. DPU has not allowed new customers to use this rate since 1970 and there are twenty customers on this rate and they will be moved to the most economical rate for which they qualify. DPU also has a number of customers, principally schools and churches, which have for some unknown reason been on a residential ate. The customers will be moved to the most economical rate applicable.

DPU proposes to make all these changes effective January 1, 1998. There will be an article published in the T&D about all the changes which will include names and phone numbers of people at DPU that can answer customer questions.

Councilmember Haire asked questions about the penalty for tampering with or stealing electricity. After discussion, it was agreed to leave it as written.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to pass a Resolution to adopt new rates for the Department of Public Utilities as it applies to electricity, natural gas, water and wastewater. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



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 same:

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

Section III, Paragraph M (Page 19 of 26): Amend said paragraph by deleting the words "twenty" and the numbers "(\$20.00)" and substituting in lieu thereof the words "thirty" and the numbers "(\$30.00)".

Section III, Paragraph Q (Page 21 of 26):

Amend said paragraph by deleting it in its entirety and substituting in lieu thereof the following new paragraph.

Q. Metered Service

1. Each meter shall be considered as a separate service. If multiple meters are installed at the same location, and the service points are of the same character, i.e., same voltage, size, and/or capacity, the Department, at its discretion, may bill said metered locations as a single service. Separately metered services of different character shall be billed as individual services.
2. Only one service shall be allowed for each installed meter.

Section III, Paragraph R (Page 21 of 26): Amend said paragraph by deleting the word "fifty" and the number "(\$50.00)" and substituting in lieu thereof the word "one hundred" and the number "(\$100.00)".

Section IV, Paragraph A2 (Page 21 of 26): Amend said paragraph by adding the following words: "The Department at its sole discretion shall determine the appropriate rate schedule by which a Customer shall be billed".

Section IV, Paragraphs A3 and A4 and A5 and A6 (Pages 21 and 22 of 26):

Amend said paragraphs by deleting them in their entirety and substituting in lieu thereof the following new Paragraphs A3, A4 , A5 and A6.

Paragraph A3

3. Current charges for electric, gas, water and/or wastewater service are due and payable at the office of the Department during office hours, on or before the due date indicated on the bill, the 20th day including the date of the bill, EXCEPT WHERE SPECIFICALLY STATED TO THE CONTRARY in these rules, regulations and rates.

Paragraph A4

4. Bills are subject to penalties.

If a payment is not received as designated in the bill by the said due date, penalties of 1.5% monthly of the overdue balance will be applied after the close of business the 20th day.

Paragraph A5

5. When it is mutually to the advantage of the Customer and the Department, the Department may offer billing options such as follows:
 - a. The Customer's bill date may be moved to another date.
 - b. The Customer's bill may be set as an average of one year's billing.
 - c. The Customer may make arrangements to pay a bill in installments.

Paragraph A6

6. Notices: Delinquent (Reminder) Notices may be printed and mailed when a payment becomes overdue. The notice shall notify the Customer that if the bill is not paid within ten (10) calendar days, services shall be subject to disconnection. A fee of five (\$5.00) dollars shall be applied to the account for processing and mailing the notice.

Section IV, Paragraph A8 (Pages 22 & 23 of 26): Amend said paragraph by deleting the words "ten" and "twenty" and the numbers "(\$10.00)" and "(\$20.00)" and substituting in lieu thereof the words "thirty" and the numbers "(\$30.00)".

Section IV, Paragraph A9 (Page 23 of 26): Amend said paragraph by deleting the words "twenty" and the numbers "(\$20.00)" and substituting in lieu thereof the words "thirty" and the numbers "(\$30.00)".

Section IV, Paragraph A10 (Page 23 of 26): Amend said paragraph by deleting the words "more than once in any six month's period, the Customer shall pay a service charge of \$20.00 for such service" and substituting in lieu thereof the words "the Customer may pay a service charge of forty (\$40.00) dollars for such service".

Section IV, Paragraphs A10, A11, A12, A13, A14, & A15 (Pages 23, 24 & 25 of 26):
Renumber paragraphs A10, A11, A12, A13, A14, and A15 to paragraphs, A12, A13, A14, A15, A16 and A17 respectively.

Section IV, (Page 23 of 26): Amend said section by adding the following new paragraphs A10 and A11.

Paragraph A10

10. There shall be no charges for the initial required inspections for services. Additional trips for inspections may be charged thirty (\$30.00) dollars per trip.

Paragraph A11

11. When a Customer requests a meter to be read or reread, a charge of thirty (\$30.00) dollars may apply except in the event the previous billing reading is found to be in error in which no charge will be applied.

Section IV, (Page 25 of 26): Amend said section by adding the following new paragraph A18.

Paragraph A18

18. Disconnection for nonpayment: see Section III-M.

Section IV, Paragraph B (Page 25 of 26): Amend said section by changing the word "twenty" and the number "(\$20.00)" and substituting in lieu thereof the word "twenty-five" and the number "(\$25.00)".

PASSED by City Council of the City of Orangeburg, State of South Carolina
duly assembled this 16th day of December 1997.



Martin L. Cheatham
Mayor

Edward Harris
Louise P. Smith

Lucy Ann

P. Zimmerman
Robert D. Kelly
Joseph Phares
Members of Council

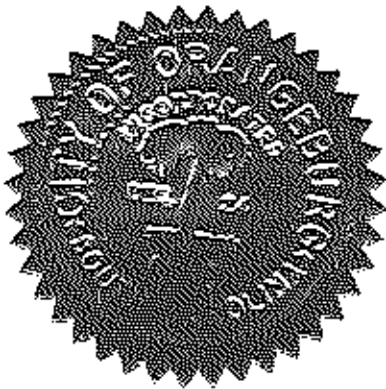
ATTEST:
Sharon H. Lanning
City Clerk and Treasurer

RESOLUTION

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

That all the rates of the Department of Public Utilities of the City of Orangeburg pertaining to Electricity, Gas, Water and Wastewater, as heretofore adopted be, and the same are hereby repealed, and in lieu thereof, the Electric, Gas, Water and Wastewater Rates of the Department of Public Utilities of the City of Orangeburg, hereto attached, be and they are hereby, declared effective and in full force on January 1, 1998.

PASSED by City Council of the City of Orangeburg, State of South Carolina
duly assembled this 16th day of December, 1997.




Martha Cheatham
Mayor

James Haire

Sandra T. Kott

Paul G. Miller

Wm. H. Allen


Members of Council

ATTEST:

ATTEST:
Sharon A. Lanning
City Clerk and Treasurer

Electric Rate

No. 1 - Residential Service (Code 2A)

Applicable: To a single-family dwelling unit supplied through one meter for domestic use.

This schedule is not applicable to a residence which is used for commercial, professional, or any other enterprise unless the domestic use can be separately metered, in which case this schedule is applicable to the metered domestic portion of energy use only.

Character of Service: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

Net Monthly Rate:

Standard Rate

First	50 KWH @ \$0.0348 per KWH
Next	450 KWH @ \$0.0552 per KWH
All in excess of	500 KWH @ \$0.0482 per KWH

Service Charge

\$4.00 per meter per month.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 1-A - Residential Service - All Electric (Code 2B)

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

Character of Service: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

Net Monthly Rate:

Standard Rates

Summer Season

First	50 KWH @ \$0.0348 per KWH
Next	450 KWH @ \$0.0552 per KWH
All in excess of	500 KWH @ \$0.0482 per KWH

Winter Season

First	50 KWH @ \$0.0348 per KWH
Next	450 KWH @ \$0.0552 per KWH
Next	500 KWH @ \$0.0482 per KWH
All in excess of	1,000 KWH @ \$0.0437 per KWH

Service Charge

\$4.00 per meter per month.

The winter season begins with Cycle 7 bills dated November and ends with Cycle 6 bills dated May. The summer season applies for all other bills rendered during the year.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 2 - General Service (Code 2C)

Applicable: To any nondomestic and/or commercial or industrial customer for all power and energy uses at any one location where service of a single character is taken through one meter at one point of delivery for which no specific schedule is provided. This schedule is not applicable to breakdown, standby, supplementary, resale or shared electric service. All temporary service will be billed under this schedule. This rate will not be available for any new account which has a demand in excess of 200 KW.

Character of Service: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

Net Monthly Rate:

Standard Rate

First	3,000 KWH @ \$0.0552 per KWH
All in excess of	3,000 KWH @ \$0.0482 per KWH

Service Charge

\$12.00 per meter per month.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 2-A - General Service - All Electric (Code 2D)

Applicable: To any nondomestic and/or commercial or industrial customer who would otherwise receive service under Rate No. 2 for all general power and energy use including lighting, space heating and air conditioning, where electric service is the only source of energy. This rate will not be available for any account which has a demand in excess of 200 KW.

Character of Service: Alternating current, 60 hertz. Voltage and phase at the option of the Company.

Net Monthly Rate:

Standard Rates

Summer Season

First 3,000 KWH @ \$0.0552 per KWH

All in excess of 3,000 KWH @ \$0.0482 per KWH

Winter Season

First 3,000 KWH @ \$0.0552 per KWH

All in excess of 3,000 KWH @ \$0.0437 per KWH

Service Charge

\$12.00 per meter per month.

The winter season begins with Cycle 8 bills dated November and ends with Cycle 7 bills dated May. The summer season applies for all other bills rendered during the year.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 3 - Medium General Service (Code 2E)

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

Character of Service: Alternating current, 60 hertz, three phase service. Voltage at the option of the Company.

Net Monthly Rate:

Demand Charge

First	100 KW or less	\$1,010.00
All in excess of	100 KW @	\$10.10 per KW of billing demand

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

Energy Charge

All KWH @ \$0.0221 per KWH

Service Charge

\$50.00 per meter per month.

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

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 4 - Time-of-Use Service (Code 2F)

Application: To any non domestic, commercial, or industrial customer for all power and energy used at any one location where service of a single character is taken through one meter at one point of delivery per premises. This schedule is not applicable to break down, standby, supplementary, resale, or shared electric service. This rate shall be applicable for any new or existing account having an on-peak demand of less than 1,000 KW. The second billing month of a 12 month period that on-peak demand exceeds 1,000 KW will terminate eligibility under this rate schedule.

Character of Service: Alternating current, 60 hertz, voltage and phase at the option of the Company.

Net Monthly Rate:

I. *Demand Charge*

On-Peak Billing Demand	\$5.20 per KW
Shoulder None	
Off-Peak None	

The billing demand (to the nearest whole KW) shall be the maximum integrated fifteen-minute demand measured during the On-Peak hours of the current month.

II. *Energy*

On-Peak	\$0.1213 per KWH
Shoulder	\$0.0550 per KWH
Off-Peak	\$0.0365 per KWH

Service Charge:

\$12.00 per month

Determination of on-peak, shoulder, and off-peak hours:

A. On-Peak:

Months June through September

1:00 p.m. - 7:00 p.m. Monday through Friday excluding Holidays*

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

Effective: January 1, 1998

Electric Rate

No. 4 - Time-of-Use Service (Code 2F) (Continued)

B. Shoulder:

1. Months June through September
11:00 a.m. - 1:00 p.m. and 7:00 p.m. to 9:00 p.m.
Monday through Friday excluding Holidays*
2. Months October through May
6:00 a.m. - 10:00 a.m. and 6:00 p.m. to 10:00 p.m.
Monday through Friday excluding Holidays*

C. Off-Peak:

Off-peak hours are defined as all those not specified as on-peak or shoulder hours including all Saturdays, Sundays, and Holidays*.

*Holidays are specified as - New Years, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Power Factor: On loads exceeding 100 KW, the customer shall at all times maintain a power factor of not less than 85 percent. The Department reserves the right to conduct tests to determine the power factor of the customer's installation during periods of maximum demand or by measurement of the average power factor for the monthly billing period. Should the power factor so determined fall below 85 percent, the demand for billing purposes will be determined by multiplying the maximum KW demand by 85 percent and dividing by the determined power factor. No credit shall be given for power factor greater than 85 percent.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 5 - Large General Service (Code 2H)

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

Character of Service: Alternating current, 60 hertz, three phase service. Service will be metered at primary voltage.

Net Monthly Rate:

Demand Charge

First	1,000 KW @ \$9,800.00 of billing demand
All in excess of	1,000 KW @ \$9.80 per KW of billing demand

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

Energy Charge

First	400,000 KWH @ \$0.0221 per KWH
All in excess of	400,000 KWH @ \$0.0211 per KWH

Service Charge

\$250.00 per meter per month.

Power Factor Correction: The customer shall at all times maintain a power factor of not less than 85 percent. The Department reserves the right to conduct tests to determine the power factor of the customers installation during periods of maximum demand or by measurement of the average power factor for the monthly billing period. Should the power factor so determined fall below 85 percent, the demand for billing purposes will be determined by multiplying the maximum KW demand by 85 percent and dividing by the determined power factor. No credit shall be given for power factors greater than 85 percent.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 6 - Overhead Private Lighting (Code 2K, 2L, 2M, 2Q, 2R, 2S)

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

<u>Size</u>		<u>Lamp Charges Per Month</u> \$/each	<u>KWH Per Month</u>	<u>Watts</u>
2K -	7,500 Lumens (Mercury) Open Type Globe	\$ 5.45	70	175
2L -	20,000 Lumens (Mercury) Closed Type Globe	\$10.38	140	400
2M -	50,000 Lumens (Mercury) Closed Type Globe	\$16.26	400	1,000
2Q -	9,500 Lumens (HPS) Open Type Globe	\$ 5.45	40	100
2R -	27,500 Lumens (HPS) Closed Type Globe	\$10.38	105	250
2S -	50,000 Lumens (HPS) Closed Type Globe	\$16.26	160	400

Cost Per Month For Each Additional Pole:

<u>30 ft.</u>	<u>35 ft.</u>	<u>40 ft.</u>	<u>45 ft.</u>
\$1.17	\$1.80	\$2.25	\$2.70

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 7 - Street Lights (Code 2N, 2O, 2P, 2T, 2U, 2V, 2W, 2Y, 2Z)

Net Monthly Rate:

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

Unmetered Street Lights

<u>Size</u>	<u>Lamp Charges Per Month</u>	<u>KWH Per Month</u>	<u>Watts</u>
	\$/each		
2N - 7,500 Lumens (Mercury) Open Type Globe	\$ 5.73	70	175
2O - 20,000 Lumens (Mercury) Closed Type Globe	\$10.95	140	400
2P - 50,000 Lumens (Mercury) Closed Type Globe	\$27.78	400	1,000
2T - 9,500 Lumens (HPS) Open Type Globe	\$ 5.73	40	100
2U - 27,500 Lumens (HPS) Closed Type Globe	\$10.95	105	250
2V - 36,000 Lumens (HPS) Closed Type Globe	\$11.48	140	360
2W - 50,000 Lumens (HPS) Closed Type Globe	\$12.38	160	400
2Y - 140,000 Lumens (HPS) Closed Type Globe	\$27.78	400	1,000
2Z - 150,000 Lumens (HPS) Closed Type Globe	\$29.77		

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 8 - Interruptible Service (Code 2X)

Application: To any customer for all power and energy used at any one location where service of a single character is taken through one meter. Said application is for those services that operate only during off peak periods or that have standby capacity operable on demand.

Character of Service: Alternating current, 60 cycle, three phase service. Voltage at the option of the Company.

Net Standard Rate

Off-Peak - Energy - \$0.0365 per KWH

Service Charge:

\$12.00 per meter per month.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Effective: January 1, 1998

Electric Rate

No. 9 - Negotiated Market Sales Tariff (Code NMST)

Applicable: To industrial or commercial customers for general power and energy purposes with demands of 200 KW or over. This schedule is not applicable to breakdown, standby, supplementary, resale or shared electric service.

Character of Service: Alternating current, 60 cycle, three phase service.

Net Monthly Rate:

Demand Charge

First	1,000 KW @ \$7.60 per KW of billing demand
All in excess of	1,000 KW @ \$7.20 per KW of billing demand

Billing demand shall be the greater of: (a) Customer's maximum integrated one hour metered demand during the current month, (b) Customer's maximum integrated one-hour metered demand during on-peak periods during the current contract year (12-month period beginning May 1), or (c) Customer's Contract Demand.

Energy Charge

First	400,000 KWH @ \$0.0200 per KWH
All in excess of	400,000 KWH @ \$0.0195 per KWH

Fuel Charge

In addition to the foregoing charges, Customer shall pay a charge for all KWH as specified in DPU's Fuel Cost Rider.

Service Charge

\$250.00 per meter per month

Power Factor Correction: The Customer shall at all times maintain a power factor of not less than 85 percent. The Department reserves the right to conduct tests to determine the power factor of the Customer's installation during periods of maximum demand or by measurement of the average power factor for the monthly billing period. If the power factor so determined falls below 85 percent, the demand for billing purposes will be determined by multiplying the maximum KW demand by 85 percent and dividing by the determined power factor. No credit shall be given for power factor greater than 85 percent.

On-Peak Period: The on-peak period shall be defined as week day deliveries between the hours beginning 11:00 AM and ending 9:00 PM during the months of May through September.

Late Payment Charge: Bills are due and payable on receipt. Bills not paid within 20 days shall be subject to a late payment charge of the lesser of 1-1/2 percent per month, or the maximum amount permitted by law.

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

Department of Public Utilities - Orangeburg, South Carolina

Electric Rate

Electric Power Service Contract
NMST Rate Schedule

Contract Number _____

Effective Date _____

THIS CONTRACT is made between the Department of Public Utilities - Orangeburg, South Carolina (hereinafter referred to as "DPU") and _____ (hereinafter referred to as "Customer"),

WITNESSETH: That the parties hereto, in consideration of the mutual agreements hereinafter set forth, contract as follows:

1. DPU shall supply, and the Customer shall take all electric power and energy required for the operation of Customer's equipment installed or to be installed by Customer at _____. Such power and energy shall be three (3) phase, alternating current, approximately 60 cycles, at a nominal voltage of _____ volts.

2. On or before January 1 of each calendar year, Customer shall provide DPU with a written forecast of Customer's maximum on-peak demand during the succeeding contract year (12-month period beginning May 1). The on-peak period shall be as specified in DPU's Electric Rate Schedule NMST. If agreed to by the DPU, such forecast as provided by Customer shall constitute Customer's contract demand during the succeeding contract year. In the event Customer fails to provide a forecast to DPU or DPU does not agree to Customer's forecast, Customer's contract demand during the succeeding contract year shall be the greater of Customer's current contract demand or Customer's maximum integrated one-hour metered demand during on-peak periods during the current contract year.

3. DPU agrees to extend and maintain its lines to the premises of Customer and to install all transformers, switches, protection equipment, meter, recording devices and other apparatus necessary for the purpose of delivering and measuring the power and energy at the point of delivery. Such facilities of DPU shall be of sufficient capacity to satisfy the demand of Customer at point of delivery. Customer shall notify DPU of any anticipated increase or decrease in demand of 250 KW or more, not less than ninety (90) days prior to date of such increase or decrease.

4. Customer shall install and maintain, at its own expense, in approved standards of construction, all other facilities on Customer's side of delivery point which are necessary for the proper reception of electrical power and energy and for its use beyond such point. Such facilities and Customer's plant equipment shall be of types which will not interfere with other service rendered by DPU. Customer's facilities and equipment will be subject to inspection by DPU at reasonable times.

5. Customer agrees to provide DPU without cost, suitable right(s) of way and location(s) on Customer's premises for necessary lines and apparatus. All apparatus installed by and at cost of DPU shall remain its property. DPU shall have the right to inspect, repair or remove the same.

6. The effective date of this contract shall be _____, 19 _____, and shall continue in effect until April 30, 2003, and thereafter shall be automatically renewed for 12-month periods ending April 30 of each year until terminated by either party giving the other written notice no later than the preceding February 1.

7. DPU shall bill, and the Customer shall pay for all electric power and energy supplied hereunder at the rates and charges due and payable therefor, pursuant to DPU's electric Rate Schedule NMST, and upon the terms and conditions set forth in such Rate Schedule and in DPU's Rules and Regulations. A copy of Rate Schedule NMST is attached hereto.

Department of Public Utilities - Orangeburg, South Carolina

Electric Rate

Electric Power Service Contract - Continued
NMST Rate Schedule

8. Customer expressly understands that the charges set forth in DPU's NMST Rate Schedule may be revised by DPU from time to time. In no event shall DPU increase the rates and charges applicable to Customer (except for the pass through of changes in fuel cost) without first providing Customer not less than 90 days advance written notice of the intended change. On receipt of such notice, Customer may terminate service under this contract upon written notice of not less than 30 days in advance of the date DPU notifies Customer that DPU intends to change the rate.

9. In the event that any bill for electric service is not paid in accordance with payment provisions of the effective rate schedule, DPU may suspend the delivery of power and energy or may terminate delivery and cancel this contract. Any such action by DPU shall not release Customer from the obligation to pay for service furnished and for the minimum charges under said rate schedule for the unexpired period of the contract or from liability for damages because of any breach hereof.

10. DPU will endeavor to maintain adequate and continuous service, but does not guarantee that the supply of energy will be constant at all times. In case service should be interrupted or fail by an act of God or public enemy, fire, explosion, flood, strike, other cessation of work by personnel, picketing, insurrection, mob violence, governmental interference, breakdown of or injury to machinery or lines, extraordinary repairs, or other accident or other causes not reasonably within its control, DPU shall not be liable for damages on account of interruption of service. Minimum and demand charges in said rate schedule shall be prorated should Customer be prevented from taking energy for a period in excess of twenty-four (24) hours occasioned by the occurrence of any of the above events.

11. DPU shall not be liable for any loss or damage to property or injury to or death of persons, whether suffered by Customer, its agents or employees, or by any third person, persons or corporation, resulting from the location, use or operation of electrical or other equipment located on Customer's side of the point of delivery, or from electric energy present therein or escaping therefrom, and Customer agrees to indemnify and save DPU harmless from all such loss, damages, injuries or death.

12. If for any reason the Customer desires the facilities temporarily disconnected, the DPU shall comply with such request within a reasonable time after written notice thereof; provided, however, such discontinuance shall in no case relieve the Customer from complying with the terms of this contract.

13. The provisions of this contract shall not be changed except by writing duly signed by DPU and Customer. However, this contract is subject to valid orders of legally constituted bodies having jurisdiction over DPU.

ACCORDINGLY, the parties hereto have executed this contract in duplicate this _____ day of _____, 19 _____, binding and extending to their successors and assigns.

CUSTOMER

DEPARTMENT OF PUBLIC UTILITIES
ORANGEBURG, SOUTH CAROLINA

By: _____

By: _____

Title: _____

Title: _____

Attest: _____

Attest: _____

Gas Rate

No. 1 - Residential Service (Code 3A)

Applicable: To a single family dwelling unit or individual dwelling units in apartment structures or other multifamily residential structures supplied by individual gas meters. This schedule is not applicable to a residence which is used for commercial, professional, or any other enterprise unless the domestic use can be separately metered.

Service Charge \$4.00 per bill per month

Commodity Charge

First	5,000 CF @ \$0.5281 per 100 CF per month
All in excess of	5,000 CF @ \$0.4929 per 100 CF per month

Current surcharge will be applied to this rate schedule.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item Number 4, "General Terms and Conditions" for penalties on above. Contact Gas Division for current surcharge.

Effective: January 1, 1998

Water Rate

No. 1 - Residential (Inside City Limits) (Code 4A)**Commodity Charge**

\$0.73 per 100 Cu. Ft. per month

Service Charge (Based on tap size)

For 3/4 inch tap-----\$ 2.00 per month per bill

For 1 inch tap ----- \$ 3.00 per month per bill

For 1 1/2 inch tap-----\$ 4.00 per month per bill

For taps greater than 1 1/2 inch, rates for Commercial(4B) will apply.

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

Effective: January 1, 1998

Gas Rate

No. 1A - Residential Time of Use Service (Code 3E)

Applicable: To a single family dwelling unit or individual dwelling units in apartment structures or other multifamily residential structures supplied by individual gas meters, using Department approved air conditioning equipment. This schedule is not applicable to a residence which is used for commercial, professional, or any other enterprise unless the domestic use can be separately metered.

Service Charge \$4.00 per bill per month

Commodity Charge

For bills dated April through October:

All MCF at \$1.35 plus cost of gas sold less the demand charge, excluding peak shaving quantities.

For bills dated November through March:

First 5,000 CF @ \$0.5821 per 100 CF per month

All in excess of 5,000 CF @ \$0.4929 per 100 CF per month

Current surcharge will be applied to this rate schedule.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item Number 4, "General Terms and Conditions" for penalties on above. Contact Gas Division for current surcharge.

Effective: January 1, 1998

Gas Rate

No. 2 - General Service (Code 3B)

Applicable: To any nondomestic and/or commercial or industrial customer having requirements of less than 400,000 CF per month.

Service Charge \$8.00 per bill per month

Commodity Charge

First	10,000 CF @ \$0.5281 per 100 CF per month
All in excess of	10,000 CF @ \$0.4727 per 100 CF per month

Current surcharge will be applied to this rate schedule.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item Number 4, "General Terms and Conditions" for penalties on above. Contact Gas Division for current surcharge.

Effective: January 1, 1998

Gas Rate

No. 2A - General Time of Use Service (Code 3F)

Applicable: To any nondomestic, commercial or industrial customer using Department approved air conditioning equipment. This service will be metered separately from other uses.

Service Charge \$8.00 per bill per month

Commodity Charge

For bills dated April through October:

All MCF at \$1.35 plus cost of gas sold less the demand charge, excluding peak shaving quantities.

For bills dated November through March:

First 10,000 CF @ \$0.5281 per 100 CF per month

All in excess of 10,000 CF @ \$0.4727 per 100 CF per month

Current surcharge will be applied to this rate schedule.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item Number 4, "General Terms and Conditions" for penalties on above. Contact Gas Division for current surcharge.

Effective: January 1, 1998

Gas Rate

No. 3 - Large General Service (Code 3C)

Applicable: To any non-domestic and/or commercial or industrial customer having requirements in excess of 400,000 CF per month.

Service Charge \$100.00 per bill per month

Commodity Charge

1. All MCF @ \$4.487 per MCF per month

The current surcharge will be applied to the above rates.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item Number 4, "General Terms and Conditions" for penalties on above. Contact Gas Division for current surcharge.

Effective: January 1, 1998

Gas Rate

No. 4 - Interruptible Service (Code 3D)

Applicable: To all industrial consumers who have adequate standby facilities.

Commodity Charge

All MCF at \$1.35 plus cost of gas sold less the demand charge, excluding peak shaving quantities.

Minimum

The monthly minimum charge shall be \$150.00 per bill.

The customer shall provide and pay for the cost of the monthly phone line and the 110V power source required to operate the Department installed flow computer.

Industrial Sales Program Rider

1. When gas is available from South Carolina Pipeline Corporation under its Industrial Sales Program Rider (ISPR), the Department will make purchases under this program available to any qualifying customer provided that the customer can demonstrate that the equivalent price per MCF of the alternate fuel available for use in their equipment is less than the Department's current charge.
2. Gas purchased by the Department under South Carolina Pipeline Corporation's Industrial Sales Program Rider and sales of such gas shall be considered a Special Purchase for the purpose of the Department's cost of Gas calculation.
3. The Department's maximum mark-up above the cost of ISPR gas will be \$1.35 per MCF. The Department retains the right to adjust the mark-up to maximize sales revenues.

Department of Public Utilities retains the right to discontinue interruptible service on a one-hour notice for as long as gas is necessary for firm customers.

Current surcharge will be applied to this rate schedule.

Note: "General Terms and Conditions" in effect apply to above. See Article IV-A, Item Number 4, "General Terms and Conditions" for penalties on above. Contact Gas Division for current surcharge.

Effective: January 1, 1998

Water Rate

No. 2 - Commercial (Inside City Limits) (Code 4B)

Commodity Charge

First	5,000 Cu. Ft. @ \$0.81 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$0.76 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$0.72 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft. @ \$0.57 per 100 Cu. Ft. per month	

Minimum

For 3/4 inch tap-----	\$ 4.50 per month per bill
For 1 inch tap-----	\$ 6.00 per month per bill
For 1 1/2 inch tap-----	\$ 9.00 per month per bill
For 2 inch tap-----	\$12.00 per month per bill
For 3 inch tap-----	\$18.00 per month per bill
For 4 inch tap-----	\$24.00 per month per bill
For 6 inch tap-----	\$35.50 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 3 - Industrial (Inside City Limits) (Code 4C)

Commodity Charge

First	5,000 Cu. Ft. @ \$0.81 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$0.76 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$0.72 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft.	@ \$0.57 per 100 Cu. Ft. per month

Minimum

For 2 inch tap or less -----	\$12.00 per month per bill
For 3 inch tap-----	\$18.00 per month per bill
For 4 inch tap-----	\$24.00 per month per bill
For 6 inch tap-----	\$35.50 per month per bill
For 8 inch tap-----	\$47.00 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 4 - Residential (Outside City Limits) (Code 4D)

Commodity Charge

\$1.33 per 100 Cu. Ft. per month

Service Charge

(Based on tap size)

For 3/4	inch tap-----	\$ 3.50 per month per bill
For 1	inch tap-----	\$ 4.50 per month per bill
For 1 1/2	inch tap-----	\$ 7.00 per month per bill

For taps greater than 1 1/2 inch, rates for Commercial(4E) will apply.

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

Effective: January 1, 1998

Water Rate

No. 5 - Commercial (Outside City Limits) (Code 4E)

Commodity Charge

First	5,000 Cu. Ft. @ \$1.47 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$1.28 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$1.01 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft. @ \$0.88 per 100 Cu. Ft. per month	

Minimum

For 3/4 inch tap-----	\$ 8.00 per month per bill
For 1 inch tap-----	\$10.75 per month per bill
For 1 1/2 inch tap-----	\$16.25 per month per bill
For 2 inch tap-----	\$21.50 per month per bill
For 3 inch tap-----	\$32.00 per month per bill
For 4 inch tap-----	\$42.50 per month per bill
For 6 inch tap-----	\$65.00 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 6 - Industrial (Outside City Limits) (Code 4F)

Commodity Charge

First	5,000 Cu. Ft. @ \$1.23 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$1.05 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$0.84 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft. @ \$0.71 per 100 Cu. Ft. per month	

Minimum

For 2 inch tap or less-----	\$18.00 per month per bill
For 3 inch tap-----	\$27.00 per month per bill
For 4 inch tap-----	\$35.50 per month per bill
For 6 inch tap-----	\$54.00 per month per bill
For 8 inch tap-----	\$78.00 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 7 - Commercial and Industrial(Inside City Limits)
Detecto Check Fire Service or Full Flow Fire Service
(Code 4G=Commercial) (Code 4H=Industrial)

Commodity Charge

First	5,000 Cu. Ft. @ \$2.11 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$1.98 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$1.89 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft.	@ \$1.47 per 100 Cu. Ft. per month

Service Charge

For 4 inch tap-----	\$ 5.00 per month per bill
For 6 inch tap-----	\$ 6.00 per month per bill
For 8 inch tap-----	\$12.00 per month per bill
For 10 inch tap-----	\$24.00 per month per bill
For 12 inch tap-----	\$35.50 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 8 - Commercial and Industrial(Outside City Limits)
Detecto Check Fire Service or Full Flow Fire Service
(Code 4I=Commercial) (Code 4J=Industrial)

Commodity Charge

First	5,000 Cu. Ft. @ \$3.67 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$3.24 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$2.53 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft.	@ \$2.09 per 100 Cu. Ft. per month

Service Charge

For 4 inch tap-----	\$ 9.50 per month per bill
For 6 inch tap-----	\$12.00 per month per bill
For 8 inch tap-----	\$24.00 per month per bill
For 10 inch tap-----	\$47.00 per month per bill
For 12 inch tap-----	\$59.00 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 9 -Commercial, Combined Domestic and Full Flow Fire Service (Inside City Limits) (Code 4K)

Commodity Charge

First	5,000 Cu. Ft. @ \$0.81 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$0.76 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$0.72 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft.	@ \$0.57 per 100 Cu. Ft. per month

Service Charge

For 4 inch tap-----	\$ 5.00 per month per bill
For 6 inch tap-----	\$ 6.00 per month per bill
For 8 inch tap-----	\$12.00 per month per bill
For 10 inch tap-----	\$24.00 per month per bill
For 12 inch tap-----	\$35.50 per month per bill

Minimum

For 4 inch tap-----	\$24.00 per month per bill
For 6 inch tap-----	\$35.50 per month per bill
For 8 inch tap-----	\$47.00 per month per bill
For 10 inch tap-----	\$59.00 per month per bill
For 12 inch tap-----	\$71.00 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 10 -Commercial, Combined Domestic and Full Flow Fire Service (Outside City Limits) (Code 4L)

Commodity Charge

First	5,000 Cu. Ft. @ \$1.47 per 100 Cu. Ft. per month
Next	10,000 Cu. Ft. @ \$1.28 per 100 Cu. Ft. per month
Next	15,000 Cu. Ft. @ \$1.01 per 100 Cu. Ft. per month
All in excess of 30,000 Cu. Ft.	@ \$0.88 per 100 Cu. Ft. per month

Service Charge

For 4 inch tap-----	\$ 9.50 per month per bill
For 6 inch tap-----	\$12.00 per month per bill
For 8 inch tap-----	\$24.00 per month per bill
For 10 inch tap-----	\$47.00 per month per bill
For 12 inch tap-----	\$59.00 per month per bill

Minimum

For 4 inch tap-----	\$ 42.50 per month per bill
For 6 inch tap-----	\$ 65.00 per month per bill
For 8 inch tap-----	\$ 77.00 per month per bill
For 10 inch tap-----	\$ 88.50 per month per bill
For 12 inch tap-----	\$100.00 per month per bill

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

Effective: January 1, 1998

Water Rate

No. 11 - Town of Norway Wholesale (Code 4M)

Commodity Charge

\$0.71 per 100 Cu. Ft. per month

Contract Demand

Minimum monthly billing based on **2033.20** 100 Cu. Ft. per month (50,000 gallons per day).

Minimum bill:

\$1,443.57 per month

A new CONTRACT DEMAND shall be calculated annually at the close of The Department of Public Utilities fiscal year. The new calculated CONTRACT DEMAND shall be 65 percent of the average of the previous twelve months billing (amount billed). The CONTRACT DEMAND shall never be less than the initial CONTRACT DEMAND of **2033.20** 100 cubic feet per month. The new CONTRACT DEMAND shall become effective with the October billing of the new fiscal year.

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

Effective: January 1, 1998

Wastewater Rate

No. 1 - Residential (Inside City Limits) (Code 5A)

Applicable: To a single family dwelling unit or individual dwelling units in apartment structures or other multifamily residential structures supplied by individual water meters. This schedule is not applicable to a residence which is used for commercial, professional, or any other enterprise unless the domestic use can be separately metered.

Service Charge \$6.00 per bill per month

Commodity Charge \$0.95 per 100 cu. ft. per month

For purposes of billing, the Commodity Charge will be based on the metered water consumption. There shall be no additional charge for use in excess of 1,500 cubic feet per month.

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

Effective: January 1, 1998

Wastewater Rate

No. 2 - Commercial (Inside City Limits) (Code 5B)

<i>Service Charge</i>	\$6.00 per bill per month
<i>Commodity Charge</i>	\$0.95 per 100 cu. ft. per month

Monitoring Charge: For all waste where monitoring by DPU is required.

Waste Characteristic	\$50.00 per bill per month
Grease, Oil, and Sand	\$25.00 per bill per month

Surcharge: For all waste with BOD and/or suspended solid concentrations in excess of 300 milligrams per liter and oil and grease concentration in excess of 100 mg/l.

$$S = V \times f$$

Where:

- $f = 0.00624 ((\$0.25 (\text{BOD}-300) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$
- S = Industrial waste surcharge in dollars
- V = Sewage volume in hundred cubic feet
- 0.00624 = Conversion factor for hundred cubic feet to million pounds
- BOD = BOD strength index in parts per million by weight*
- 300 = Allowable BOD strength under normal volume charges in parts per million by weight*
- TSS = Suspended solids strength index in parts per million by weight*
- 300 = Allowable suspended solids strength under normal volume charges in parts per million by weight*
- O&G = Oil and grease strength in ppm by weight*
- 100 = Allowable oil and grease strength

*or mg/l

COD values may be substituted for BOD values at the discretion of the Department of Public Utilities. When COD values are used, the formula shall be modified as follows:

$$f = 0.00624 ((\$0.20 (\text{COD}-450) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$$

For the purposes of billing, the Commodity charge and Surcharge will be based on the metered water consumption. Commercial units which are strictly residential shall be exempt from a Surcharge and Monitoring Charge.

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

Effective: January 1, 1998

Wastewater Rate

No. 3 - Industrial (Inside City Limits) (Code 5C)

Service Charge \$6.00 per bill per month

Commodity Charge \$0.95 per 100 cu. ft. per month

Monitoring Charge: For all waste where monitoring by DPU is required.

Waste Characteristic	\$50.00 per bill per month
Grease, Oil, and Sand	\$25.00 per bill per month

Surcharge: For all waste with BOD and/or suspended solid concentrations in excess of 300 milligrams per liter and oil and grease concentration in excess of 100 mg/l.

$$S = V \times f$$

Where:

$f = 0.00624 ((\$0.25 (\text{BOD}-300) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$

$S =$ Industrial waste surcharge in dollars

$V =$ Sewage volume in hundred cubic feet

0.00624 = Conversion factor for hundred cubic feet to million pounds

BOD = BOD strength index in parts per million by weight*

300 = Allowable BOD strength under normal volume charges in parts per million by weight*

TSS = Suspended solids strength index in parts per million by weight*

300 = Allowable suspended solids strength under normal volume charges in parts per million by weight*

O&G = Oil and grease strength in ppm by weight*

100 = Allowable oil and grease strength

*or mg/l

COD values may be substituted for BOD values at the discretion of the Department of Public Utilities. When COD values are used, the formula shall be modified as follows:

$$f = 0.00624 ((\$0.20 (\text{COD}-450) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$$

For the purposes of billing, the Commodity Charge and Surcharge will be based on the metered water consumption. Commercial units which are strictly residential shall be exempt from a Surcharge and Monitoring Charge.

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

Effective: January 1, 1998

Wastewater Rate

No. 4 - Residential (Outside City Limits) (Code 5D)

Applicable: To a single family dwelling unit or individual dwelling units in apartment structures or other multifamily residential structures supplied by individual water meters. This schedule is not applicable to a residence which is used for commercial, professional, or any other enterprise unless the domestic use can be separately metered.

<i>Service Charge</i>	\$9.00 per bill per month
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<i>Commodity Charge</i>	\$1.26 per 100 cu. ft. per month
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For purposes of billing, the Commodity Charge will be based on the metered water consumption. There shall be no additional charge for use in excess of 1,500 cubic feet per month.

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

Effective: January 1, 1998

Wastewater Rate

No. 5 - Commercial (Outside City Limits) (Code 5E)

Service Charge \$9.00 per bill per month

Commodity Charge \$1.26 per 100 cu. ft. per month

Monitoring Charge: For all waste where monitoring by DPU is required.

Waste Characteristic	\$50.00 per bill per month
Grease, Oil, and Sand	\$25.00 per bill per month

Surcharge: For all waste with BOD and/or suspended solid concentrations in excess of 300 milligrams per liter and oil and grease concentration in excess of 100 mg/l.

$$S = V \times f$$

Where:

$f = 0.00624 ((\$0.25 (\text{BOD}-300) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$

$S =$ Industrial waste surcharge in dollars

$V =$ Sewage volume in hundred cubic feet

0.00624 = Conversion factor for hundred cubic feet to million pounds

BOD = BOD strength index in parts per million by weight*

300 = Allowable BOD strength under normal volume charges in parts per million by weight*

TSS = Suspended solids strength index in parts per million by weight*

300 = Allowable suspended solids strength under normal volume charges in parts per million by weight*

O&G = Oil and grease strength in ppm by weight*

100 = Allowable oil and grease strength

*or mg/l

COD values may be substituted for BOD values at the discretion of the Department of Public Utilities. When COD values are used, the formula shall be modified as follows:

$$f = 0.00624 ((\$0.20 (\text{COD}-450) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$$

For the purposes of billing, the Commodity Charge and Surcharge will be based on the metered water consumption. Commercial units which are strictly residential shall be exempt from a Surcharge and Monitoring Charge.

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

Effective: January 1, 1998

Wastewater Rate

No. 6 - Industrial (Outside City Limits) (Code 5F)

<i>Service Charge</i>	\$9.00 per bill per month
<i>Commodity Charge</i>	\$1.01 per 100 cu. ft. per month

Monitoring Charge: For all waste where monitoring by DPU is required.

Waste Characteristic	\$50.00 per bill per month
Grease, Oil, and Sand	\$25.00 per bill per month

Surcharge: For all waste with BOD and/or suspended solid concentrations in excess of 300 milligrams per liter and oil and grease concentration in excess of 100 mg/l.

$$S = V \times f$$

Where:

- $f = 0.00624 ((\$0.25 (\text{BOD}-300) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$
- S = Industrial waste surcharge in dollars
- V = Sewage volume in hundred cubic feet
- 0.00624 = Conversion factor for hundred cubic feet to million pounds
- BOD = BOD strength index in parts per million by weight*
- 300 = Allowable BOD strength under normal volume charges in parts per million by weight*
- TSS = Suspended solids strength index in parts per million by weight*
- 300 = Allowable suspended solids strength under normal volume charges in parts per million by weight*
- O&G = Oil and grease strength in ppm by weight*
- 100 = Allowable oil and grease strength

*or mg/l

COD values may be substituted for BOD values at the discretion of the Department of Public Utilities. When COD values are used, the formula shall be modified as follows:

$$f = 0.00624 ((\$0.20 (\text{COD}-450) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$$

For the purposes of billing, the Commodity Charge and Surcharge will be based on the metered water consumption. Commercial units which are strictly residential shall be exempt from a Surcharge and Monitoring Charge.

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

Effective: January 1, 1998

Wastewater Rate

No. 8 - Multiple Unit Dwellings or Businesses (Inside City Limits) (Code 5H)

<i>Service Charge</i>	\$6.00 per unit per month
<i>Commodity Charge</i>	\$0.95 per 100 cu. ft. per month

Monitoring Charge: For all waste where monitoring by DPU is required.

Waste Characteristic	\$50.00 per bill per month
Grease, Oil, and Sand	\$25.00 per bill per month

Surcharge: For all waste with BOD and/or suspended solid concentrations in excess of 300 milligrams per liter and oil and grease concentration in excess of 100 mg/l.

$$S = V \times f$$

Where:

- $f = 0.00624 ((\$0.25 (\text{BOD}-300) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$
- S = Industrial waste surcharge in dollars
- V = Sewage volume in hundred cubic feet
- 0.00624 = Conversion factor for hundred cubic feet to million pounds
- BOD = BOD strength index in parts per million by weight*
- 300 = Allowable BOD strength under normal volume charges in parts per million by weight*
- TSS = Suspended solids strength index in parts per million by weight*
- 300 = Allowable suspended solids strength under normal volume charges in parts per million by weight*
- O&G = Oil and grease strength in ppm by weight*
- 100 = Allowable oil and grease strength

*or mg/l

COD values may be substituted for BOD values at the discretion of the Department of Public Utilities. When COD values are used, the formula shall be modified as follows:

$$f = 0.00624 ((\$0.20 (\text{COD}-450) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$$

For the purposes of billing, the Commodity Charge and Surcharge will be based on the metered water consumption. Commercial units which are strictly residential shall be exempt from a Surcharge and Monitoring Charge.

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

Effective: January 1, 1998

**No. 8 - Multiple Unit Dwellings of Businesses
(Inside City Limits) (Code 5H) (Continued)**

1. In units that are served through a common water meter, but have separate electric meters, the utility bill having the electric charges will also show the wastewater service charge for that unit. The commodity charge for the wastewater service will be shown on the utility bill for water.
2. In units having common water and electric services, the wastewater charge will be made a part of the utility bill for water. The commodity charge will be based on the water consumption and the service charge will be computed by multiplying the number of units which have wastewater service, times the service charge.
3. "Unit" shall mean a single dwelling unit (i.e., an apartment, a condominium, or a mobile home), a single shop or business establishment, or an industrial establishment. Each guest room of a hotel, motel, hospital, nursing home, or dormitory shall be considered $\frac{1}{2}$ unit.

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

Effective: January 1, 1998

Wastewater Rate

No. 9 - Multiple Unit Dwellings or Businesses (Outside City Limits) (Code 5D)

<i>Service Charge</i>	\$9.00 per unit per month
<i>Commodity Charge</i>	\$1.26 per 100 cu. ft. per month

Monitoring Charge: For all waste where monitoring by DPU is required.

Waste Characteristic	\$50.00 per bill per month
Grease, Oil, and Sand	\$25.00 per bill per month

Surcharge: For all waste with BOD and/or suspended solid concentrations in excess of 300 milligrams per liter and oil and grease concentration in excess of 100 mg/l.

$$S = V \times f$$

Where:

f = $0.00624 ((\$0.25 (\text{BOD}-300) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$

S = Industrial waste surcharge in dollars

V = Sewage volume in hundred cubic feet

0.00624 = Conversion factor for hundred cubic feet to million pounds

BOD = BOD strength index in parts per million by weight*

300 = Allowable BOD strength under normal volume charges in parts per million by weight*

TSS = Suspended solids strength index in parts per million by weight*

300 = Allowable suspended solids strength under normal volume charges in parts per million by weight*

O&G = Oil and grease strength in ppm by weight*

100 = Allowable oil and grease strength

*or mg/l

COD values may be substituted for BOD values at the discretion of the Department of Public Utilities. When COD values are used, the formula shall be modified as follows:

$$f = 0.00624 ((\$0.20 (\text{COD}-450) + \$0.15 (\text{TSS}-300) + \$0.10 (\text{O\&G}-100))$$

For the purposes of billing, the Commodity Charge and Surcharge will be based on the metered water consumption. Commercial units which are strictly residential shall be exempt from a Surcharge and Monitoring Charge.

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

Effective: January 1, 1998

**No. 9 - Multiple Unit Dwellings of Businesses
(Outside City Limits) (Code 5I) (Continued)**

1. In units that are served through a common water meter, but have separate electric meters, the utility bill having the electric charges will also show the wastewater service charge for that unit. The commodity charge for the wastewater service will be shown on the utility bill for water.
2. In units having common water and electric services, the wastewater charge will be made a part of the utility bill for water. The commodity charge will be based on the water consumption and the service charge will be computed by multiplying the number of units which have wastewater service, times the service charge.
3. "Unit" shall mean a single dwelling unit (i.e., an apartment, a condominium, or a mobile home), a single shop or business establishment, or an industrial establishment. Each guest room of a hotel, motel, hospital, nursing home, or dormitory shall be considered $\frac{1}{2}$ unit.

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

Effective: January 1, 1998

Wastewater Rate

No. 10 - Wholesale (Outside City Limits) (Code 5J)

Service Charge

\$7.50 per unit per month

Commodity Charge

\$1.01 per 100 cu. ft. per month

For the purposes of billing, the Commodity Charge and Surcharge will be based on the metered water consumption. The Service Charge will be based on the number of units served by the entity discharging to the Department.

"Unit" shall mean a single dwelling unit (i.e., an apartment, a condominium, or a mobile home), a single shop or business establishment, or an industrial establishment. Each guest room of a hotel, motel, hospital, nursing home, or dormitory shall be considered $\frac{1}{2}$ unit.

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

Effective: January 1, 1998