

COUNCIL MINUTES

JANUARY 2, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 2, 2001, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Keitt presiding. An invocation was given by Councilmember Jernigan.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

ABSENT:

Martin C. Cheatham

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the December 19, 2000, 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 Amending the Comprehensive Plan of the City of Orangeburg dated March 16, 1999. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance Amending Chapter 24-12.2 (Application Requirements) of the Zoning Ordinances for the City of Orangeburg, South Carolina. This motion was unanimously approved.

Agenda items #4 and #5 were tabled until a future meeting.

City Administrator Yow told Council that he has been approached by Mr. Tony Coleman, owner and operator of Palmetto Towing Service, regarding a review of the 1992 City's Rotation Wrecker List Ordinance, in particular towing services and rates. He stated that it was his understanding that Mr. Coleman has been communicating with the other wrecker services on the rotation list. "Tonight we're just revisiting this Ordinance that's nine years old. It was passed in 1992. It does have an allowance in there to be reviewed every two years, but it has not been reviewed as we have not had a request. It is put before you for information tonight. I'm not going to ask you to act on it as it would have to be written in form of an Ordinance and would require three readings. The main thrust of an amended Ordinance would be to review and adjust the rates that are outlined in the Ordinance. We have some requested rates from Mr. Coleman in the letter. When we do bring it back in Ordinance form, I do plan on bringing recommendations from staff to be included in the Ordinance. Some of the proposed rates increases are in the neighborhood of or as much as 50%. You need to analyze that. If you annualize over nine years, then the 50% would be more like a 4% or 5% increase yearly. I would like to go on record now and say that these rates have been in effect for a long time. I do think these businesses are due an increase of some sort. I would want Council to review and provide me input of what we need to cover in the amended Ordinance so we can try to get something we all can live with."

Mr. Coleman passed out some additional information and comparison rates with other municipalities.

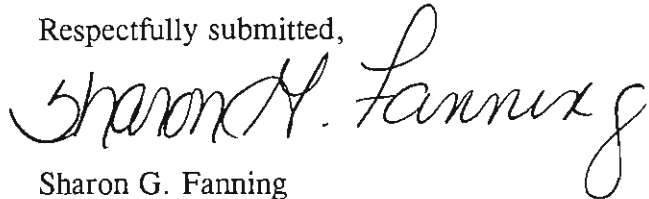
There was no utility matters brought before Council.

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A motion was made by Councilmember Rheney, seconded by Councilmember Haire to enter into an Executive Session for a contractual matter concerning the purchase of real property. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

January 16, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 16, 2001, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Kielt presiding. An invocation was given by Reverend Ray Smith of St. Paul's United Methodist Church.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Paul A. Miller
Joyce W. Rheney

ABSENT:

Martin C. Cheatham
Sandra P. Knotts

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the January 2, 2001, City Council minutes as distributed. This motion was unanimously approved.

City Administrator Yow made Council aware of a project proposed by Connelly Development Company in the City limits. He stated, "This company proposes to construct an apartment community consisting of sixty-four units total." Mr. Connelly, President of Connelly Development Company, presented his proposal for this apartment community to be located on a six acre lot off of Robert E. Lee Boulevard, behind McCall Thomas Engineering. He stated, "It's a wooded site already zoned multi-family use. The complex would be called Hampton Chase and would be integrated with the existing vegetation and trees. All grass areas will be sodded. Parking areas will have curbing and lighting, and sidewalk access to each residence. It will have it's own clubhouse which will include a meeting room, activity room, office, laundry and bathrooms. It will have a gazebo, which will encompass the mail center. There will also be a playground for the residents. We have high quality construction standards. We will establish a working relationship with Piedmont Family Housing, a community development organization out of Spartanburg, South Carolina. They are a non-profit partner. They will offer supportive services, such as credit counseling, budget and financial planning, parenting skills seminars, after school programs, day care, continuing education, job training, health care, prevention seminars, movie night and planned social recreational activities. This neighborhood will be funded with conventional financing as well as Section 42 Tax Credits. We will target residents that are on public housing waiting lists. The main purpose for me being here is to gain your support of this development. Rent would be in the \$400 to \$500 range for three bedroom units and \$368 to \$450 range for two bedroom units. A utility allowance would also be included. The project will generate approximately \$80,000 in County and City taxes or around \$1,200 per residence. The project will be possible through low-income tax credits that encourage the investment of private capital. Orangeburg must compete statewide, based on a point system for the available \$6.8 million in tax credit dollars through the State Housing Authority and competition is keen. Of the more than sixty-five applications, only twelve to fourteen are awarded. For the Orangeburg application to have a greater chance of success, a letter of endorsement is needed as well as a statement that the project meets zoning criteria. Another requirement is a waiver of building permits and utility tap fees (including both water & sewer)."

City Administrator Yow stated, "The City doesn't waive these fees for our own private developers and some sort of mechanism would have to be arranged to ensure that this company (Connelly Development) reimburses the City." He also stated that even if we work out everything locally, that doesn't guarantee that the project application will be awarded.

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City Administrator Yow recommended to Council to endorse the project in concept and give City Attorney Walsh and himself the authority, along with Mr. Boatwright, to calculate exactly the fees for the building permit, water and sewer related fees, and to set up an instrument for guarantee to receive those funds back. Also, to report back to Council on what we've done.

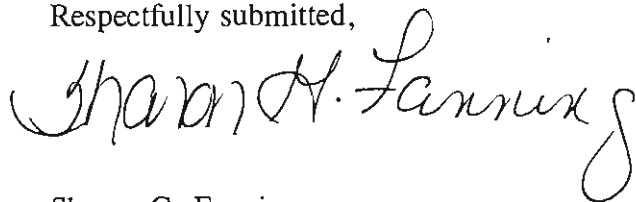
A motion was made by Councilmember Miller, seconded by Councilmember Haire, to endorse this project in concept based on City Administrator Yow's recommendation. This motion was unanimously approved.

There was no utility matters brought before Council.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to enter into an Executive Session for a contractual matter concerning the sale of property at Orangeburg Municipal Airport and a personnel matter concerning the Administrative Department.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

February 6, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 6, 2001, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Keitt presiding. An invocation was given by Councilmember Haire.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller

ABSENT:

Martin C. Cheatham
Joyce W. Rheney

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the 2001, January 16, 2001, City Council Minutes as distributed. This is a 4-0 vote. Councilmember Knotts abstained from voting as she was not present at the January 16, 2001, City Council Meeting.

Ms. Ella Riley, resident at 517 Whitman Street, asked to address Council. She stated, "I am appearing before you today to ask for your help in getting a reduction in my utility bill or ask for any recommendations or solutions to the problem. Several days beginning in late November, 2000, I thought I smelled gas when I walked to the back door of my house. On December 19, 2001, I received my utility bill for November. That bill was \$351.55, the natural gas cubic feet usage was 39,100 equaling \$252.66. I expected that bill to be higher than the October bill of \$128.00. I still smelled some gas so I decided to call DPU on December 21, 2000. I talked to Dan Bates in customer service and reported that I suspected I had a gas leak. He reminded me that the prices have gone up all over and then he cited cases in California. I mentioned again to him that I thought I had a gas leak. He pulled up my account and mentioned that someone has been out to my house on two occasions. I thought that to be strange because I thought someone had to be home when they checked for gas leaks. Before we hung up he asked me what I had my thermostat set on. I said 74. He said I needed to put it on 68. That's what I did, reset the thermostat. In January that odor was still there. On January 13, 2001, I called Mr. Al Singleton who is a licensed heating and air man to inspect my house for leaks. He inspected and told me I did have a gas leak around the regulator on DPU's side. Around January 19, 2001, I received my utility bill and it was for \$706.61. You can just imagine how I felt, shocked. The natural gas cubic feet usage was 62,900 and that equals \$597.17. On Monday, I went to DPU to follow up on my request for someone to check for gas leaks. I talked to Ms. Tara Rivers. At this point, I found out that there was not a record of my request on file. She relayed this incident to her supervisor. She then informed me someone would come out to my house later that day if possible. I waited until Friday, January 26, 2001, and no one had called or came to my house. I decided to call Tara back about my request. She had no answer. Around 10.30, I received a call from Jelaney Irick asking if I could be at my house at 11:00 a.m. To meet with Mr. Bob Moore. After he inspected my regulator, he replaced it. I asked him if the old regulator was leaking and he said, yes. I asked if it was on DPU's side. He said, yes. I then asked him if he felt there would be any type of adjustment in my bill. He said he didn't think so. I really had a problem with that answer. On Friday, January 26, 2001, I called Mr. Bernard Haire and explained the situation to him. He instructed me to call Mr. Boatwright. Mr. Boatwright was not in so I talked to Ms. Becky Austin. She tried to get in touch with Mr. Mike Sells but he was not in either. She told me she would ask him to call me on Monday, January 29, 2001. On Monday, January 29th, I didn't receive a call neither from Mr. Boatwright or Mr. Sells. I called Mr. Haire again. Mr. Haire called Mr. Boatwright's office himself. Mr. Boatwright had gone home sick. On Tuesday, January 30, 2001, Mr. Boatwright called me. I informed him of the situation. One of his

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responses was that does seem a bit high. He then asked me if I could meet with Mr. Tommy Miller. Mr. Miller was informed of my concern and he agreed there was a leak but it didn't register at the meter. My concern was it registered somewhere. Mr. Miller stated that he has his thermostat set at 55 degrees. He thought mine was too high. With all I've said, my questions is how can you help me? Is it possible to have an adjustment on my bill? Thank you."

Councilmember Miller asked how big her house was. She responded she wasn't sure on square footage but it was a two-story dwelling.

Councilmember Haire stated, "When I got the call from Ms. Riley, I was somewhat concerned that the response, as she relayed to me as it relates to employees. I would hope that we would not use canned answers for all occasions. This person has researched this and found out she has a problem and called where she was suppose to, which was customer service. I was concerned that the response or lack of response that she received. Maybe Mr. Boatwright can respond. It's leaking at the regulator what does this mean?" Mr. Boatwright stated, "The regulator sends the gas service to reduce the pressure from the line service in the street into what goes into the house. The regulator was leaking. The regulator is before the meter. The gas that leaked out of the regulator was not metered." Councilmember Haire asked, "Has any follow-up been made with staff as it relates to the responses?" Mr. Boatwright stated, "Yes, I also took the liberty of having your meter read today and the consumption is still quite high. At this rate of consumption, your next bill also is going to be high. We should have responded earlier to the leak. I want to emphasize the leak did not affect the bill. The meter registered properly."

Mayor Pro Tem Keitt, suggested that Mr. Boatwright sit and work some things out with Ms. Riley. Mr. Boatwright stated, "I don't know what we can work out with the bill. Ms. Riley has paid the bill, unless Council instructs me to negate the bill, which was not in error." Mayor Pro Tem Keitt thanked Ms. Riley for coming.

City Administrator Yow held discussion on Norfolk Southern Railroad train speed within corporate limits. He stated, "In a brief history of the issue, the City has gone on record in opposing the increased train speed. In December, the speed was increased to 30 MPH, then the City was informed that after citizens are accustomed to 30 MPH, the speed would be increased again to 49 MPH. I was not aware we had grown accustomed but on February 2nd, it increased. I've got more calls of concern with the latest increase than the first. The rationale from the railroad is that the increased speed facilitates for a smoother operation that's more efficient. City Council has requested that I and Attorney Walsh research any alternatives that we may have for reducing train speed."

City Attorney Walsh stated, "I previously briefed Council in Executive Session that the railroad's are presently operating under the Federal Railroad Safety Act of 1994. I advised Council that a number of cases held because of that Act, local regulations are preempted by Federal Law. The only alternative is to have statewide legislation enacted by the Legislature. I think Mr. Yow has already contacted some of the members. It still won't be easy. We would have to prove to the Federal Court that its not preempted by this Federal Act."

City Administrator Yow stated, "As Attorney Walsh said, one alternative that we have is to request these State Legislative Delegation (our local Delegation) to support and sponsor a bill to decrease the train speed. Now, that Bill has not been written. It would have to be researched as to how it would be worded. We have not talked to all of our Delegation but we have talked to some who have expressed interest."

Councilmember Haire stated, "I fail to see how individuals can make a blanket decision to cover all situations such that all railroad crossings are not the same. You have a situation down at Peasley, Boulevard and 601 whereas cars are trapped between the track. To increase that speed puts those peoples lives at jeopardy because they are trying to get across the track onto 601. It was proposed to me that individuals not go across the track until they can get out across 601. That's ludicrous to me. You will have traffic backed all the way up Amelia Street. It just doesn't work. I would hate

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to see where we have a serious accident where someone is seriously injured or killed. All of them simply cannot be treated the same way."

City Administrator Yow stated, "I agree with you and I think that will be point made wherever the draft language is proposed for the Bill. We wouldn't propose something that decreases train speed anywhere and everywhere, but in congested special areas, like that we talking about in Orangeburg."

Mayor Pro Tem Keitt asked, "Did they say anything about putting the guard rails down on Peasley Street side?" City Administrator Yow stated, "Three were put in Orangeburg at crossings last year. As Mayor Cheatham stated earlier, one of the things he went on record stating was we still would like to see those gates placed at every crossing."

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to send an official request to our Delegation and ask them to support the Bill to decrease train speed. This motion was unanimously approved.

Mr. Victor Fenton, a resident at 656 Boulevard also voiced his concerns same as Councilmember Haire for the potential danger of vehicles being trapped between the tracks.

City Administrator Yow discussed with Council the First Reading of an Ordinance amending 9-15.8, Towing and Storage charges, of the code of Ordinances for the City of Orangeburg, South Carolina, for the purpose of increasing allowable towing and storage charges. He stated, "The new Ordinance proposes the rates that have been proposed by the wrecker services to us. Not included at this time is a \$15.00 fee for clean-up of debris at a wreck site. The only other fee I have questions about is #8, which is the heavy duty wrecker fee. I suggest to Council that we proceed with the First Reading including that rate and we ask the wrecker service to give us some documentation comparing the heavy duty rate with other agencies, as compared to what is in the Ordinance."

Councilmember Haire asked, "Would it not be better for us to research that with other cities and towns?" City Administrator Yow responded that we would.

Mr. Yow stated, "In the Second Reading, I'm going to propose some language about the upkeep of the property that the cars are stored on. They need to be kept clean and orderly. What I'll be asking is the wrecker services adhere to the Zoning Ordinance, Weedy Lot and Offensive Matter Ordinance and City Building Codes.

Councilmember Miller asked, "What is a heavy duty wrecker typically used for?"

Mr. Tony Coleman, spokesman for wrecker service operators responded, "They are needed for semi-trucks and tractor trailers. It takes time to tow the big commercial vehicles and also the insurance rates are higher. Only two or three of the local wrecker operators offer the heavy duty service and it's a critical need."

Councilmember Jernigan stated, "This is probably a \$200,000 to \$300,000 investment. I have no problem with these fees at all."

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the First Reading of an Ordinance amending 9-15.8, Towing and Storage Charges, for the purpose of increasing allowable towing and storage charges for the City of Orangeburg. This was a 4-0 vote. Councilmember Haire abstained from voting.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve an application for a poolroom in the name of Sir William's located at 1251 Broughton Street. This motion was unanimously approved.

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Department of Public Safety Director Davis gave Council an executive summary of a Recruitment and Retention Proposal. He stated, "Over the past several years, the Department of Public Safety has had some difficulty recruiting qualified officer candidates and, more importantly, retaining existing veteran officers. There are several factors which contribute to our present difficulty including, but not limited to, the strong economic conditions we have experienced over the past several years. Another significant factor is the level of mobility or the willingness to relocate to an entirely different community prevalent among officers of this generation. We continue to serve as a target for departments which can provide a more attractive salary package or community amenities. Over the past three or four years, the department has averaged more than ten vacancies throughout the year. This has prompted us to make several adjustments to ensure we maintain adequate public safety coverage. We have reallocated personnel once assigned to various community policing substations to the Patrol Division to help maintain adequate coverage. This has led to part-time assignments of officers to the substations and a reluctance to add more substations to various parts of the City when requested. The recruitment and retention proposal has two major components. The first component is a major adjustment of the department pay scale which would allow for a more substantial differential between ranks and compare more favorably with other Public Safety agencies. We can accomplish this by utilizing the existing budget without additional cost. The key component of the salary adjustment plan is to utilize the salaries set aside for six grant positions which we are no longer obligated to retain. We have spoken to the United States Justice Department and confirmed that we are obligated to retain grant funded positions for officers a minimum of one (1) year after the conclusion of the grant funding period. We have identified two separate grant awards that are no longer funded by the United States Justice Department that fall outside the required retention perimeters of the Justice Department. I have provided copies of both grants which have funded a total of six (6) positions. These positions are presently being funded by the City of Orangeburg. The grants identified are the COPS FAST award which funded two (2) officers and ended on August 31, 1998 and the COPS Universal Hiring Supplemental Award which funded four (4) officers and ended April 30, 1999. We have reviewed the budget for the Fiscal Year 2000-01 and determined the present funding level for officers, excluding the Administrative Division, is approximately \$2,511,363.51. The estimated total yearly cost for the proposed salary scale adjustment utilizing the available six positions would be approximately \$2,493,460.78, or a net savings of \$17,902.23. If we factored in a possible cost-of-living raise of 4% for the 2001 fiscal budget utilizing the present funding level and maintaining the existing positions, the estimated cost would be \$2,611,818.05 compared to \$2,593,199.21, utilizing the available six positions and making the salary scale adjustment. The total savings in the Fiscal Year 2001 projecting a 4% cost-of-living increase would be approximately \$18,618.84. The second major component of the Recruitment Retention Proposal is the exploration into the logistics providing a limited take-home vehicle plan for senior officers residing inside the City limits and/or the City suburban fire district. The City of Orangeburg has exceeded the minimum retention required for both of the listed grants in good faith. It is my recommendation we utilize the available six positions to adjust the existing pay scale. It is also my opinion that this would greatly enhance our ability to retain existing officers allowing us the opportunity to put forth more attractive recruitment package in the future."

There were no utility matters brought before Council.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to enter into an Executive Session for a Contractual Matter concerning the Department of Public Utilities--Electric Division, a Legal Matter concerning the Administrative Department concerning the review of bids for construction of a parking lot at the corner of Broughton and Amelia Streets and a matter concerning Municipal Court. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning
Sharon G. Fanning
City Clerk



CITY COUNCIL MINUTES FEBRUARY 20, 2001

PUBLIC HEARING #1

Orangeburg City Council held a Public Hearing with Mayor Pro Tem Keitt presiding on Tuesday, February 20, 2001, at 7:00 P.M. The Public Hearing was held for the following discussion on amending the Land Use Map of the City of Orangeburg, SC, for the purpose of changing from "Single-Family Residential District" to "Multi-Unit District" the property of Romana Anderson and M&M Builders.

PUBLIC HEARING #2

A Public Hearing was held to Amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, SC, and the Zoning Map of the City of Orangeburg, SC. Attorney Horger addressed Council as he was representing Ramona Anderson and M&M Builders. He gave to Council a copy of a letter that was sent to the Planning Commission that outlines what the Anderson's and M&M Builders are requesting. Mr. Horger stated, "The property is located at 1576 and 1586 Henley Street, close to the Southern Bell Building and the Agriculture Building. These properties are currently listed on the Land Map or Land Plan as Single Family Residential, and they are zoned as Multi-Family or A-2 Residential. Attorney Horger asked Council to modify the Land Plan for these two tracts as Multi-Use that are adjacent to other tracts that are Multi-Use. The reason for this would be at a later time to change the zoning for these two tracts B-1 Business. One tract, 1576 Henley Street there is no immediate plans for, which is owned by M&M Builders, and 1586 Henley Street would be used as a telephone switching station. There is another telephone switching station at the corner of Summers and Henley Streets. The proposed telephone switching station would not resemble the station at 1586 Henley and would remain to look like a residential property. There will be two people living on the property, and there would be equipment on this property for telephone switching for Internet use. It is important to be close to the Southern Bell building because of the lines close by. The two people living there would live there for security reasons, there would be no traffic, no antennas, no satellite dishes, and it would look the same as it is now if the zoning were allowed, which would be a step down the road."

Councilmember Haire asked, "Since these lots are residential, are there any encroachment of businesses to this residential district?" Attorney Horger stated, "As far as the Land Plan is concerned, the property right behind this property that fronts on Amelia Street is already Multi-Use and this was confirmed by Assistant to City Administrator, Warren Harley, so this property owner can make the same request. I am not asking for the zoning tonight, I just wanted to make Council aware of where this would be headed." He stated that he would suggest that whether it should be Multi-Use and then you want to refer the issue to zoning to the time we come to ask for that. On the other side of the issue, the use we would make of the property would not change the appearance or anything from what you see currently. We will be happy to stipulate when we come before you with zoning requests what needs to be stipulated at that time. It would also allow the property to be used as a switching station and it is important to be close to the Southern Bell building due to fiber optic cable and the lines that carry high speed data for the Internet." Paul Anderson stated, "If you have a technology center that hubs around BellSouth Central Office, the technology around BellSouth is where you need to be headed, which is why Time Warner Cable Company moved their switching station across the street from BellSouth for their Internet for the cable modems. The closer you can get to the BellSouth Office, which is the largest switching station in the State of South Carolina, or a telephone switching, the better Internet Access you have. We increased our connectivity rates from the switching station at St. Matthews Road to Henley Street, the reliability and connectivity increased 35% to 40%." Attorney Horger assured Councilmember Haire that the appearance would not change. Councilmember Haire asked if the structure would change. Attorney Horger stated, "That there would be no change to the property except that there would be switching equipment inside the residence. The phone lines would be buried that lead into the house."

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Hearing no further comments, Mayor Pro Tem Keitt opened the Second Public Hearing, for the purpose of discussion to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, SC, and the Zoning Map of the City of Orangeburg, SC.

Mr. Whetsell McDaniel spoke on behalf of this property. He stated, "The property is at 823 Summers Street, next to the First Presbyterian Church property, which is a Single Family Residence, and the owner would like to have this property zoned as Office Complex or Office Institutional. It is a historic home and we would like to keep this home in Orangeburg especially since it has been restored. This would make a nice office and a good location and there would be enough parking behind this property for office use."

City Administrator John Yow stated, "If you'll notice on the map that this still leaves a lot on the corner that is still currently zoned residential and is a parking lot owned by the Presbyterian Church. We would like to see this zoning go all the way to the corner."

Hearing no further comments, the Public Hearing was closed.

Council then entered into regular session immediately following the Public Hearing. An invocation was given by Councilmember Miller.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Paul A. Miller
Joyce W. Rheney

ABSENT:

Martin C. Cheatham
Sandra P. Knotts

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the February 6, 2001, City Council Minutes as distributed. This was a 4-0 vote. Councilmember Rheney abstained from voting as she was not present at the February 6, 2001, meeting.

Mr. Max Young, Director of Highway Safety from the State Department of Public Safety, made a presentation to the Department of Public Safety for their "Click-It or Ticket" Campaign. The Department of Public Safety was recognized as the third place winner in the large agency category and for participating in the Governor's Challenge. Also, the Department of Public Safety was recognized for sponsoring child safety seat checks. The City was honored for hosting a district meeting and its commitment to highway safety.

Councilmember Haire requested Item #3 on the Agenda to be tabled until further review.

City Administrator Yow stated, "Orangeburg County Legislative Delegation, City Council and County Council met on January 8, 2001, to initiate a forum to address many issues that we jointly share. While many subjects came up that night on the surface level, one item was that the consideration of establishing a process for future meetings. There was a discussion of continuing to have meetings with these three bodies and having smaller meetings with

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three representatives of each body. That night, there was no one chosen to represent each body. In subsequent conversations with representatives of the other two bodies, it has been suggested that the larger group of all three bodies meet on a quarterly basis and that we meet on the second Monday of each month ensuring there would be no conflict with Council meetings and the Delegation would not be meeting in Columbia. It was also suggested that the smaller group, being three representatives from each body and also the Administrators, be at all meetings, which will meet on a monthly basis, also on the second Monday of each month for the same purposes stated earlier. Our Council has not appointed three persons to meet in the smaller group. It was also asked if the three persons would be on a rotating basis or how long was the tenure, and no one has decided that." City Administrator Yow asked Council if the Mondays were a good time for monthly and quarterly meetings. Mayor Pro Tem Keitt asked that if any one was interested in serving on the three person group. Councilmember Rheney stated that it should go rotational. Councilmember Haire stated that if it went rotational that the Committee would not have that continuity. City Administrator Yow stated, "The concept is that we try at least two meetings until we have the larger group meetings." Mayor Pro Tem Keitt and Councilmember Miller stated their interest in serving on the Committee. Councilmember Jernigan asked the time the meetings would be held. City Administrator Yow stated the meetings would be at 4:00 p.m. Councilmember Jernigan expressed his interest in serving. Councilmember Haire moved that Councilmembers Miller and Jernigan and Mayor Pro Tem Keitt, be the representatives from the City. Councilmember Rheney seconded the motion. The vote was unanimous. City Administrator Yow stated that the quarterly meeting will be held in April as far as he knows..

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan to approve the First Reading of an Ordinance amending the Land Use Map of the City of Orangeburg, SC, for the purpose of changing from "Single-Family Residential District" to "Multi-Unit District" the property of Romana Anderson and M&M Builders. This was a 4-0 vote. Councilmember Haire abstained from voting.

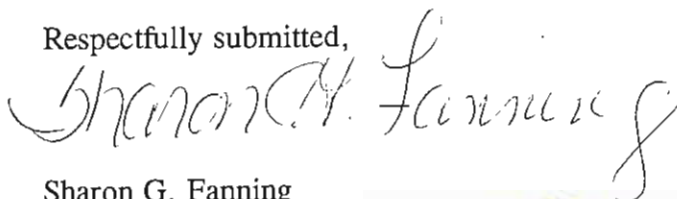
A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance amending Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, SC, and the Zoning Map of the City of Orangeburg, SC. This motion was unanimously approved.

Council reviewed the City Budget Calendar for Fiscal year 2001-2002.

There were no utility matters brought before Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



City Council Minutes

March 6, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 6, 2001, with Mayor Pro Tem Keitt presiding. An invocation was given by Councilmember Sandra P. Knotts.

PRESENT :

Bernard Haire
Charles Jernigan
Liz Zimmerman Keitt
Sandra Knotts
Paul Miller
Joyce Rheney

ABSENT:

Martin C. Cheatham

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan to approve the February 20, 2001, City Council Minutes as distributed. . This was a 5-0 vote. Councilmember Knotts abstained from voting as she was not present at the February 20, 2001 meeting.

City Administrator John Yow presented the updated City's Fiscal Year 2001-2002 Budget Calendar.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance amending Section 9-15.7, Wrecker Services Responsibilities and 9-15.8 and Towing and Storage Charges , of the Code of Ordinances for the City of Orangeburg, South Carolina, for the purpose of increasing allowable towing and storage charges and determining wrecker service responsibilities.

Councilmember Haire stated he had an unreadiness. "My unreadiness is as of last Council meeting, I asked that this Ordinance be set aside until we've had an opportunity to do some research on things that I've heard. It concerns some charges that not all wrecker companies, by no means, were guilty of, but I've heard of some that charge outside of the structure that was in this Ordinance. I've had some serious concerns about this. My unreadiness would be that in a form of an amendment to this motion. My amendment would be that anyone in violation of the agreed fee structure would be suspended for a period of three years as it relates to the rotational towing. Also, in my amendment that each company that participates in the towing service will be required to provide the client, the person whose cars, vehicles, or whatever has been towed, with a copy of the City fee structure, the grade fee structure. I have just reduced the size of the fee structure that we have, to a card like this, or something that's similar to this, that would be passed out either to the individual who is involved in the accident, or who owns the car, or the insurance company who has acquired ownership of the car. In some instances, cars are totaled and the owner then signs over the vehicle to that particular insurance firm. I will make this a part of my motion that this fee structure must be passed to each client whether or not it's the owner or the insurance company. And this would be my amendment to the motion." Councilmember Miller seconded this motion.

Mayor Pro Tem Keitt stated, "I've looked at these fees and I've talked with several companies, towing companies, and it seems to me, we have to think about our constituents in keeping prices down. We do not now what's going to happen, but these fees that we have now on this Ordinance are very comfortable to what most of the people are charging and for us to go up as much as we are going up, is just a bit much. So my amendment is, for us to keep the prices that we have." City Administrator Yow stated, "If we keep the prices that we

CITY COUNCIL MINUTES
MARCH 6, 2001
PAGE 2

have, then there would be no amendment on this section." Councilmember Miller stated, "I don't think these rates have been increased in about eight or nine years. These are pretty reasonable rates considering what these fellows have to do on rotation and the money they spend for their wreckers, insurance that at they have to carry, and this is really a very nominal increase over the period of eight years. I think the rates are certainly very reasonable. I don't have a problem with what Mr. Haire's talking about. If you've got somebody that abuses the rates then so be it. This doesn't necessarily mean that the wrecker company has to charge that much. They can charge whatever they want to, up to this point. So if they don't want to charge \$50.00 to tow a car, then that's their business. They can do that. As long as they don't exceed the \$75.00. So, I think these are very reasonable rates, for what, insurance and the costs of doing business would be. They're out on the weekends and at night. And they have to go and put cars behind fences. I've talked to those guys and sometimes it's a little scary to go out at night and go in a dark place." City Administrator Yow stated, "I have concerns with old rates, primarily with the heavy duty wrecker service. I believe we have only two on the list. I have concerns that if we keep the old rates that those two would possibly no longer want to be on our rotation list." Mayor Pro Tem Keitt stated, "I withdraw my amendment, but just make sure they do not exceed these amounts."

Councilmember Miller stated, "The thing about those heavy duty wreckers--they're picking up mainly tractor trailer trucks and that's not a normal citizen situation and that's very reasonable to go out on a wrecker call of that nature."

Mayor Pro Tem Keitt called for the questions. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to amend the Land Use Map of the City of Orangeburg, South Carolina, for the purpose of changing from "Single-Family Residential District" to "Multi-Unit District" the property of Romana Anderson and M&M Builders. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, South Carolina and the Zoning Map of the City of Orangeburg, South Carolina. This motion was unanimously approved.

Councilmember Miller nominated Mr. Ben Davis for an appointment to the Board of Zoning Appeals. Council unanimously agreed to this nomination.

City Administrator Yow stated, "The pavement of the taxiway for new Runway 17/35 is scheduled to begin March 18, 2001. This project will include the resurfacing of the taxiway for Runway 5/23 from the intersection with the new taxiway for Runway 17/35 to the edge of the ramp area at our terminal building. At the completion of this project, an airplane will be able to land on new Runway 17/35 and then taxi on either new or resurfaced taxiway all the way to the ramp area at our terminal building and fuel station. However, upon reaching our ramp area, the airplane will encounter a surface on the ramp area that was paved some thirty plus years ago and is in great need of resurfacing. The agencies involved in the construction of Runway 17/35 and our engineering consultants agree that the most opportune time to do this work is in conjunction with this project beginning on March 18, 2001. This will enable us to take advantage of the unit price bids on this much larger project. The estimated cost to resurface the ramp area utilizing the unit prices on this project is \$120,000. The FAA is not able to participate in funding this project at this time. However, the South Carolina Division of Aeronautics believes so strongly in the need for this work to be done that they have offered to fund fifty percent (50%) of this project instead of the five percent (5%) they would normally fund. It will be necessary for the City of Orangeburg to

**CITY COUNCIL MINUTES
MARCH 6, 2001
PAGE 3**

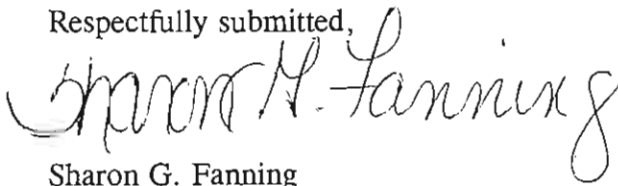
fund the remaining \$60,000. We need to take advantage of the State's offer and the unit prices associated with this project. We included \$100,000 in the Orangeburg County One-Percent (1%) Capital Projects Program for this type improvement at the Airport but this money has not been made available to us at this time. I recommend that we accept the offer of the South Carolina Division of Aeronautics and that the City's One-Percent (1%) Fund its portion now in anticipation of receiving reimbursement when the funds from the Capital Projects Program become available.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, for authorization to accept the South Carolina Department of Commerce, Division of Aeronautics, Grant for the purpose of resurfacing the ramp at the Municipal Airport and fund the City portion from capital One-Percent (1%) Tax Fund. This motion was unanimously approved.

Council received as information, concerns from Boy Scout, David Hutto, Jr., about speeders in the City, in particular, on Columbia Road near Marshall Elementary School.

There were no utility matters brought before Council.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

March 20, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 20, 2001, at 7:00 P.M., in Council Chambers with Mayor Keitt presiding. An invocation was given by Reverend Ray L. Smith of the St. Paul United Methodist Church.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the March 6, 2001, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Keitt presented Coach Nelson C. Brownlee, Coach of Claflin University's Women's Basketball Team, a Resolution honoring his illustrious career and his recent induction into the NAIA Hall of Fame.

Council received comments from Mrs. Harris Cheatham Murray, daughter of the late Mayor Martin C. Cheatham. She cited a story from the Book of Mark and urged Council to seize the opportunity to minimize negatives and to exercise faith for the good of the entire community. "We call on you to see Dad's death not as an ending, but as an opportunity to unite in renewed dedication to carry out the vision you have already so carefully crafted."

Mr. Joe Binnicker of C. C. McGregor and Company presented Fiscal Year 1999-00 Audit results. He highlighted several points. The General Fund balance increased \$627,500. The Department of Public Utilities income as compared to the prior year decreased about 14% due mainly to higher electricity costs. Before depreciation of \$69,000, Hillcrest Golf Course and Pro Shop had a net income of \$27,000. The Orangeburg Municipal Airport had a net loss of \$98,000; compared with a \$114,000 loss the previous year.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to amend an Ordinance 9-15.7-D, Wrecker Service Responsibilities, 9-15.8-A, Towing and Storage Charges, of the Code of Ordinances and 9-15.9, Removal of Wrecker Service for the City of Orangeburg, State of South Carolina, for the purpose of increasing allowable towing and storage charges. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to amend the Land Use Map of the City of Orangeburg, South Carolina, for the purpose of changing from "Single-Family Residential district" to "Multi-Unit District" the property of Romana Anderson and M&M Builders. 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 Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, South Carolina, and the Zoning Map of the City of Orangeburg, South Carolina for the purpose of changing from "A-2 Residential Multi-Unit to "O-I Office Institutional District" the property of Elizabeth F. Sims. This motion was unanimously approved.

City Administrator Yow told Council that a request has been made from the Municipal Judge for additional personnel. He stated "Council is aware that over an extended period of time we have developed a backlog of administrative and clerical duties in the Municipal Court Division.

CITY COUNCIL MINUTES
MARCH 20, 2001
PAGE 2

Personnel from the Department of Public Safety and the Finance Department have assisted, on occasion, in the interim basis to try to assist with this work load. The Municipal Judge has requested that we approve an additional forty hours of personnel time per week to address this ever growing backlog. That was not included in this fiscal year budget. I do concur with him that we need to address this but, I felt it necessary to bring this to City Council since it would equate a full time position. As I understand it, we are not approving a new position within the City budget but forty hours additional work that would be handled by a temporary person assigned to this. Then City Council at the time of the budget cycle would address whether or not you want to make it a full time position." It was pointed out by Council that the Court already had someone working some additional hours and this would be approving additional hours for a total of forty hours per week. City Administrator Yow stated, "This is correct."

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to accept the request from the Municipal Court to be allowed to use temporary help for forty hours to get the backlog caught up. This motion was unanimously approved.

Department of Public Safety Director Davis stated, "We have reviewed the initial Recruitment and Retention proposal and factored in all the input received from Council regarding various concerns. We first of all understand the concern regarding the limited take home car program and, therefore, will not ask for your consideration on that aspect of the Recruitment and Retention Plan. The Compensation and Benefits Policy has been thoroughly reviewed with the City Administrator and several adjustments have been made to address the various concerns of Council and City Administration. We have drafted a new copy of the Compensation and Benefits Policy for your review which should address all the concerns expressed by the Council and the City Administrator. The initial "Schedule of Position, Steps and Salary" scale placed at the end of the Compensation and Benefit's policy has been adjusted to reflect a maximum of (15) fifteen years in one position as opposed to the previous sheet which reflected (24) twenty-four years in one position. Given the minimum requirement for eligibility, at the various rank levels, it is highly improbable that an officer would serve more than (10) ten years after entering into the rank of Captain given the eligibility requirements for the position. Although possible, it is very improbable that a person would serve longer than (15) years at one rank level. It should also be acknowledged that (30) thirty to (40) forty year careers have become very rare in the public safety profession. The "Schedule of Position, Steps and Salary" scale presented for the review of City Council is designed to illustrate the minimum entry level salary at each rank available within the agency and the differential of pay between the various ranks. It is intended to add more structure to the present pay scale and add additional incentive to officers who aspire to move up in the rank structure. One of the concerns voiced by Council was, "Would an officer who was at Step 12 of the Corporal level move to Step 12 of the Sergeant level upon his promotion or would that officer move to the entry level step of Sergeant upon promotion?" Upon promotion, if an officer was not within five percent (5%) of the entry level salary of the position for which he has been promoted, that officer would receive the necessary percentage increase to bring the officer to the minimum salary level for the position they have been promoted. If an officer already exceeded the minimum entry level salary of the position to which he was promoted, that officer would receive the standard promotion increase of five percent (5%) which would be separated into two 2.5 percent (2.5%) increases at the beginning and conclusion of the standard six months probationary period. The adoption of the "Schedule of Positions, Steps and Salaries" scale should eliminate the need to give more than the standard five percent (5%) increase when an officer is promoted due to the minimum requirement need for promotion to various rank and the stability of staff that should be established as a result of the adoption of the Compensation and Benefits Policy."

Councilmember Knotts had an unreadiness. She stated, "I have reviewed this Retention and Recruitment Plan. I've talked to Mr. Yow and several other Councilmembers. I don't want anyone to misconceive the idea of the notion that I don't want Public Safety to get an increase. I still need some time. I've spoken to several of the other Councilmembers and they concurred that they too, need to do some further review of this plan."

CITY COUNCIL MINUTES

MARCH 20, 2001

PAGE 3

A motion was made by Councilmember Haire, seconded by Councilmember Jernigan, to accept the recommendation from Chief Davis for the Public Safety Recruitment and Retention Plan. This was a 3-2-1 vote. Councilmembers Haire, Jernigan and Rheney favored this motion. Councilmember Knotts and Mayor Keitt opposed this motion. Councilmember Miller abstained from voting. City Attorney Walsh explained that the motion did not carry, due to the abstention, not counting as an affirmative vote.

Concerning two Victims of Crime Act Grants from the Department of Public Safety, Department of Public Safety Director Davis stated, "The Department of Public Safety has been notified of receiving SC Department of Public Safety, Victims of Crime Act Grant funding for two (2) applications. Award #1V01094 will fund a full time position of a Victim's Advocate Officer for approved salaries and benefits, with travel and registration fees for training, in the amount of \$31,780. Award #1V99092 will fund equipment for use by the Victim's Advocate Officer in the amount of \$5,040. The grant period will be 04-01-2001 through 03-31-2002 and will require a 20% match from the City of Orangeburg which can be met with approved funding in the Fiscal Year 2000-01 and Fiscal Year 2001-02 Budgets. Acceptance of this funding will assist the City of Orangeburg to comply with the provisions of law requiring a Victim's Advocate position with equipment to provide services to victims of crime in the Orangeburg area.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, for authorization to accept two Victims of Crime Act Grants from the Department of Public Safety in the amount of \$31,780 and \$5,040. This motion was unanimously approved.

Department of Public Utilities Manager Boatwright stated, "As you know our present contract for purchase of electricity from SCE&G expires on May 1, 2001. Over the past several months, we have been involved in negotiating a new contract. I am happy to report that we have reached an agreement on a new contract which will be effective from May 1, 2001 until April 30, 2005. It includes an increase in cost of approximately 7.3% now (May 1) and another 7% increase May 1, 2003. This increase in cost is less than inflation since our current contract went into effect on May 1, 1997. This contract will put more of the risks of buying electricity on DPU, but I am confident that we are up to the challenge. I am pleased with this new contract and I ask for your favorable consideration by passing this Resolution."

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve a Resolution dated May 2, 2001 between DPU and SCE&G for the purpose of furnishing electric energy. This motion was unanimously approved.

Department of Public Utilities Manager Boatwright stated, "I am also asking Council to consider adjusting our electric, water and wastewater rates. (1) The proposed new rates would increase the average residential (1000 kwh) electricity bill by approximately \$5.00 a month. (2) Increase the average water bill by approximately \$1.00 a month. (3) Increase the average wastewater bill by approximately \$1.50 a month. Costs for the industrial customers will increase more based on their load profile. Our last rate increase was in 1996. Our last rate change was a decrease in 1998. Our rates will remain among the lowest in the state. I recommend that you pass a Resolution to adopt all new rates for the Department of Public Utilities of the City of Orangeburg effective May 1, 2001, pertaining to electricity, water and wastewater. A motion was made by Councilmember Miller, seconded by Councilmember Jernigan to approve a Resolution to adopt all new rates for the Department of Public Utilities of the City of Orangeburg effective May 1, 2000, pertaining to electricity, water and wastewater. This motion was unanimously approved.

Department of Public Utilities Manager Boatwright asked Council to pass a resolution accepting an agreement between DPU and Triton PCS Property Company, L.L.C. The tower company will install a communications tower on top of the Dantzler Street tank, which it will lease for communications. He stated, "It's a win-win for us and it won't interfere with the operation of the water tank. It will provide us with \$11,000 a year for five years.

CITY COUNCIL MINUTES
MARCH 20, 2001
PAGE 4

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve an agreement between the Department of Public Utilities of the City of Orangeburg and Triton PCS property Company, L.L.C. 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

- WHEREAS,** Coach Nelson C. Brownlee, Claflin University's legendary women's basketball coach currently has the most wins of active coaches in the National Association of Intercollegiate Athletics (NAIA) for women's basketball; and,
- WHEREAS,** Coach Brownlee's career includes forty-four years of coaching - seventeen EIAAC Championships, seven NAIA District six Championships, six South Eastern Athletics Conference Championships, two times named Converse NAIA National Coach of the Year, and also twelve National tournament appearances; and,
- WHEREAS,** Coach Brownlee has earned the WBCA/IKON Victory Club Award for outstanding service in coaching women's basketball; and,
- WHEREAS,** The House of Representatives presented Coach Brownlee with a Concurrent Resolution that was passed in the S. C. General Assembly honoring him as one of the state's and country's best coaches in women's basketball; and,
- WHEREAS,** The National Association of Intercollegiate Athletics awards Coach Nelson C. Brownlee the highest honor available, by inducting him into the Hall of Fame on March 13, 2001 at the Women's Division I Championship.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council in Council assembled; do officially recognize the accomplishments of Coach Nelson C. Brownlee and his contributions to women's basketball.

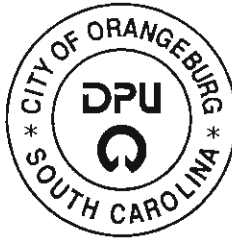
PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 20th day of March, 2001.



L. Zimmerman Heid
Mayor
James W. Phares
Charles D. Johnson
Paul G. Miller
Vanessa R. Smith
Dee Haire

Attest:

Harold M. Lanning
Clerk



RESOLUTION

A RESOLUTION TO ADOPT ALL NEW RATES FOR THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG EFFECTIVE MAY 1, 2001 PERTAINING TO ELECTRICITY, WATER AND WASTEWATER

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, Water and Wastewater, as heretofore adopted be, and the same are hereby repealed, and in lieu thereof, the Electric, 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 May 1, 2001;

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 rates be accepted; and

RESOLVED BY City Council duly assembled this 20th day of March 20, 2001.



L. Zimmerman Heid
MAYOR

Ben Haire
Dan P. Kutt

Paul G. Min

Chuck J. J.

Jessie R. R.

MEMBERS OF COUNCIL

ATTEST:
Theresa L. Lanning
CITY CLERK



RESOLUTION

A RESOLUTION AUTHORIZING THE MANAGER OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG TO EXECUTE AN AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG AND TRITON PCS PROPERTY COMPANY, L.L.C. FOR THE PURPOSE OF GRANTING TRITON PCS PROPERTY COMPANY L.L.C. PERMISSION TO PLACE AND OPERATE COMMUNICATION EQUIPMENT ON THE DEPARTMENT OF PUBLIC UTILITIES' DANTZLER STREET ELEVATED WATER TANK AND GRANT SPACE FOR THE PLACEMENT OF AN EQUIPMENT SHELTER AND EQUIPMENT CABINET ON THE SAME PROPERTY

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

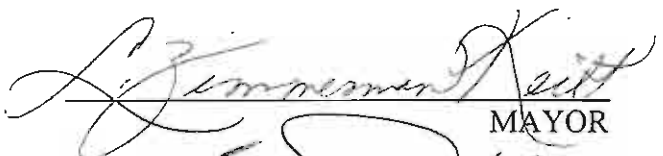
That the Department of Public Utilities of the City of Orangeburg enter into an agreement between the Department of Public Utilities of the City of Orangeburg and Triton PCS Property Company, L.L.C. for the purpose of granting Triton PCS Property Company, L.L.C. permission to place and operate communication equipment on the Department of Public Utilities' Dantzler Street Elevated Water Tank and sound space for the placement of an equipment shelter and equipment cabinet on same property;

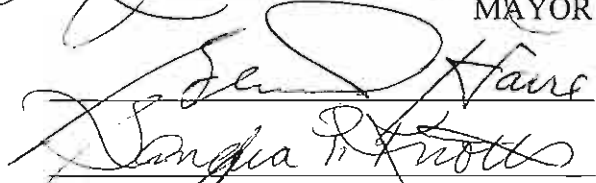
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the agreement be accepted; and

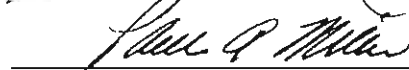
BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 20th day of March 20, 2001.

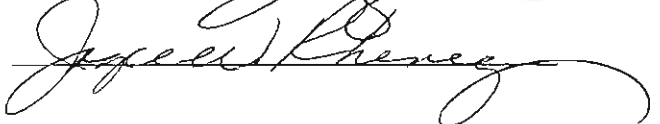



MAYOR





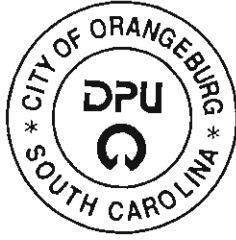




MEMBERS OF COUNCIL

ATTEST:


CITY CLERK



RESOLUTION

NOTE

TO

RESOLUTION

THIS RESOLUTION WAS DONE IN ERROR AND SHOULD HAVE BEEN DONE BY AN ORDINANCE, ACCORDING TO STATE LAW. THEREFORE, ORDINANCE #8 WAS PASSED BY CITY COUNCIL ON MAY 1, 2001. THIS ORDINANCE IS FILED IN THE CITY OF ORANGEBURG'S CODE OF ORDINANCE BOOK # 10.

Paulette F. Blackwell
Paulette F. Blackwell
Sec./ Administrator



James H. Hester
MAYOR

James H. Hester
James H. Hester
James H. Hester
Paul G. Miller
Chuck D. Johnson
James H. Hester

MEMBERS OF COUNCIL

ATTEST:

Anna A. Lanning
CITY CLERK

CITY COUNCIL MINUTES

APRIL 3, 2001

Orangeburg City Council held a Public Hearing for the purpose of changing from "A-2 Residential Multi-Unit District" to "O-1 Office Institutional District" property of First Presbyterian Church, in the 500 block of Summers Avenue. Attorney John Shule, representing First Presbyterian Church, told Council, at this time, the church only like lot "B" rezoned. Hearing no further comments this Public Hearing was closed.

A Public Hearing was held for the purpose of discussion to adopt an Ordinance to change rates for the Department of Public Utilities of the City of Orangeburg, South Carolina, effective May 1, 2001, pertaining to electricity, water and wastewater. Department of Public Utilities Manager Boatwright, told Council this was the Resolution that was adopted at the previous meeting. He stated that State Law, effective 1999, mandates that all rate changes must be done by Ordinance, not Resolution. No other changes have been made. Hearing no further comments, the Public Hearing was closed.

Council immediately entered into the regularly scheduled City Council Meeting. An invocation was given by Reverend Roderick D. Belin, Pastor of the Williams Chapel AME Church.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller

ABSENT:

Joyce W. Rheney

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the March 20, 2001, City Council Minutes, as distributed. This motion was unanimously approved.

Director of Public Safety Wendell Davis, presented again, to Council the proposed Department of Public Safety Retention and Recruitment Plan that was discussed and voted on at the last City Council meeting on Tuesday, March 20, 2001. He stated, "This information is provided again, for your further consideration in a plan that will assist us with the difficulty of recruiting qualified officer candidates and, more importantly, retaining existing veteran officers. As a fully integrated Public Safety agency, it is essential that we retain personnel with a plan that is more attractive than agencies which provide only one service and give benefits that are very significant in the minds of young officers."

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to adopt the Department of Public Safety's Recruitment and Retention Plan. This motion was unanimously approved.

City Council proclaimed April 23-27, 2001, as Head and Neck Cancer Awareness Week.

A motion was made by Councilmember Miller, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, South Carolina, for the purpose of changing from "A-2 Residential Multi-Unit District" to "O-I Office Institutional District" property of First Presbyterian Church, lot "B" only. This motion was unanimously approved.

CITY COUNCIL MINUTES
APRIL 2, 2001
PAGE 2

City Administrator Yow stated that the Department of Public Safety has requested bids on a 2001, (1250 GPM) fire pumper truck. "Seven bids were received from five different companies. After closely reviewing the two bids, we have concluded that it is in the best interest of the City and the Department of Public Safety, to award this bid to Spartan Fire and Emergency Apparatus, Incorporated. Their bid price on the original specification of the apparatus is \$128,910. We are requesting to include some additional options in the amount of \$3,796, bringing the final quote for the Pierce Pumper Truck to \$132,706."

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the low bid in the amount of \$132,706 to Spartan Fire and Emergency Apparatus, Inc., for the purchase of a 1250 GPM fire pumper. This motion was unanimously approved.

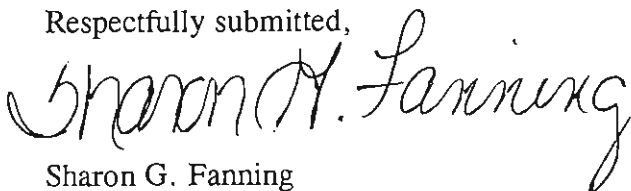
A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to change rates for the Department of Public Utilities of the City of Orangeburg, South Carolina, effective May 1, 2001, pertaining to electricity, water and wastewater. This motion was unanimously approved.

A motion was made by Mayor Keitt, seconded by Councilmember Miller, to hold the April 17, 2001, City Council Meeting at 5:30 P.M. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to enter into an Executive Session for the sale of real property at the Orangeburg Municipal Airport. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

April 17, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 17, 2001, at 5:30 P.M., in Council Chambers with Mayor Keitt presiding. An invocation was given by Father Mike Polewczak of Holy Trinity Catholic Church.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the April 3, 2001, City Council Minutes as distributed. This was a 5-0 vote. Councilmember Rheney abstained from voting as she was not present at the April 3, 2001 meeting.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to amend Ordinance 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, South Carolina, for the purpose of changing from "A-2 Multi-Unit District" to "O-I Office Institutional District" property of First Presbyterian Church, Lot "B" only. This motion was unanimously approved.

Mayor Keitt and Orangeburg County Chamber of Commerce President, Dede Blewer, presented Mrs. Harris Cheatham Murray a Resolution designating the 2001 Rose Festival in honor of the late Mayor Martin C. Cheatham.

City Administrator Yow asked Council for their approval on a Resolution opposing National Fire Protection Association (NFPA) Standards 1710 and 1720. He stated NFPA is currently proposing two new standards. NFPA 1710, Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. NFPA 1720, Organization and Deployment of Fire Suppression, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments. Proposed NFPA standards 1710 and 1720 define minimum response times, minimum fire company staffing levels, initial full alarm response levels, and extra alarm response levels. NFPA standards 1710 and 1720 would impose onerous, unfunded mandates upon local governments to meet established response times and staffing levels, if adopted by NFPA with subsequent consideration taken by federal agencies, such as the Occupational Safety and Health Administration (OSHA) and insurance companies. The new NFPA Standards would require the additional staffing of eight officers per shift for a total of sixteen on-duty officers per a twenty-four hour period. These officers would be hired at the entry level salary of \$24,000. The economic impact to the City of Orangeburg for the proposed minimum staffing standards would be a total of \$384,000.00 excluding uniforms, equipment and benefits package. A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve a Resolution opposing National Fire Protection Association (NFPA) Standards 1710 and 1720. This motion was unanimously approved.

City Administrator Yow stated, "Bids were received on January 11, 2001, to construct the new parking area at the corner of Broughton and Amelia Streets. Eight bids were received by the Engineering Resources Corporation (ERC), which is serving as the City's Engineering Firm on this project. After extensive reference checks, we are recommending award of this bid to Advance Outdoor Services in the amount of \$141,355.00. This project is being paid for with funds from the

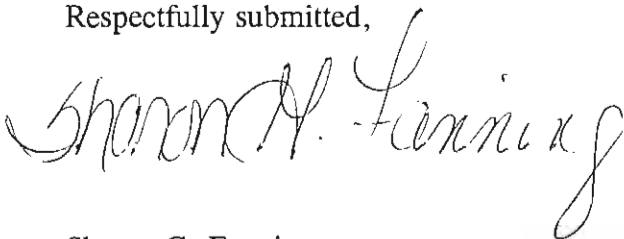
CITY COUNCIL MINUTES
APRIL 17, 2001
PAGE 2

Two-Percent (2%) Hospitality and Accommodations Tax Revenues.” A motion was made by Councilmember Haire, seconded by Councilmember Miller, to award the bid to Advance Outdoor Services in the amount of \$141,355.00. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to change all rates for the Department of Public Utilities of the City of Orangeburg, South Carolina, effective May 1, 2001, pertaining to electricity, water and wastewater. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CONCURRENT RESOLUTION

- WHEREAS,** Martin C. Cheatham was elected Mayor in 1989 and continued his service for approximately twelve years making the City and the community his focus; and
- WHEREAS,** Martin C. Cheatham was instrumental in improvements to the Edisto Memorial Gardens, including additions such as the Children's Garden Christmas, Kid's Walk, Butterfly Garden, Horne Wetlands Park, a new parking area, the new landscaped rear entrance with fountain and the beautiful Streetscape at the main entrance; and
- WHEREAS,** Martin C. Cheatham served as Past President of the Orangeburg County Chamber of Commerce Board of Directors and was a continuous support to the Chamber's efforts; and
- WHEREAS,** Martin C. Cheatham received the "Citizen of the Year" Award in 1976; and
- WHEREAS,** Martin C. Cheatham set the foundation for many things the City of Orangeburg will accomplish in the future.

NOW, THEREFORE, BE IT RESOLVED that the Orangeburg County Chamber of Commerce, the South Carolina Festival of Roses Committee, Mayor L. Zimmerman Keitt and Members of City Council, in Council assembled, do officially recognize this 30th Annual South Carolina Festival of Roses to be held on April 27, 28 and 29, 2001, be named the Martin C. Cheatham 30th Annual South Carolina Festival of Roses to give honor to his memory and model of citizenship recognizing his genuine love for all people.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution, in appreciation for his devotion of duty to the South Carolina Festival of Roses, be placed in the Minute Book of the City and a copy furnished to the Cheatham family in recognition of his service.

PASSED BY the Executive Committee of the Orangeburg County Chamber of Commerce and the City Council of the City of Orangeburg, State of South Carolina, this 17th day of April 2001.

ORANGEBURG COUNTY
CHAMBER OF COMMERCE

Melissa D. Stuart
CHAIRMAN OF THE BOARD

Paul D. Whalley

Cathy Hughes

Howard S. Uhl

F. J. III

Don H. James

Donald R. Humblot

MEMBERS OF EXECUTIVE
COMMITTEE

CITY OF ORANGEBURG

L. Zimmerman Keitt
MAYOR

Joseph W. Cherry

Charles E. Jones

James H. Haire

Sandra H. Fells

Paul G. Miller

MEMBERS OF COUNCIL

ATTEST:

Shannon Lanning
CITY CLERK



RESOLUTION

- WHEREAS,** the National Fire Protection Association (NFPA) is an international association of individuals and trade and professional organizations; and
- WHEREAS,** the mission of NFPA is “to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating scientifically-based consensus codes and standards, research and education”; and
- WHEREAS,** NFPA has produced over 275 codes and standards that deal with every aspect of fire and life safety; and
- WHEREAS,** NFPA is an internationally recognized authority in producing codes and standards dealing with fire and life safety; and
- WHEREAS,** NFPA is currently proposing two new standards: NFPA 1710, *Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*, and NFPA 1720, *Organization and Deployment of Fire Suppression, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments*; and
- WHEREAS,** proposed NFPA standards 1710 and 1720 define minimum response times, minimum fire company staffing levels, initial full alarm response levels, and extra alarm response levels; and
- WHEREAS,** levels of service delivery for fire and emergency medical services (EMS) have always been determined by local jurisdiction; and
- WHEREAS,** proposed NFPA standards 1710 and 1720 would impose onerous, unfunded mandates upon local governments to meet established response times and staffing levels, if adopted by NFPA with subsequent consideration taken by federal agencies, such as the Occupational Safety and Health Administration (OSHA) and insurance companies; and
- WHEREAS,** the NFPA has clearly gone outside its authority in proposing these national minimum manning, response, and staffing standards; and
- WHEREAS,** because NFPA codes and standards are voluntary and need to be adopted by local jurisdictions, these standards will be “the norm.” because of the stature of NFPA in the development and promulgation of other codes and standards; and
- WHEREAS,** these two proposed standards will be considered and voted on at the NFPA annual conference on May 16, 2001 in Anaheim, California; and

WHEREAS,

if adopted and issued, these proposed NFPA standards would force local governments to shift dollars from fire prevention programs to fire suppression activities, potentially increasing the risk of fire and the danger to local firefighters.

WHEREAS,

The new NFPA Standards would require the additional staffing of 8 officers per shift for a total of 16 on-duty officers per 24 hour period. These officers would be hired at the entry level salary \$24,000. Therefore, the economic impact to the City of Orangeburg for the proposed minimum staffing standards would be a total of \$384,000.00 excluding uniforms, equipment, and benefits package.

NOW, THEREFORE, BE IT RESOLVED that the City of Orangeburg, South Carolina opposes any attempt by the National Fire Protection Association to adopt standards for staffing or minimum manning levels of fire, specialized, or emergency medical services vehicles controlled by units of local government; and

BE IT FURTHER RESOLVED that the City of Orangeburg, South Carolina opposes any attempt by the National Fire Protection Association to adopt a standard dictating or affecting the response time of any fire, specialized, or emergency medical services vehicle; and

BE IT FURTHER RESOLVED that the City of Orangeburg, South Carolina will send this resolution to the National Fire Protection Association registering the City's opposition to proposed standards 1710 and 1720, which preempt local authority and place a one-size-fits-all mandate on our city and on all cities and towns.



L. Zimmerman Keitz
Mayer

James Haire

Sandra P. Kirtles

Paul A. Miller

James W. Reeves

Chris Jones

Members of Council

April 17, 2001

Attest. *Sharon M. Lanning*
City Clerk

CITY COUNCIL MINUTES

May 1, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 1, 2001, at 7:00 P.M., in Council Chambers with Mayor Keitt presiding. An invocation was given by Councilmember Haire.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the April 17, 2001, City Council Minutes as distributed. This motion was unanimously approved.

Department of Public Safety Director Davis announced that the Seventh Annual Department of Public Safety Memorial Service will be held on Friday, May 11, at 10:00 A.M., on the Memorial Plaza on Russell Street. In case of inclement weather, the service will be held at the Smith-Hammond-Middleton Memorial Center, South Carolina State University, located on Buckley Street.

City Administrator Yow recognized several persons for awards related to projects in the downtown Orangeburg area. The Gaines Jontz Building Rehabilitation Award was presented for renovation work done on the Stevenson Auditorium in the past year. Dr. Eugene Atkinson accepted this award. The "Outstanding New Sign" Award, in recognition of the entrance signs that greet visitors to the Edisto Memorial Gardens, was presented to Mayor Keitt. The "Cousin DORA's Lawnmower Derby" held on the Memorial Plaza received an award for the most outstanding promotional event in the state and was presented to Allyson Way Hank, Bernice Tribble and Charlie Boswell representing DORA.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg, South Carolina, for the purpose of changing from "A-2 Residential Multi-Unit District" to "O-I Office Institutional District" property of First Presbyterian Church, Lot "B" only. This motion was unanimously approved.

Mayor Keitt proclaimed the week of April 30th through May 4, 2001, as "Call Me Mister" Program in Orangeburg. Twenty (20) young men, representing this program, accepted the Proclamation from Mayor Keitt.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to appoint Ryan Salley to fill the unexpired term, (after the resignation of Ms. Dale Justice) on the Board of Zoning Appeals, District #3, This term will expire January 2002. This motion was unanimously approved.

CITY COUNCIL MINUTES**MAY 1, 2001****PAGE 2**

Dr. Braxton Wannamaker addressed Council about his concerns of crime in Orangeburg. He stated, "This is a community issue, not a DPS issue necessarily. I do believe though they can behave in a more-proactive manner by monitoring hot spots so they can stop stuff before it gets out of hand. If DPS needs more officers or more equipment, whatever need it is, it would be a substantially good investment." Dr. Wannamaker cited several incidents of the past several years that have given him much concern.

Mr. David Farr also voiced his concerns to Council about crime.

Mayor Keitt opened the meeting for public comments pertaining to the Third Reading of an Ordinance to change all rates for the Department of Public Utilities of the City of Orangeburg, South Carolina, effective May 1, 2001, pertaining to electricity, water and wastewater.

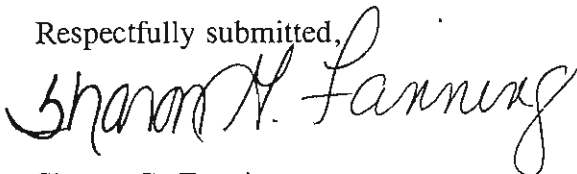
Mr. David Farr voiced his concerns about the proposed rate changes.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to change all rates for the Department of Public Utilities of the City of Orangeburg, South Carolina, effective May 1, 2001, pertaining to electricity, water and wastewater. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to enter into an Executive Session for sale of property at the Orangeburg Municipal Airport and purchase of land pertaining to the Parks and Recreation Department.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



WENDELL DAVIS
DIRECTOR
Bus # (803) 531-4654
FAX # (803) 533-5926



P.O. BOX 1425
ORANGEBURG, SOUTH CAROLINA
29116-1425

Department of Public Safety

May 3, 2001

National Fire Protection Association
One Batterymarch Park
Quincy, MA 02269-9101

Dear Sirs:


The City of Orangeburg has throughout its long history fully embraced and supported the proposed guidelines promulgated by the National Fire Protection Association (NFPA). The NFPA mission which entails advocating scientifically-based consensus codes and standards has a very noble goal, namely to enhance quality of life by reducing fire and other hazards. The two new proposed standards, NFPA 1710 and NFPA 1720, would place an extraordinary funding burden on the citizens of our community. The new proposed standards, if adopted, would cause a tremendous economic impact to the taxpayers of Orangeburg. We have estimated an additional annual personnel expense of \$384,000. The new standard would require an additional 8 full time officers per shift or an additional 16 full time officers per 24 hour period. The cost estimate provided is calculated on an entry level salary of \$24,000.00 per year and does not include the cost to train or equip the new personnel that would be required as a result of the promulgation of NFPA 1710 and 1720.

The Mayor and Council of the City of Orangeburg passed a resolution on April 17, 2001, opposing the adoption of NFPA 1710 and 1720. The City of Orangeburg has never publically opposed any standard devoted to increasing the safety and quality of life in the community and has given careful consideration in adopting the resolution opposing NFPA 1710 and 1720. It is the considered opinion of the Department of Public Safety that the proposed standards would have a significant negative financial impact on the department and would not significantly improve officer safety or the department's ability to provide professional service during fire operations.

I have provided a copy of the resolution signed by the Mayor and Council of the City of Orangeburg opposing the adoption of NFPA 1710 and NFPA 1720. We would like for your governing body to publically note for the record the resolution opposing NFPA 1710 and 1720.

Sincerely,


Chief Wendell Davis
Director of Public Safety

cc:  Mr. John Yow, City Administrator

Municipal Association of South Carolina

***"Working Today For
A Safer Tomorrow"***

CITY COUNCIL MINUTES

May 15, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 15, 2001, at 7:00 P.M., in Council Chambers with Mayor Keitt presiding. An invocation was given by Evangelist Gloria Turner.

PRESENT:

Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

ABSENT:

Charles W. Jernigan

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the May 1, 2001, City Council Minutes as distributed. This motion was unanimously approved.

Orangeburg County Chamber of Commerce President, Dede Blewer and Parks and Recreational Director Smith, presented to Council a framed tabloid cover of the "2001 South Carolina Festival of Roses", in honor of the late Mayor Martin C. Cheatham.

Dr. Gene Atkinson told Council that Governor Jim Hodges has awarded the late Martin C. Cheatham the "Order of the Silver Crescent" for his lifetime of service to the Orangeburg community and the State of South Carolina.

Ms. Judith Osborne appeared before Council with a matter pertaining to the Zoning Ordinance. She explained that she purchased her fifty-three year old house at 1005 Broughton Street last fall, with the idea to invest in a retail gift shop. Although the property, at the corner of Waring Street, is zoned A-2 multi-unit residential, she said that properties across the Street are both O-1 and B-1. In accordance with her request for a land use change, she paid for the required study. The recommendation of Dan Vismor, who conducted the study, was that the area remain general residential. However, he also suggested the option that the Zoning Ordinance be amended to permit a limited number of commercial uses. The Planning Commission recommended that her request be denied. She did not attend the recent Planning Commission session but could counter reservations that allowing her business would hurt efforts to revitalize downtown. The type of business Ms. Osborne wants to put would not work downtown, where there would not be the (pedestrian) traffic needed to support a \$100,000 business. Most of the downtown stores are re-sale businesses, almost like yard sales moved indoors," as well as some eleven loan offices. Ms. Osborne's plan is for a gift shop downstairs and a residence for her and her husband upstairs. The almost half-acre lot would provide parking that would not impede Broughton Street. If the business expanded, it would still be kept at her property unless the downtown were revitalized to accommodate walk-in traffic, such as happened in Elloree. Orangeburg has a large draw and with the location and the right presentation, we can all get that draw and by City Ordinance, a business can be opened in the house, just not the kind of business I want. She explained that under the City Ordinance, she could have a craft shop or an interior design business, but not a retail gift shop, where goods are manufactured off premises. Amending the Ordinance would be a "win-win" situation for homeowners, perspective buyers and the City. Ms. Osborne noted that she would work with the City in any way.

CITY COUNCIL MINUTES
MAY 15, 2001
PAGE 2

Mr. Dag Gartman, a Broughton Street Resident, opposed the change that Ms. Osborne requested. A lot of areas around Orangeburg are appropriate for gift shops of this nature. Commercial property seems to be creeping into older existing neighborhoods a little at a time.

A motion was made by Councilmember Haire to accept the recommendation, from the Planning Commission, to deny the request. There was no second to the motion. The motion failed.

City Administrator Yow explained that, in order to grant Ms. Osborne's request, Council would have to petition the Planning Commission for a text change that would effect the entire City and then Ms. Osborne would have to apply for a zoning change. Council needs to study the matter and direct any questions to the Assistant to the City Administrator, Warren Harley, City Attorney James Walsh or to me, adding that he'd still like to interest Ms. Osborne in a downtown location. In order for the matter to be considered, City Administrator Yow said, City Council will have to put the issue back on its agenda.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to hold the first City Council meeting in June on June 4, 2001, at 5:30 P.M., due to the Special Election for Mayor on June 5, 2001. This motion was unanimously approved.

City Administrator Yow told Council that the state is mandating that local governments adopt the same codes that the state has adopted. The City currently operates under the 1994 Standard Building Codes. These codes are still being researched by City staff to determine if other changes or recommendations are in order prior to the Third Reading of the Ordinance.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to amend Chapter XIII of the Code of Ordinances, City of Orangeburg, South Carolina, provided for the adoption of the International Building, Mechanical, Property Maintenance and Energy Conservation Codes. This motion was unanimously approved.

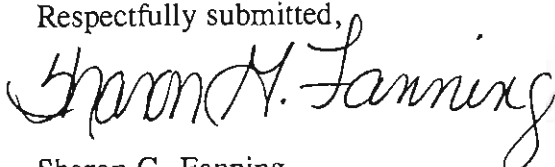
A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to amend Chapter XVIII of the Code of Ordinances, City of Orangeburg, South Carolina, provided for the adoption of the International Fire Code. This motion was unanimously approved.

Department of Public Utilities Manager Boatwright and Mayor Keitt, presented Mr. Reggie Robinson, a plaque in recognition for being name "South Carolina's Water Plant Operator of the Year" by the South Carolina Section of the American Water Works Association.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to enter into an Executive Session for a legal matter concerning the City of Orangeburg and the Department of Public Utilities regarding Set-Off Debt Litigation.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



SPECIAL CITY COUNCIL MINUTES

MAY 23, 2001

Orangeburg City Council held a Special City Council meeting on Wednesday, May 23, 2001, at 5:30 P.M., in Council Chambers with Mayor Keitt presiding.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

City Administrator Yow stated, "As Council knows, Connelly Development, Inc., appeared before City Council in an earlier meeting, whereas they requested City Council to endorse the concept of a 64-unit apartment complex on Robert E. Lee Boulevard. City Council, at that time, did endorse the project in concept with the information provided to us. You have before you a Resolution that has been negotiated by Mr. Boatwright, myself, Mr. Connelly and David Christmas of Connelly Development, Inc.. It has also been reviewed by the City Attorney. But, before I ask you to take action on this Resolution, I'd like to introduce Mr. Connelly and Mr. Christmas again."

Mr. Connelly stated, "I am pleased to report that according to our investigation and determination, our hard work together this year appears that our application will be awarded. Due to the cooperation of this fine City and the entire Council, dedicated trustees such as Mr. Yow, Mr. Boatwright and Attorney Walsh, we will achieve a score of 602 points out of a possible 605 points in the statewide competition for tax credit. What this means is, assume 64 families will live in sub-standard housing and will have a new place to call home. These 64 families will have access to free services to better enrich their lives and give them a better chance to become a part of society and the community of Orangeburg. It also means that almost \$5 million will be spent in South Carolina and more importantly, in Orangeburg and surrounding areas, on goods and services to build this fine community. Several hundred jobs will be created for almost a year, and some continuing on a permanent basis, on management and maintenance of the community. Again, I want to thank you for your continued support."

Councilmember Haire asked, "What is your definition of family? There are situations wherein persons who come together because of a common need and occupy a dwelling, maybe school kids or some workers, or something like that. Do they have to meet the definition of family, as we know the definition of family."

Mr. Connelly stated, "They have to be in a qualified household. They have to meet the criteria of the tax credit program and Section 42 of the Internal Revenue Service regulations and the State Housing Authority. I can't take four students from the University here in Orangeburg. We can't take four students from here and call them a family."

Councilmember Jernigan asked, "Can a single parent be a family?"

Mr. Connelly stated: "If they qualify. If they met the income criteria, they can."

**SPECIAL CITY COUNCIL MINUTES
MAY 23, 2001
PAGE 2**

Councilmember Miller asked, "What is the general income? What's the maximum somebody can make to move into one of those units?"

Mr. Connelly stated, "Orangeburg's median income is \$37,700 a year. So it depends on what the income is of the person that's living there, but you have 50% incomes and 60% incomes. There are 25% of the units for people with 50% or less of area income and those incomes for a one person household are \$14,100; for two person household income is \$16,100; for a three person household it would be \$18,150. Then we have the majority, the 75% of the unit, with 60% of income; one person is \$16,920; two persons is \$19,320; three persons is \$21,790."

Councilmember Miller asked, "Are these rental or purchases?"

Mr. Connelly stated, "These are rentals."

Councilmember Miller asked, "The average rent is based on the income?"

City Administrator Yow stated, "It is \$500 for three bedrooms and \$368 for two bedrooms."

Councilmember Knotts asked, "Other than income, what other criteria are we looking at. I see here, \$37,700 as a medium income."

Mr. Connelly stated, "They have to go through a security check. They have to go through income verification and they also go through a rental check to check their previous rental history. Just because they qualify does not mean we have to accept them. If they have a criminal history, we do not have to accept them. If they have bad rental history, we do not have to accept them. If they have bad credit, we do not have to accept them."

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve a Resolution on Hampton Chase Apartments. 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

RESOLUTION RELATING TO THE CONSTRUCTION OF THE HAMPTON CHASE DEVELOPMENT

WHEREAS, Hampton Chase, L. P. ("Hampton Chase"), as owner has represented to the City of Orangeburg, South Carolina (the "City") that it intends as owner to develop a 64-unit apartment complex on or near Robert E. Lee Boulevard within the municipal boundaries of the City (the "Project");

WHEREAS, the Project will provide affordable housing for the residents of the City;

WHEREAS, in connection with the development of the Project, Hampton Chase will construct roads into and from the apartments, parking areas, and water and sewer lines from the Project to existing water and wastewater lines of the city's Department of Public Utilities;

WHEREAS, the City, to induce Hampton Chase to develop the Project, including the construction of roads and water and sewer lines, desires to not charge Hampton Chase any water and wastewater tap fees, and building/construction permit fees related to the Project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Orangeburg, South Carolina (the "City Council") as follows:

1. Development of Project. Hampton Chase will develop the Project.
2. Construction of Roads. Hampton Chase will construct all roads into and out of the Project, including parking areas.
3. Construction of Water and Wastewater Lines. If said water and wastewater lines are constructed in accordance with the criteria and specifications of the city's Department of Public Utilities, then in such event, Hampton Chase will be permitted to connect the said lines to those of the Department of Public Utilities in accordance with the General Terms and Conditions of the Department of Public Utilities and its Water Agreement and Wastewater Agreement. Prior to acceptance of the said lines by the Department of Public Utilities, Hampton Chase shall grant to said Department necessary utility right-of-ways ten (10) feet in width outside of but contiguous to the right-of-way of all roadways and where said lines are not located along roadways a utility right-of-way twelve and one half (12½) feet on each side of any such line. In addition, acceptance of said water and wastewater lines shall be conditioned upon the execution by Hampton Chase of a Water Agreement and Wastewater Agreement of the Department of Public Utilities both of which include a transfer of title and ownership of said water and wastewater lines to the Department.
4. Deeded Rights of Ways and Easements. Hampton Chase agrees to pay for all cost associated with the preparation, recording and legal expense associated with the above rights-of- ways and easements.
5. Associated fees. The City will not charge Hampton Chase any applicable water and wastewater tap fees nor building/construction permit fees related to the Project.

DONE AND RATIFIED IN COUNCIL DULY ASSEMBLED THIS 23rd DAY OF May , 2001.



Li Zimmerman Keith
Mayor

Chad D. [Signature]

Jeffrey W. [Signature]

James G. [Signature]

Sandra R. [Signature]

Sharon [Signature]

Members of Council

ATTEST

City Clerk

Sharon Y. Lanning

CITY COUNCIL MINUTES

June 4, 2001

Orangeburg City Council held its regularly scheduled meeting on Monday, June 4, 2001, at 5:30 P.M., in Council Chambers with Mayor Keitt presiding. An invocation was given by Mayor Keitt.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the May 15, 2001, City Council Minutes as distributed. This was a 5-0 vote. Councilmember Jernigan abstained from voting as he was not present at the May 15, 2001, meeting.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the May 23, 2001, Special City Council Minutes. This motion was unanimously approved.

Dr. Michael Wilson did not appear before Council as indicated on the agenda due to the rescheduling of the meeting on Monday June 4th instead of Tuesday, June 5th.

Mr. Fred Broughton, Chairman of the City Accommodations Tax Advisory Committee, gave Council a report for the recommendations for the Accommodations Tax monies. Recommendations were as follows:

1. Orangeburg County Chamber of Commerce be named the lead agency.
2. Orangeburg County Chamber of Commerce \$13,700.00
 Tourism related request
 (Billboard, Rose Festival Promotions, Visitor's Guide,
 Christmas Parade)
3. Orangeburg County Fine Arts Center \$ 1,550.00
4. The Natchez-Pee Dee Indian Tribe of Orangeburg County \$ 750.00
5. City of Orangeburg Parks & Recreation Department
 (Withdrawn--lack of funds)
- TOTAL \$16,000.00**

Councilmember Rheney asked Mr. Broughton what was Natchez-Pee Dee Indian Tribe of Orangeburg County. Mr. Broughton explained that the Tribe has headquarters outside the City, but they are interested in developing a tract down by the river in attracting citizens to Orangeburg. They have discussed their by-laws with Buster Smith and doing some improvements to that area in City of Orangeburg. They are trying to market some of their artifacts.

Councilmember Jernigan asked, "Where are the headquarters?" Mr. Broughton stated, "Their headquarters are near the drag strip, off Zion Road on Highway 4."

City Council Minutes**June 4, 2001****Page 2**

Councilmember Rheney asked, "If this was a one time thing to see what action they were going to take with the \$750.00?"

Mr. Broughton stated, Another year was not discussed. If they do not use this money as requested, we will not advance any more funds."

Councilmember Jernigan asked, "How many members are in this tribe?" Mr. Broughton did not have any figures.

Mayor Keitt asked. "Was there any literature given to you concerning the tribe?" Mr. Broughton stated, "No."

Councilmember Rheney asked about the intentions of this money. Mr. Broughton stated, "Their intentions were outlined in their application."

Councilmember Miller asked, "When you get an application from any organization, there must be a part that states what the money will be used for. Their use was to put something near the Edisto Gardens?"

Mr. Broughton stated, "Their use was for promotion working with the Parks & Recreation Department. Their application stated that November is Native American Month and during the year there are many festive activities."

Mayor Keitt asked Mr. Broughton, "If an outline is going to be obtained concerning the use of the money?" He stated, "Yes."

Councilmember Jernigan stated, "I am in favor of this tribe and we should support them when we can, but this is the first time I have heard of the Natchez Pee Dee Indian Tribe and that is why I am asking these questions. Also, do they have a spokesman or have you met with their leader?"

Mr. Broughton stated, "I have met with the Cultural Coordinator, Rachel Link. Also, in the last couple of years I have discovered that there are several tribes in this region in the state. We have the Santee Indians, Indian Creek and another one in the Salley area. This group has ties to the Neeses group. All of these groups are trying to establish identity."

Councilmember Haire asked, "What is our normal amount that is derived from the Accommodations Tax?"

Mr. Broughton stated, "We have been getting around \$24 - \$25,000.00."

Councilmember Haire also asked, "If the Chamber would be doing billboards and the Rose Festival, and are the billboards for the Rose Festival?"

Chamber President Dede Blewer stated, "The Lead Agency is 30%. Special request is designated for Visitor's Guide, Discovery Carolina Ad, promotional materials, the Christmas Parade, tourism and public relations for mail-outs, new residents guides and visitors and billboards."

Councilmember Haire asked, "If there was any thought concerning any kind of ad concerning the football games at South Carolina State University?"

Ms. Blewer stated, "She has been in contact with them concerning billboards to highlight the home games to visit Orangeburg. We have backed away from that because the Orangeburg County Accommodations Tax Advisory Committee has committed \$25,000.00 to them to do television commercials and ads."

OATH

— “As Mayor 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 the State of South Carolina and of the United States of America. So help me God.”

Paul A. Miller

MAYOR

June 7, 2001

DATE

Sworn before me this 7th Day
of June, 2001.

— *Paulette F. Blackwell*

Paulette F. Blackwell
Notary Public



My Commission expires 06-19-07

Councilmember Jernigan asked, "What will the Fine Arts Center be using their money for?"

Ms. Blewer stated, "It is used for bringing performers to Orangeburg."

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to accept the recommendations of the Accommodations Tax Advisory Committee. 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 of the Code of Ordinances, City of Orangeburg, South Carolina, provided for the adoption of the International Building, Mechanical, Property Maintenance and Energy Conservation Codes. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to amend Chapter XVIII of the Code of Ordinances, City of Orangeburg, South Carolina, provided for the adoption of the International Fire Code. This motion was unanimously approved.

City Administrator Yow asked Council for their approval of a bid award in the amount of \$105,460 to O'Cain Construction Company for construction of restrooms in the Edisto Memorial Gardens. He stated they were not the low bidder, but the low bidder was deemed non-responsive. The project was originally budgeted at \$70,000 but some monies were saved on other projects and some projects are not going to be done at all.

Councilmember Haire asked, "What the non-responsive bidder's forfeiture was?"

City Administrator Yow stated that he was allowed to be excused from the bid without forfeit of the bid bond and cashier's check but it normally would have been 5%.

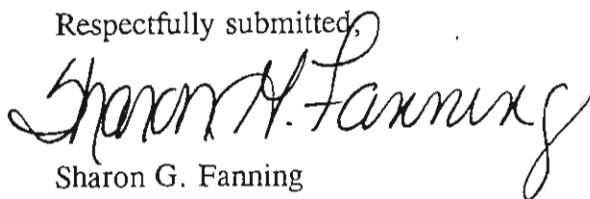
A motion was made by Councilmember Miller, seconded by Councilmember Jernigan to approve the bid amount of \$105,460 to O'Cain Construction Company for construction of restrooms in the Edisto Memorial Gardens. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to amend Chapter 23 Utilities, Article V--Gas-Section 23 -34, Article VI--Wastewater-Section 23-54. Article VII--Water-Section 23-84. This Ordinance updates three of the utilities four standing building codes for natural gas, wastewater and water. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to enter into an Executive Session for legal matters concerning the sale of real property at the Orangeburg Municipal Airport, Downtown Streetscape Bids and 2000 Census and City Re-districting. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

June 19, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, June 19, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Terry Peele of the First Baptist Church of Orangeburg.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the June 4, 2001, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow thanked Councilmembers for attending the Planning Session on June 16, 2001.

A motion was made by Councilmember Haire, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to amend Chapter XIII of the Code of Ordinances, City of Orangeburg, South Carolina, providing for the adoption of the International Building, Mechanical, Property Maintenance and Energy Conservation Codes. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend Chapter XVIII of the Code of Ordinances, City of Orangeburg, South Carolina, providing for the adoption of the International Fire Code. This motion was unanimously approved.

Council unanimously decided to cancel the July 3, 2001, meeting due to budget workshops being scheduled for July 10 and July 11, 2001 and conflicts with July 4th holiday schedules. It was generally agreed, per City Administrator Yow's recommendation that if the need arises, a Special City Council Meeting will be called.

City Administrator Yow asked Council to approve an Ordinance authorizing the Municipal Association of South Carolina to collect all business licenses for life, health and medical insurance companies. He stated, "The Municipal Association of South Carolina has been acting as the City's agent in the collection of fire and casualty business licenses for several years. Life, health and medical insurances were not initially recommended for inclusion because we wanted to see how the other collections went. And, I'll more than likely come back to Council asking for authorization to do the same with telecommunications licenses. The Municipal Association of South Carolina has a strong data base with the companies doing business. We hope to increase our collection rate and bring in additional revenues to the City." The business license rate is 2% of gross premiums. Payment will be due by May 31st each year.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Jernigan, to approve the First Reading of an Ordinance authorizing the Municipal Association of South Carolina to act as an agent for the City of Orangeburg, South Carolina, for the purpose of collecting all Business License Taxes from life, health and medical Insurance Companies to provide a payment due date of May 31. This motion was unanimously approved.

CITY COUNCIL MINUTES
JUNE 19, 2001
PAGE 2

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to amend Chapter 23 Utilities--Article V-Gas-Section-23-34, Article VI-Wastewater-Section 23-54, Article VII-Water-Section 23-84. 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



JULY 3, 2001

**CITY
COUNCIL
MEETING
CANCELED**

**DUE TO THE
JULY 4TH
HOLIDAY**

SPECIAL CITY COUNCIL MEETING JULY 5, 2001

Orangeburg City Council held a Special City Council Meeting on Thursday, July 5, 2001, at 12:00 Noon in City Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Jernigan.

PRESENT:

Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

City Administrator Yow asked Council to approve the First Reading of an Ordinance concerning the sale of 4.96 acres of property at the Orangeburg Municipal Airport for \$39,680 or \$8,000 per acre. He stated that this sale has been reviewed by the FAA in terms of operation at the Municipal Airport. It is also being considered by the Aviation Commission in terms of long term effects on the airport operation and the Master Plan of the Airport. City Administrator Yow stated that the Master Plan will be ready in the next 30-60 days. The FAA did not have any negative findings on the sale of this property. The preliminary draft of the new Master Plan does not show any detrimental effects on the operations at the Airport. The Aviation Commission endorsed the sale of this property, but asked Council not to consider any sale of property other than the subject 4.96 acres and other five acres proposed for a possible option, until after the Master Plan has been completed. The Land Sale Agreement does not mention a 30 foot height on any structure and that was something agreed upon by the City and would be in the agreement at the Second Reading of the Ordinance.

Councilmember Haire asked if the agreement could be amended at this time. City Administrator Yow stated that the amended portion could be put in the motion, but the Land Sale Agreement that we send back to the company will be amended.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance authorizing the execution of a purchase and sale agreement between Trinity Industries, Inc., a Delaware Corporation, and to amend the Ordinance to reflect the 30 foot height restrictions. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



BUDGET WORKSHOP MINUTES JULY 10, 2001

Orangeburg City Council held a Budget Workshop Meeting on Tuesday, July 10, 2001, at 6:00 P.M., in Council Chambers. An invocation was given by Councilmember Haire.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney
John H. Yow, City Administrator
Warren T. Harley, Assistant to City Administrator
Sharon G. Fanning, Finance Director

The purpose of this meeting was to conduct a Budget Workshop for the FY 2001-2002 Budget.

City Administrator Yow opened the discussion with an overview of finalized FY 2000-2001 projections. He stated that we were going to bring in revenues over expenditures approximately \$200,000. City Administrator Yow gave Council a Budget Summary Overview (See attachments). A balanced Budget was presented at this time with no millage or Department of Public Utilities transfer increase included. He stressed that the Budget had several non-reoccurring revenues budgeted such as the General Fund being paid back for the loan on the Stevenson Auditorium Renovation of \$96,109 and a proposed \$100,000 transferred from the Fire Equipment Reserve Fund for a down payment on a service truck for the Department of Public Safety. He stated that the proposed Budget included a 3% COL increase totaling \$174,000. An increase in health and dental insurance approximately \$75,000 for the City portion was also included. After meeting with SC Local Government Assurance Group representatives, it was decided an increase was needed. City Administrator Yow recommended a 10% increase in health insurance and 2% increase in dental insurance for the City and Department of Public Utilities. The City would absorb 100% of the increase for employee only and retirees over age 60 health insurance. On dependent and family coverage the City would absorb the 10% increase on the City's portion already being paid and the 10% increase would be passed on to the employee for the portion they pay. Retirees under 60 would absorb all of the 10% increase. The 2% dental increase would work the same way. Also, a change in the City's prescription card was recommended. Instead of \$8.00 for generic drugs and \$15.00 for brand name drugs, this would increase prescriptions to \$10.00 and \$20.00 for all employees and retirees under age 65. Retirees over 65, the prescription card will go from \$12.00 and \$25.00 to \$15.00 and \$30.00. Reinsurance rates also increased this year. The health insurance provider network will also change from CIGNA to Blue Cross Blue Shield.

Public Works Director Bowden highlighted his budget requests for Council. He stated that his budget had \$13,000 in merit increases included. The Garage Division is the biggest area of challenge for salaries on mechanics because private industry pays much more. The Garage is also absorbing some miscellaneous expense that will not be charged to individual departments as it has in the past. Utilities and fuel cost have increased across the board. In the Municipal Building Division, discussion was held concerning the roof leaking at City Hall and the Stevenson Auditorium and the need for the walls to be sealed. In the Parking Facilities Division, City Administrator Yow stated that there would be a parking lot project next year but it would not be paid for from the General Fund. In the Sanitation Division, \$9,810 was included for merit increases. Director Bowden stated that there was a maximum of 4% on anyone. He stated that he received less complaints on sanitation than any other city in South Carolina and this group stays on schedule. The sum of \$9,000 was budgeted for contractual services for leaf season and \$10,000 was budgeted for carts which would buy close to 200 carts. Approximately \$30,000 a year is budgeted for dumpsters, but they try to paint as many as they can. The commercial truck, which is requested, would replace a ten year old truck, and will become a backup unit. Grapple units are also rotated out every ten years. The budgeted number at the Orangeburg Municipal Airport has increased \$10,000 for

**BUDGET WORKSHOP MINUTES
JULY 10, 2001**

depreciation on the new runway. Runway 5/23 needs to replace old navigational equipment and aides. There has been an increase in AV gas and miscellaneous revenue due to Joye Aviation providing pilot training at the Airport. The transfer from General Fund to airport operations is budgeted at \$139,562.

Service Department Director Brant discussed his Budget with Council. There were no substantial changes in the operating budget. He stated that he had cut one full time position due to departments working together on projects and cross training. There were four merit increases requested in his department.

Hillcrest Manager Bryant discussed his proposed Budget with Council. Discussion was held on proposed rate increases for green fees and memberships. Manager Bryant proposed that golf fees increase by \$2.00 per round on weekdays and \$3.00 per round on weekends and increase to \$25.00 per class (See attachments for breakdown).

Mayor Miller stated his concerns about golf fees being affordable to the public. He proposed investigating increasing cart fees \$2.00 instead of green fees. No decisions were made on this subject, but would be discussed at the July 11, 2001, Budget Workshop Meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



BUDGET SUMMARY FY 2001-02

Revenues

1. Decrease in vehicle taxes due to reduction in assessment rates. Decrease from adopted Budget FY 2000-01, \$34,936.
2. No tax millage increase at this time. No increase in business license rates. -
3. Increase of \$13,000 and possibly more in General Business Licenses from Telecommunications anticipating being collected from MASC.
4. Increase in Life Insurance Business Licenses by \$49,000 due to collections by MASC.
5. Increased fire contracts 5% totaling \$27,850.
6. Increased demolition fees to \$50.00 and moving permit fees to \$50.00 to coincide with the County's fee.
7. Increased rates for green fees and memberships: green fees increased \$2.00 per round on weekdays, \$3.00 per round on weekends. Green Fees--\$13 to \$15--cart-same weekdays, 15 to 18 weekends. Membership dues up--\$25 in each category: Single-\$400, Student-\$175, Senior-\$265, Family-\$500
8. Decreased DPU transfer by \$15,000 used for Stevenson Auditorium Renovations.
9. Increased commercial sanitation approximately \$30,000.
10. Transfer from Victims Advocate Fund for differences in grant revenue \$10,292.
11. \$594,436 cash reserve.
12. Anticipating general Fund being paid back for the loan on the Stevenson Auditorium Renovation \$96,109 from the Capital 1% Fund (County).
13. Criminal and traffic fines increased \$165,000. State assessments (expenditures) also increased.
14. Fire Equipment Reserve \$100,000.

Expenses

1. 3% COL = \$174,000
2. 35 merit raises included totaling \$32-35,000
3. Property, Comp & Collision and Inland Marine Insurance decreased 30%, Tort Insurance decreased 20% due to rates being decreased by the State. This decrease is approximately \$37,999.
4. Denied two (2) full time positions that were requested, one (1) Municipal Court and One (1) Parks & Recreation; however, we did leave \$15,000 for contractual in Municipal Court.
5. Moved approximately \$216,500 requested capital items to Two-Percent Fund.
6. Increased MASC fees by \$34,000 due to collections for telecommunications and life insurance licenses.
7. Administrative Department cut one (1) position approximately \$26,332 salary and benefits.
8. DPS cut two (2) grant positions totaling \$33172--communications and part-time secretary.
9. Increase in health and dental insurance approximately \$100,000--approximately \$75,000 City's portion.
10. Two (2) retirements totaling \$30,601, no TERI Program notification.

BUDGET WORKSHOP MINUTES

JULY 11, 2001

Orangeburg City Council held a Budget Workshop Meeting on Wednesday, July 11, 2001, at 6:00 P.M., in Council Chambers. An invocation was given by Councilmember Knotts

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney
John H. Yow, City Administrator
Warren T. Harley, Assistant to City Administrator
Sharon G. Fanning, Finance Director

The purpose of this meeting was to conduct a Budget Workshop for the Fiscal Year 2001-2002 Budget.

City Administrator Yow presented the Administrative Department's Budget. He stated one full time position has been eliminated in this Division. A Human Resource Officer position remains in the budget. Lack of office space at City Hall is still a problem for personnel. No capital items were requested.

City Administrator Yow presented the Executive Department's Budget. There are no substantial changes and no capital items requested in this budget.

Assistant to City Administrator Harley presented the Community Planning Budget. A \$10,000 grant match is again budgeted for a possible Community Development Project. An increase in salary for the secretarial position was budgeted due to the elimination of a position in the Administrative Division. There were no capital items requested.

City Administrator Yow presented the Municipal Court's Budget. He told Council that one full time clerical position was requested. This position is City Council's decision, but \$15,000 was budgeted for contractual services. City Council indicated that they did not intend to add a permanent full time position at this time. Discussion was held on one of the capital items requests for the balance owed on the VisionAir Court Software Module of \$15,651.00. He stated these monies will be used to pay the balance or be used to purchase new software.

Finance Director Fanning presented the Finance Department's Budget. In the Finance and Records Division, two merit increases were recommended. Capital requests were discussed. In the Data Processing Division, one merit increase was recommended. Also, the Systems Analyst position was upgraded in this budget. Discussion was held on this position due to the demand in this field, a salary upgrade was needed. No capital funded in this Division.

City Administrator Yow highlighted the Non-operating Department's Budget. He told Council that the Chamber dues for \$1,077 has been waived for this upcoming budget year due to the City's funding of \$50,000 per year for four years from the 2% Fund for the renovation of the Chamber Building. He pointed out the increase in the debt service amount due to no debt being retired in FY 2001-02, but approximately \$140,000 would be retired next year. Discussion was held on non-resident recreational fees being increased by 5%.

DPS Director Davis presented his proposed budget to Council. He stated his utilities account has increased and that one reason for the increase was, because when fire trucks leave the fire station the doors remain open. Remote automatic doors are needed and have been funded in this budget. Training has been extended by satellite hookups. A contract system has been established to maintain fire apparatus. City Administrator Yow pointed out that mid year DPS increases have added approximately \$100,000 new costs to this budget. Discussion was held about confiscated funds and

BUDGET WORKSHOP MINUTES
JULY 11, 2001
PAGE 2

drug investigation monies. COPS MORE Grant is in dispute at this time and no positions have been granted in this Division.

Parks and Recreation Director Smith presented his proposed Budget to Council. Discussion was held on PARD monies budget upgrading 5 to 6 backstops. Total project costs is \$30,000 and the City's match would be \$15,000. A Recreation Land Trust Grant has been applied for to purchase ten lots on Seaboard. This project was moved to the 2% Fund. In the Recreation Division one merit increase was recommended. The sums of \$20,000 for billboards and \$5,000 for brochures was transferred to the 2% Fund. In the Gardens Division, one merit increase was approved. Discussion was held on upgrading medians with no additional requested positions. A concern was that this Division was being stretched too thin.

Councilmember Haire stated that the medians and landscaped areas help to make Orangeburg what it is. "Council will have to be supportive with funds being cut at the state level and some non-reoccurring revenue being budgeted. Council will have to be bold to say what they want to support but will have to look at small millage increases. Also, citizens are getting an outstanding return for what they're paying in taxes."

Discussion was held on the conditions of our ballfields, backstops and fencing at the Hillcrest Recreational Complex. Mayor Miller suggested possibly funding the backstops from the 2% Fund.

City Administrator Yow and Mayor Miller summarized the Budget Workshops. Council agreed to accept the balanced Budget as presented. In this budget was a 10% increase in health premiums and 2% increase in dental premiums. The City will absorb all of the increases on the employee and the dependent portion we already pay. The employee will absorb the increases in dependent portion they already pay. Retirees, under 60, will absorb the total 10% increase of health insurance. The City will absorb the 10% increase of health insurance for retirees over 65. The prescription drug card will be changed from \$8.00 for generic drugs and \$15.00 for name brand drugs to \$10.00 and \$20.00. Retirees over 65 will change from \$12.00 and \$25.00 to \$15.00 and \$30.00. All fee increases for fire contracts, commercial sanitation fees, green fees and membership fees were approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



SPECIAL CITY COUNCIL MINUTES

JULY 12, 2001

1321

Orangeburg City Council held a Special City Council Meeting on Thursday, July 12, 2001, at 12:00 Noon in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Jernigan.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance authorizing the execution of a purchase and sale agreement between Trinity Industries, Inc., a Delaware Corporation and the City of Orangeburg. 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



CITY COUNCIL MINUTES

July 17, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, July 17, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Joyce Rheney.

PRESENT:

Paul A. Miller, Mayor
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney

ABSENT:

Bernard Haire

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Jernigan, to approve the June 19, 2001, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the July 5, 2001, Special City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the July 10, 2001, Budget Workshop Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Jernigan, to approve the July 11, 2001, Budget Workshop Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Keitt, to approve the July 12, 2001, Budget Workshop Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance authorizing the execution of a purchase and sale agreement between Trinity Industries, Inc., a Delaware Corporation, and the City of Orangeburg. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Jernigan, to approve the Second Reading of an Ordinance authorizing the Municipal Association of South Carolina to act as an agent for the City of Orangeburg, South Carolina, for the purpose of collecting all Business License Taxes from Life, Health and Medical Insurance Companies to provide a payment due date of May 31. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Jernigan to approve authorization to accept a Recreational Land Trust (RELT) Grant to be used to purchase land adjacent to the Edisto Memorial Gardens. The City's share of the cost would come from the Two-Percent (2%) Fund. This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Councilmember Rheney, to approve authorizing the Chamber of Commerce to make improvements and additions to the Chamber Building. Approval of City Council is necessary due to language of lease between the City and the Chamber. This was necessary because of the building lease the Chamber has with the city. This motion was unanimously approved.

CITY COUNCIL MINUTES
JULY 17, 2001
PAGE 2

Discussion was held on the Streetscape Project, which will target a downtown area along Russell Street from Broughton to Doyle Streets and around the Courthouse Plaza to include sidewalks, brick work, granite curbs, decorative lighting, landscaping, water and sewer and electrical improvements.

City Administrator Yow stated that the funding would come from the Two-percent Capital Fund, Department of Public Utilities, Two-Percent Annual Fund and private donations.

Mayor Miller stated that he was glad to see the project progressing to such a point after such hard work and he was concerned that the State Highway Department (SCDOT) has not agreed to fund improvements to its drainage system while the streets are torn up. City Administrator Yow stated that the funds were not available at the local district office, but we will make an additional request of the State SCDOT office.

Councilmember Jernigan stated that Greenville revitalization plan has done so much for its downtown and he was glad to see that Orangeburg is on the right track.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to award the bid for the Streetscape Contract to Greenwall Construction Services, Inc., in the amount of \$2,582,084.17. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the following appointments to the City Grievance Committee.

Lt. Paul Leedecke	--	Department of Public Safety
Joe T. Duley, Jr.	--	Service Department
Duane Tarrant	--	Finance Department

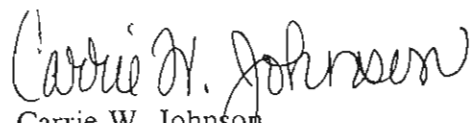
The Grievance Committee is a three year term with Leedecke and Duley serving on this Committee until June 4, 2004 and Tarrant completing an unexpired term ending June 4, 2002. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to amend Chapter 23 Utilities--Article V-Gas-Section-23-34, Article VI-Wastewater-Section 23-54, Article VII-Water-Section 23-84. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to enter into an Executive Session for a contractual matter concerning the purchase of real property and personnel matters concerning the City Attorney, Administration Department, Department of Public Utilities, and the Municipal Court. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
Assistant Finance Director

/pfb

CITY COUNCIL MINUTES

August 7, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, August 7, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Roderick D. Belin of Williams Chapel A.M.E.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the July 17, 2001, City Council Minutes as distributed. This was a 5-0 vote. Councilmember Haire abstained from voting as he was not present at the July 17, 2001 meeting.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance authorizing the Municipal Association of South Carolina to act as an agent for the City of Orangeburg, South Carolina, for the purpose of collecting all Business License Taxes from Life, Health and Medical Insurance Companies to provide a payment due date of May 31. This motion was unanimously approved.

City Administrator Yow presented an amended Budget for Fiscal Year 2000-2001. He estimated that revenues will exceed expenditures approximately \$170,000 to \$200,000.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance amending the Budget for the City of Orangeburg, SC., for the Fiscal Year beginning October 1, 2000 and ending September 30, 2001. This motion was unanimously approved.

City Administrator Yow gave a brief overview of the Fiscal Year 2001-02 Budget to Council. He stated, "There's no property tax increase. The millage will remain 72 mills. Our taxes have been between 71 and 75 mills since 1993 and we're proud of that, but we do realize we will not be able to maintain that record forever. We do everything we can every year not to have a tax increase, but, we don't know if it's realistic to expect what we have accomplished the last eight years. There will be no increase in business license rates, but our business license income does continue to grow some each year, which we take as a good sign of the City's economy. Also, business license income is increasing due to better collection procedures, primarily on the telecommunications and insurance companies doing business in the City. At the same time, vehicle taxes have decreased by about \$35,000, due to the assessment reduction in the state statute. Also, the City's share of political aid to subdivisions or the Local Government Fund has been decreased due to the change in the City's census numbers. Planned increases are a five percent increase in fire contracts and a ten percent increase in commercial sanitation rates. Also, greens fees and memberships at Hillcrest Golf Course are increasing. Fees will increase \$2.00 per round on weekdays and \$3.00 per round on weekends. Memberships will increase by \$25.00 in all categories. The annual budget transfer from the Department of Public Utilities will be decreased by \$15,000. The amount for the General Fund will remain the same, but DPU had been assisting with the Stevenson Auditorium Renovation and the City's doing the last part of the project. The DPU transfer is \$2,961,288.48, the same since 1999. We're budgeting \$600,000 cash reserves to balance this budget. We budgeted between \$400,000 and \$600,000 the last several years but we haven't used it. We strive to find more revenues and to bring expenditures in under the budgeted amount in order not to deplete the reserves, but the funds

are available to be used and we're in good financial shape. Expenditures, as usual, show an increase. The 3% cost of living for employees is \$175,000 in salary expenses. Medical and dental (insurance) is increasing \$100,000 and the City is picking up roughly \$75,000 of that cost. Other than the across the board cost of living raises, several employees, based on the recommendations of department heads will receive merit raises totaling \$45,000. No new positions are budgeted and two existing vacant positions were cut, one in the Service Department and one secretarial slot at City Hall. Also, two grant positions from grants that have expired, were eliminated. The largest capital expenditure budgeted is a \$200,000 fire equipment service truck of which half of that expenditure is already available in the Fire Equipment Reserve Fund."

Mayor Miller thanked City Administrator Yow and his staff for compiling a Budget that the City Council could adopt that doesn't include a tax increase.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, 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, 2001 and ending September 30, 2002. This motion was unanimously approved.

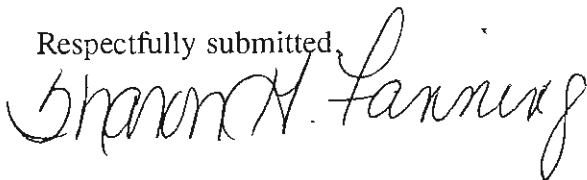
A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve a Resolution to accept the low bid for the Natural Gas Expansion at Kennerly Road and Columbia Road from Foremost Construction Company, Inc., of Lexington, South Carolina, in the amount of \$432,520.82. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to authorize Mayor Miller to sign an agreement to provide wholesale water service to the Silver Springs Rural Water District. 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 a legal matter concerning City Council redistricting.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb





RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY FOREMOST PIPELINE CONSTRUCTION COMPANY, INC. OF LEXINGTON, SOUTH CAROLINA IN THE AMOUNT OF \$423,520.82 FOR THE CONSTRUCTION OF A SIX-INCH (6") HIGH PRESSURE GAS MAIN ALONG THE LAKE EDISTO ROAD, NORTH ROAD, KENNERLY ROAD, CAMP ROAD AND COLUMBIA ROAD

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on July 11, 2001 for the construction of a six-inch (6") high pressure gas main along the Lake Edisto Road, North Road, Kennerly Road, Camp Road and Columbia Road; and

WHEREAS, the responsible bid for this work was submitted by Foremost Pipeline Construction Company, Inc. of Lexington, South Carolina in the amount of \$423,520.82; 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.

RESOLVED BY City Council duly assembled this 7th day of August, 2001.



Paul G. Haire
MAYOR

James Haire
Laudia R. Haire
L. Zimmerman
Charles G. Haire
James R. Haire
MEMBERS OF COUNCIL

ATTEST:

Sharon H. Lannery
CITY CLERK



RESOLUTION

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF ORANGEBURG AND THE SILVER SPRINGS RURAL COMMUNITY WATER DISTRICT TO PROVIDE WHOLESALE WATER SERVICE

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 and Silver Springs Rural Community Water District of South Carolina enter into an agreement dated August 23, 2001 whereby the City of Orangeburg, Department of Public Utilities will provide wholesale water service to the Silver Springs Rural Community Water District beginning on or about December 1, 2001; and

That Water Rate – Code 4R (Silver Springs Rural Community Water District Wholesale) of the Department of Public Utilities of the City of Orangeburg pertaining to Water, hereto attached, be adopted, and declared effective and in full force on August 7, 2001;

BE IT FURTHER RESOLVED, THAT HIS Honor Paul A. Miller, Mayor, be, and he is hereby authorized and directed to sign said agreement on behalf of the City of Orangeburg.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the agreement be accepted; and

RESOLVED BY City Council duly assembled this 7th day of August, 2001



Paul A. Miller
MAYOR

Gene Hair
Donald F. Fitts
L. J. Zimmerman
Charles J. Ingram
James W. Roney
MEMBERS OF COUNCIL

ATTEST:
Sharon H. Lanning
CITY CLERK

SPECIAL SESSION
CITY COUNCIL MINUTES
AUGUST 13, 2001

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Orangeburg City Council held a Special Session Meeting on Monday, August 13, 2001, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Paul A. Miller presiding. An invocation was given by Councilmember Charles W. Jernigan.

PRESENT: Paul A. Miller, Mayor
L. Zimmerman Keitt, Mayor Pro Tem
Bernard Haire
Charles W. Jernigan
Joyce W. Rheney

ABSENT: Sandra P. Knotts

Mayor Miller 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 2001-2002 Budget.

Summary Budget Presentation
Fred Boatwright to Mayor and Council

The Department of Public Utilities expects electric revenues to increase back to normal levels, natural gas revenues to remain stable and water and wastewater revenues to increase slightly. Expenses for all divisions are anticipated to increase, especially in the Electric and Gas Divisions due to changes in the electric purchase agreements and expected high prices for gas, and in the Water and Wastewater Divisions due to regulatory issues. Expenses in the Administrative Division are also increasing due to increased services provided by the Administrative Division to other Department Divisions.

Overall the Department expects retained earnings from all divisions except natural gas to return to historical levels from the projections for the current year due to recent rate increases. Electric earnings will return to normal levels after a very slow year last year. The Department is setting higher and higher summer net peaks, which increases the purchase price all year.

The budget does not anticipate what might happen to natural gas pricing because there are so many unknowns in that market at the present time that will not be known for at least another year, maybe longer. The risk of losing many of our industrial gas customers is possible due to the high price of gas, the delivery restrictions on the interstate pipeline infrastructure and the reorganization of the gas business in South Carolina. Hopefully these major changes, except for the high prices, will not occur during Fiscal Year 2001-2002, but is expected to be a real challenge for DPU in 2003. It is important to note that all of DPU's retained earnings in the Gas Division come from industrial sales; residential sales are a direct pass through of costs.

The proposed Capital Improvements are significantly less than last year. Some of them are continuations of familiar long-range projects that we have been working on for many years. The new clearwell Reservoir and Centennial Park at the Water Plant, the new Centrifuge at the Wastewater Plant have been completed, and the new natural gas line extensions are expected to be completed by October 1st. The Electric Division's Cross-Town Tie and GIS systems and the Microfiltration Project at the Water Plant are the high-ticket items that are continuing.

The Administrative Division proposed two (2) new projects. The first is a 3-year plan to reconfigure the DPU office building to provide improved access for customers and additional workspace for employees. The second is a trial of new technology to help some of DPU's customers who have chronic problems with on-time payments.

Fred Boatwright stated DPU was in good financial shape. The proposed budget does not anticipate rate increases in Electric, Water and Wastewater rates in the coming fiscal year. The proposed budget will provide the Department with the resources to continue to meet the following obligations:

- Providing DPU customers with the best possible service at the lowest possible rates
- Providing a reasonable return on investment for the City of Orangeburg
- Maintaining and investing in utility infrastructure to meet the challenges of the future

In conclusion he expressed the goals set for ourselves were indeed ambitious, but was confident that with hard work, diligence and the continued leadership and support from Mayor and Council that DPU will meet and exceed its goals.

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

ADMINISTRATIVE DIVISION PROJECTS

Project #1 - Prepaid Meter System

Total Project Cost:	\$380,000
Expenditures to Date:	\$ None
Estimated 2001-2002 Cost:	\$380,000

A new project to provide customers with an alternate payment option for electric service. The prepaid meter system is designed to assist customers with financial difficulties. It will give customers the opportunity to manage and lower their electric usage and the cost of their electric service through the use of a prepaid meter system. The system will consist of an electronic prepaid meter, a digital display unit placed in the home, an electronic card and accompanying software.

Project #2 - Administrative Building Modifications

Total Project Cost:	\$975,000
Expenditures to Date:	\$ None
Estimated 2001-2002 Cost:	\$500,000

A new proposed project to rearrange and expand our office building in order to provide better access for our customers to pay bills and conduct other business at the main office building, and provide for more office space and maximum employee productivity.

ELECTRIC DIVISION PROJECTS

Project #1 - Cross Town 115 KV Transmission Tie

Total Project Cost:	\$1,986,000
Expenditures to Date:	\$ 430,000
Estimated 2001-2002 Cost:	\$1,000,000

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 but now Open Access on the wholesale level 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:	\$1,640,000
Expenditures to Date:	\$ 909,000
Estimated 2001-2002 Cost:	\$ 731,000

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

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fault occurs anywhere on the grid, the section affected can be readily isolated allowing the remaining system to continue to function without interruption.

Project #3 - Geographical Information System

Total Project Cost:	\$1,377,000
Expenditures to Date:	\$ 52,000
Estimated 2001-2002 Cost:	\$ 800,000

Continuation of an ongoing project to allow all DPU computer systems to be integrated. The benefit will be a much-improved mapping and response to outages, not just electric but all the Divisions of the Department of Public Utilities. This project will take a number of years to complete.

Project #4 - Russell Street – Streetscape Project

Modifications and Improvements to Electric Facilities and Street Lights Along Russell Street

Total Project Cost:	\$330,400
Expenditures to Date:	\$ 7,400
Estimated 2001-2002 Cost:	\$323,000

Continuation of an ongoing project in conjunction with the City's planned Streetscape project on Russell Street. This project will include installing a new underground lighting system and traffic control system for Russell Street from Broughton to Doyle Street.

GAS DIVISION PROJECTS

No Projects for Fiscal Year 2001-2002

Tommy Miller, Director of the Gas Division presented a Summary of Changes and Events that are affecting the way natural gas is purchased by the Department of Public Utilities.

WATER DIVISION PROJECTS

Project #1 - Installation of Microfiltration Residuals

Management System at the Water Plant

Total Project Cost:	\$1,594,000
Expenditures to Date:	\$ 756,634
Estimated 2001-2002 Cost:	\$ 837,366

Continuation of a project to install membrane treatment to provide efficient and cost effective disposal of water treatment plant residuals. Our plan is to install immersed hollow fiber microfiltration membranes into a portion of the existing residual equalization basin. The Water Plant residuals would be routed to the equalization basins and allowed to settle. Water would then be decanted and routed to the membrane treatment system. Two options would be available for the treated water. The water would be either reclaimed and routed to the post chemical mixing unit to be combined with the filtered water and then stored in the clearwell, or the treated water would be recycled and blended into the plant incoming raw water process flow. The concentrated solids would be withdrawn from the bottom of the equalization basins and disposed of into the sanitary sewer system.

Project #2 - Russell Street – Streetscape Project

Modifications to Water Services Along Russell Street

Total Project Cost:	\$78,100
Expenditures to Date:	\$ None
Estimated 2001-2002 Cost:	\$78,100

Continuation of a project in conjunction with the City's planned Streetscape project on Russell Street. This project will replace approximately 40 service lines along Russell Street from Broughton Street to Doyle Street. The scope of this project has changed some since last year. This project now includes work within the Court House Square area. Presently, most of the service line material is galvanized pipe. Copper will be

used as the replacement material. Those services that have adequate service line material will only have the meters relocated.

Project #3 - Modifications to the 1974 Raw Water Pumping Station

Total Project Cost:	\$975,000
Expenditures to Date:	\$ 40,421
Estimated 2001-2002 Cost:	\$934,579

Continuation of a project to modify the existing 1974 Raw Water Pumping Station so as to expand the capacity from 24 million gallons per day (MGD) to 36 MGD and provide the Water Treatment Plant with an emergency raw water pumping capacity of 28 MGD.

WASTEWATER DIVISION PROJECTS

Project #1 - Russell Street – Streetscape Project

Mainline Rehabilitation and Service Line Replacement

Total Project Cost:	\$98,300
Expenditures to Date:	\$ 3,000
Estimated 2001-2002 Cost:	\$95,300

Continuation of project in conjunction with the City's planned Streetscape project on Russell Street. This project will rehabilitate approximately 564' of 8-inch (8") mainline with Institutform, replace approximately 23 service lines, and install approximately 23 clean-outs along Russell Street between Doyle Street and Church Street. Presently, most of the service line material is cast iron soil pipe or "Orangeburg" pipe.

This completed the proposed project presentations by the Directors.

Mayor Miller thanked Fred Boatwright and his staff for the informative presentation and stated he and all the members of Council appreciate the good work that comes out of DPU.

Mayor Miller presided over the first reading of the ordinance to adopt a budget for the operation of the Department of Public Utilities for Fiscal Year October 1, 2001 through September 30, 2002.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to accept the first reading of an Ordinance to adopt the 2001-2002 Annual Budget for the Department of Public Utilities. Council voted 5-0 to approve the Budget on 1st Reading.

There being no further business, the meeting was adjourned by Mayor Miller.

Respectfully submitted,

Becky A. Austin

Becky A. Austin
Secretary to Manager
Department of Public Utilities



CITY COUNCIL MINUTES

August 21, 2001

Orangeburg City Council held a Public Hearing for public comments on an Ordinance to Raise Revenue and Adopt a Budget for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 2001, and ending September 30, 2002.

Mayor Miller opened the first Public Hearing for comments.

City Administrator Yow stated that the total City Budget was \$14,138,579. There was no tax increase and the millage would remain at 72 mills. There were no further comments.

A second Public Hearing was held for discussion on a Local Law Enforcement Block Grant Award in the amount of \$64,831.00. DPS Director Davis stated, "Based on population and crime index, the Department of Public Safety has recently been awarded funding under the Local Law Enforcement Block Grant Program by the U.S. Department of Justice in the amount of \$64,831. Acceptance of this grant will require a 10% program match from the City of Orangeburg in the amount of \$7,203. The total amount of the program is \$72,034. This Local Law Enforcement Block Grant was requested to fund the following: Improve officer transportation, supplement the training necessary to respond to emergency incidents, and enhance and purchase computer equipment and software. Acceptance of funding will continue our partnership with the U.S. Department of Justice in the furtherance of this important Criminal Justice Program. The grant awards are based on population and crime index.

Councilmember Haire asked, "Do you know if equal weight is given as it relates to size or to crime index?"

Director Davis stated, "He was not completely familiar with the formula."

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to close the Public Hearings. This motion was unanimously approved.

City Council entered into its regularly scheduled meeting with Mayor Miller presiding. An invocation was given by Father Michael J. Polewczak of the Holy Trinity Catholic Church.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts

ABSENT:

Joyce W. Rheney

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the August 7, 2001, City Council Minutes as distributed. This motion was unanimously approved.

**CITY COUNCIL MINUTES
AUGUST 21, 2001
PAGE 2**

A motion was made by Councilmember Haire, seconded by Councilmember Jernigan, to approve the August 13, 2001, Special City Council Minutes as distributed. This was a 4-0 vote. Councilmember Knotts abstained from voting as she was not present at the meeting.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance Amending the Budget for the City of Orangeburg, SC., for the Fiscal Year beginning October 1, 2000 and ending September 30, 2001. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve Second Reading of an Ordinance to Raise Revenue and Adopt a Budget for the City of Orangeburg, SC, for the Fiscal Year beginning October 1, 2001 and ending September 30, 2002. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, for approval of authorization for City Administrator Yow to accept the Local Law Enforcement Block Grant in the amount of \$72,034. This motion was unanimously approved.

City Administrator Yow asked Council for approval to award a contract for the City/DPU Combined Audit for Fiscal Years 2001-2004 to C.C. McGregor and Company in the amount of \$116,690. He stated, "There is a letter in your packet from Mr. Boatwright to me stating his recommendation for the award of this audit bid. Also, included is a memo from me to you concurring with Mr. Boatwright's opinion. Although, we had two reputable accounting firms, we recommend to award contract to C.C. McGregor, especially with regards to the combined audit and in regards to the work experience with this firm, I would recommend that City Council award the audit bid for Fiscal Years 2001-2004 to C.C. McGregor and Company.

Councilmember Haire asked, "What is the rationale for four years?"

City Administrator Yow stated, "That is recommended by the Governmental Accounting Standards Board. They do not recommend you go any longer than that."

A motion was made by Councilmember Jernigan, seconded by Councilmember Haire, to approve awarding the contract for City/DPU Combined Audit for Fiscal Years 2001-2004 to C. C. McGregor and Company in the amount of \$116,690. This motion was unanimously approved.

City Administrator Yow asked Council to approve an Ordinance authorizing the Municipal Association to collect all business licenses for telecommunications companies. The MASC has been acting as the City's agent for collections on property and casualty licenses and will be collecting for the City on life insurance licenses. The MASC has a strong data base with these companies doing business.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance to amend Chapter XII of the Code of Ordinances for the City of Orangeburg, South Carolina, for the purpose of levying a Business License Tax on Telecommunications. This motion was unanimously approved.

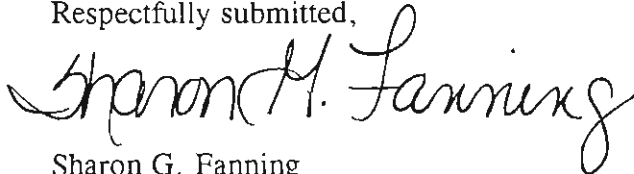
Councilmember Haire asked that the appointments to the Construction Board of Adjustments and Appeals and the alternates for this Board be carried over until the next meeting. City Administrator Yow asked that any additional nominations be given to him prior to the next meeting.

**CITY COUNCIL MINUTES
AUGUST 21, 2001
PAGE 3**

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, 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, 2001 and ending September 30, 2002. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

September 4, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 4, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Haire.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the August 21, 2001, City Council Minutes as amended. This motion was unanimously approved.

Ms. Doris Jamison, Deputy Director of Public Housing for the South Carolina Regional Housing Authority #3, presented Mayor Miller and DPS Director Davis a check in the amount of \$43,077.51 to reimburse the City a portion of the costs of providing community policing in the vicinity of the St. Paul Apartment Complex.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance Amending the Budget for the City of Orangeburg, SC., for the Fiscal Year beginning October 1, 2000 and ending September 30, 2001. 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 Raise Revenue and Adopt a Budget for the City of Orangeburg, SC, for the Fiscal Year beginning October 1, 2001 and ending September 30, 2002. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to amend Chapter XII of the Code of Ordinances for the City of Orangeburg, SC, for the purpose of levying a Business License Tax on Telecommunications. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to reappoint Mr. G. W. Berry and Mr. Louis Boone, to a four year term, to the Construction Board of Adjustments and Appeals and Mr. Jimmy Evans and Mr. Marion Black, to a one year term, as an alternate to the Construction Board of Adjustments and Appeals. This motion was unanimously approved.

Mayor Miller proclaimed September 17-21, 2001, as Industry Appreciation Week. He presented Mr. Hal Johnson, Executive Director of the Orangeburg County Development Commission, a Proclamation for Industry Appreciation Week.

Mayor Miller proclaimed the Character Trait for September 2001, as "Truthfulness". He presented Ms. Dede Blewer, Executive Director of the Chamber of Commerce with a Proclamation.

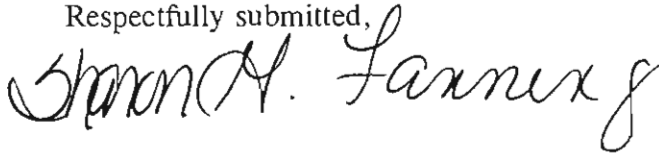
A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities for Fiscal Year beginning October 1, 2001 and ending September 30, 2002. This motion was unanimously approved.

**CITY COUNCIL MINUTES
SEPTEMBER 4, 2001
PAGE 2**

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to authorize Mayor Miller to execute agreements between the Department of Public Utilities and the County of Orangeburg to provide wastewater service to an area west of the Edisto River. These agreements include: (1) Transportation and Treatment (Wholesale Wastewater) Agreement, (2) Wastewater Collection System Operation and Maintenance Agreement, Wastewater Collection System Billing, Collections and Administrative Agreement. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

September 18, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 18, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Bert Williams of Northside Baptist Church.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
L Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Keitt, to approve the September 4, 2001, City Council Minutes. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to amend Chapter XII of the Code of Ordinances for the City of Orangeburg, SC, for the purpose of levying a Business License Tax on Telecommunications. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to appoint Mr. Howard Roe, Manager of the Jameson Inn to the Accommodations Tax Advisory Committee. He will serve as a lodging industry member. This motion was unanimously approved.

City Administrator Yow asked Council to authorize the purchase of .51 acres located at 1025 Broughton Street from Mr. Elden E. Nelson, II, for \$60,000.00. He stated, "The property is between Broughton and Oliver Streets and would be used for a public parking lot. The purchase of the property is part of the City's plan to provide more parking spaces for downtown merchants. It will also allow for the intersection at Broughton and Russell Street to be standardized with the left turn lane for left turns only and the right turn lane for straight through traffic and right turns. To do that we have identified several parking spaces along Broughton we would have to remove. The City wants to add parking before taking parking away. We hope to make changes along with the Streetscape Project."

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to pass a Resolution authorizing the purchase of .51 acre owned by Elden E. Nelson, II, for a total sum of \$60,000.00 and amend the original Resolution to change the language to allow a loading and unloading space for Mr. Nelson instead of just a parking space. This motion was unanimously approved.

City Administrator Yow asked for Council's authorization to transfer property located at 255 Cuttino Street to the Department of Public Utilities for consideration of \$150,000.00. DPU Manager Boatwright explained that the property will be developed into a new parking lot that will be needed when the planned office space expansion takes place.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to pass a Resolution to transfer fixed assets 255 Cuttino Street to the Department of Public Utilities. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the closure of Langston Street from Oliver to Cuttino Streets. This motion was unanimously approved.

CITY COUNCIL MINUTES
SEPTEMBER 18, 2001
PAGE 2

City Administrator Yow asked Council to accept a grant offer from the Federal Aviation Administration in the amount of \$947,746 for an Airport Improvement Project. He stated that this funding would be used to install perimeter fencing to acquire land for environmental mitigation and to move any obstructions. "The fencing has been excluded from funding and in the City budget in hopes of getting the grant. The land acquisition for environmental mitigation will include tree cutting and clearing in the wetland areas. The required purchase of property will occur near or adjacent to the Airport. The removal of obstructions is for the existing runway. If the runway is expanded or additional instrument landing is included, then more clearing will be required."

A motion was made by Councilmember Haire, seconded by Councilmember Jernigan to authorize City Administrator Yow to accept the grant offer from the Federal Aviation Administration in the amount of \$947,746.00 for Airport Improvement Project. This motion was unanimously approved.

Mayor Miller expressed his gratitude to Mayor Pro Tem Keitt for serving on Council for thirteen years and as Mayor Pro Tempore for twelve of those years. "I've been on Council for six years and I have enjoyed my experience working with you. I will miss you."

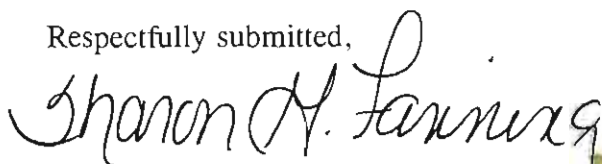
Mayor Pro Tem Keitt responded, "I have enjoyed every moment on Council. I intend to do some traveling, but I'll still be around Orangeburg."

There were no utility matters brought before Council.

A motion was by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for personnel matters concerning the Department of Public Utilities, Administration Department, Executive Department and Municipal Court.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb





RESOLUTION

A RESOLUTION AUTHORIZING AGREEMENTS BETWEEN THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES AND THE COUNTY OF ORANGEBURG TO PROVIDE WASTEWATER SERVICE TO AN AREA WEST OF THE EDISTO RIVER

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, Department of Public Utilities and the County of Orangeburg enter into the following agreements dated September 4, 2001 whereby the City of Orangeburg, Department of Public Utilities will provide wastewater service to an area west of the Edisto River:

- Transportation and Treatment (Wholesale Wastewater) Agreement
- Wastewater Collection System Operation and Maintenance Agreement
- Wastewater Collection System Billing, Collections and Administration Agreement

BE IT FURTHER RESOLVED, THAT HIS Honor Paul A. Miller, Mayor, be, and he is hereby authorized and directed to sign said agreements on behalf of the City of Orangeburg.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the agreements be accepted; and

RESOLVED BY City Council duly assembled this 4th day of September, 2001



MAYOR

Paul A. Miller
James H. Hairs
Sandra P. Kuth
L. Zimmerman
Keith
Members of Council
James H. Hairs
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning
CITY CLERK

**A RESOLUTION AUTHORIZING THE PURCHASE OF PARCELS A & B,
CONTAINING .51 ACRE OWNED BY ELDEN E. NELSON, II, FOR THE TOTAL
CONSIDERATION OF \$60,000.00**

WHEREAS, the City of Orangeburg has entered into a construction contract for streetscape improvements in the downtown area of the City of Orangeburg; and

WHEREAS, the City of Orangeburg finds that it is in the public's best interest that additional parking be provided at suitable locations; and

WHEREAS, for said purpose the City of Orangeburg has negotiated the purchase of the below described property for the consideration of Sixty Thousand and No/100(\$60,000.00) Dollars,

NOW, THEREFORE, BE IT RESOLVED, by the City Council duly assembled, that the City Administrator is hereby authorized to purchase the below described property for a total consideration of Sixty Thousand and No/100(\$60,000.00) Dollars, reserving to the owner (Grantor) of said property a loading and unloading space to be located along the southeastern wall of the building of the owner (Grantor) located on retained property of the owner (Grantor) and being located along the northwestern boundary of Parcel A.

BE IT FURTHER RESOLVED, that the City Administrator is hereby authorized to sign and deliver any and all other documents necessary to complete the purchase of said property in accordance with the above conditions.

Description of property:

All those certain pieces, or lots of land with any improvements thereon, situate, lying and being in the City of Orangeburg, County of Orangeburg, State of South Carolina containing a total of .51 acre and being set forth and shown as Parcels A & B on a plat prepared for the City of Orangeburg by Engineering Resources Corporation, approved by Kevin M. Bair, P.E., P.L.S., dated August 31, 2001, and individually having the following boundaries and measurements:

Parcel A:

Northeast by the right-of-way of Broughton Street and measuring thereon, 9.88 feet; Southeast by Parcel B and other property of the City of Orangeburg, 154.82 feet and 25.90 feet, Southwest by the right-of-way of Oliver Street and measuring thereon, 11.50 feet; and Northwest by other property of the Grantor, Elden E. Nelson, III, 180.70 feet.

Parcel B:

Northeast by the right-of-way of Broughton Street and measuring thereon, 132.41 feet; Southeast by an alley, separating subject property from property now or formerly of G & G Investments, 154.12 feet, Southwest by other of the City of Orangeburg, 134.06 feet; and Northwest by Parcel A described hereinabove, 154.82 feet.

DONE IN COUNCIL ASSEMBLED THIS 18th **DAY OF SEPTEMBER 2001.**

ATTEST:

CLERK



MAYOR

MEMBERS OF COUNCIL

**A RESOLUTION TO AUTHORIZE TRANSFER OF FIXED ASSETS TO THE
DEPARTMENT OF PUBLIC UTILITIES**

WHEREAS, the below described property is a fixed asset of the City of Orangeburg; and

WHEREAS, the Department of Public Utilities finds that it is necessary to utilize the below described property for expansion purposes; and

WHEREAS, the City of Orangeburg and its Department of Public Utilities have negotiated a transfer of the fixed asset of the City of Orangeburg to the Department of Public Utilities in consideration of One Hundred Fifty Thousand and No/100(\$150,000.00) Dollars,

NOW, THEREFORE, BE IT RESOLVED, by the City Council duly assembled, that the City Administrator and the Manager of the Department of Public Utilities are hereby authorized to transfer the below described property from the fixed assets of the City of Orangeburg to the fixed assets of the Department of Public Utilities upon payment of the sum of One Hundred Fifty Thousand and No/100 (\$150,000.00) Dollars by the Department of Public Utilities to the general fund of the City of Orangeburg,

BE IT FURTHER RESOLVED, that the City of Orangeburg and the Department of Public Utilities shall share equally in the cost of obtaining a judicial closing of the below described property described as Parcel E and designated on the below described plat as Langston Street.

Description of property:

All those certain pieces, parcels or tracts of land, with any improvements thereon, situate, lying and being in the City of Orangeburg, County of Orangeburg, State of South Carolina and being designated as Parcels A, B, and E on a plat prepared for the Orangeburg Department of Public Utilities by Engineering Resources Corporation, approved by Kevin M. Bair, P.E., P.L.S., dated August 8, 2000, revised August 2, 2001 and together having the following boundaries and measurements:

Northeast by the right-of-way of Oliver Street, 418.92 feet; Southeast by the right-of-way of Fischer Street, 130.98 feet; Southwest by the right-of-way of Cuttino Street, 409.81 feet; and Northwest by the right-of-way of Oliver Street, 145.61 feet.

DONE IN COUNCIL ASSEMBLED THIS 18th **DAY OF** SEPTEMBER 2001.

ATTEST:

CLERK



MAYOR

MEMBERS OF COUNCIL

CITY COUNCIL MINUTES

October 2, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 2, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Nate McMillian from Petra Ministries International.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

Mayor Paul A. Miller, Councilmembers Charles B. Barnwell, Jr., Trelvis A. Miller and Joyce W. Rheney took their Oaths of Office administered by City Attorney Walsh.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the September 18, 2001, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to elect Councilmember Bernard Haire as Mayor Pro Tem. This motion was unanimously approved.

Mayor Miller presented Department of Public Utilities Manager Boatwright, a thirty year service pin. He started with the Department of Public Utilities on September 20, 1971.

Mayor Miller presented to Orangeburg County Chamber of Commerce President Dede Blewer, a Proclamation proclaiming "Hospitality" as the Character Trait for the month of October, 2001.

City Administrator Yow asked Council for authorization to grant a construction easement and a permanent easement to Site Consultants, Inc., for construction of a wastewater utility line. He stated that this is the firm that represents Orangeburg County in the Edisto Drive Sewer Project. Also, City Attorney Walsh and Department of Public Utilities Manager Fred Boatwright have reviewed this easement. "Although we support the concept of the easement, I would like authorization to review with City Attorney Walsh and change a few words in it."

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to authorize City Administrator Yow to grant a construction easement and a permanent easement to Site Consultants, Inc., for construction of wastewater utility line with proposed changed verbage. This motion was unanimously approved.

City Administrator Yow stated that on September 19, 2001, the City of Orangeburg applied for a grant from the Federal Aviation Administration (FAA) for the referenced project entitled Partial Obstruction Removal for Runway 17/35 and Fencing Project for \$947,746.00. The amount applied for equals 90% of the total cost of the Project. LPA prepared project drawings and specifications for this Project before submitting the grant request. We advertised for bids on this Project and received thirteen bids with C.F. Evans and Company being the apparent low bidder. Their bid of \$603,549.12 was \$432,681.88 under the Engineer's Estimate of \$1,036,231.00. On September 25, 2001, Public Works Director Durwood Bowden, received a letter from Mr. Andy Busbee of LPA recommending that the City of Orangeburg award the contract for this Project to C.F. Evans and Company. He proposed that we increase the as-bid quantities to maximize the effectiveness of this

CITY COUNCIL MINUTES
OCTOBER 2, 2001
PAGE 2

project. The value of this recommended increase of \$236,545.00 brings the total contract award to \$840,094.12. He agreed with Mr. Busbee's analysis of the bids and suggestion as to the best utilization of the funding. "I recommend Mayor and Council award this contract to C. F. Evans and Company for \$840,094.12. Councilmember Barnwell asked, Why the project was increased above the actual bid?" City Administrator Yow stated, "The consulting engineers had made an estimate on the grant amount the FAA planned to award. When the bid came in lower, areas that will need to be cleared were identified, pending approval of FAA. When a bid is under the amount awarded, the FAA often allows the money to be used for other items or expansion of project.

A motion was made by Councilmember Haire, seconded by Councilmember Rheney to award C.F. Evans the contract for Partial Obstruction Removal for Runway 17/35 and Fencing Project at the Orangeburg Municipal Airport in the amount of \$840,092.12. This motion was unanimously approved.

City Administrator Yow stated that we recently applied for a grant from the South Carolina Department of Commerce, Division of Aeronautics for 50% of the cost of applying a surface treatment to the recently resurfaced apron area at the Municipal Airport. This surface treatment will protect the asphalt surface from damage caused by the fueling operations. On September 21, 2001, the South Carolina Department of Commerce, Division of Aeronautics, made an offer to pay 50% of the cost of the project, which equals \$5,670.00. City Administrator Yow recommended that Mayor and Council approve the City to accept this offer.

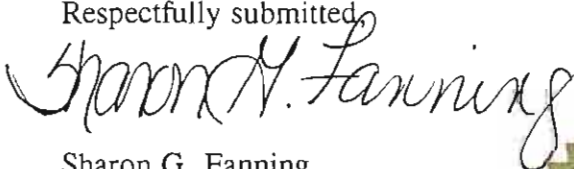
A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to accept the grant from the South Carolina Department of Commerce, Division of Aeronautics, and to authorize City Administrator Yow to sign the documents. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Rheney, seconded by Councilmember Knotts, to enter into an Executive Session for legal matters concerning Time Warner Cable Franchise and City Council Redistricting. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb





OATH

"As Mayor, _____ 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 the State of South Carolina and of the United States of America. So help me God."



Paul G. Miller

MAYOR

October 2, 2001

DATE

Sworn before me this 2nd Day
of October, 2001.

Paulette F. Blackwell

Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07



OATH

“As Council Member 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 the State of South Carolina and of the United States of America. So help me God.”



James W. Roney
COUNCIL MEMBER

October 2, 2001
DATE

Sworn before me this 2nd Day
of October, 2001.

Paulette F. Blackwell
Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07



OATH

"As Council Member 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 the State of South Carolina and of the United States of America. So help me God."



Charles B. Blackwell Jr.
COUNCIL MEMBER

Oct 2, 2001

DATE

Sworn before me this 2nd Day
of October, 2001.

Paulette F. Blackwell
Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07



OATH

“As Council Member 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.”

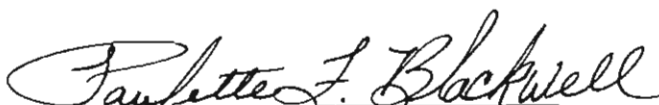
“I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office, to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of the State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




COUNCIL MEMBER

10-2-01
DATE

Sworn before me this 2nd Day
of October, 2001.


Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07

CITY COUNCIL MINUTES

October 16, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 16, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Knotts .

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

A motion was made by Councilmember Rheney, seconded by Councilmember Knotts, to approve the October 2, 2001, City Council Minutes as amended. This motion was unanimously approved.

City Administrator Yow told Council that the Proclamation for Ms. L. Zimmerman Keitt will be presented to her at a dinner honoring her on October 22, 2001.

City Administrator Yow presented Council with a Resolution to increase suburban fire protection contract rates by 5%. He stated, "The contract rates are charged to property owners outside the City that receive the benefits of the City's fire services and are in the fire district which receive lower insurance premiums. The new rates reflect the increased costs of providing fire services to residents outside the City limits. During the budget cycle, Council looks at the rates and the cost to operate fire service. As our costs increase, City Council deems it appropriate to increase those rates accordingly. Most of these costs are directly related to property outside the City limits. In fact, 66% to 70% of the fire calls are outside the City. Last week, of the 18 calls received, 17 were from outside the City. Also, the service charge for those who live outside the City limits and do not purchase a fire contract will remain the same at \$1,000 plus the price of a contract."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve a Resolution to set Suburban Fire Protection Rates as authorized under Section 18-4.2 of the Code of Ordinances of the City of Orangeburg. This motion was unanimously approved.

City Administrator Yow told Council that nominations were needed for election to the City/County Industrial Park Commission. He stated, "As each of you know the City and County went together on building an Industrial Park on 301. During the negotiable process there was a Commission set up that has representatives from each elected body and also DPU Manager Boatwright and Mr. Donnie Hilliard, Mayor Cheatham and Councilmember Miller. Mayor Miller will now go in the mayor's slot and it will be necessary for City Council to appoint one other person."

Mayor Miller stated, "The Commission meets bi-monthly and for special called meetings. This Commission is responsible for the City/County Industrial Park."

City Administrator Yow told Council that nominations to the Firemen's Inspection and Insurance Fund/Supervisory Board were needed. He stated, "As insurance premiums are collected in a location from homeowners or business owners, a certain amount of that money is sent to the State Treasurer. Based upon the area a fire department covers, a certain amount of the money is sent back to the location. In the state statute there must be a Supervisory Board. The Mayor has traditionally been a member of that along with a Councilmember and the Director of Public Safety. We've traditionally had a three member board. A municipality can opt to have a five member board."

**CITY COUNCIL MINUTES
OCTOBER 16, 2001
PAGE 2**

This would not mean more persons appointed from City Council but would mean one or two persons from our citizenry. First, Council would need to decide if they want to stick with a three member board. Then only one person would be needed other than the Mayor."

DPS Director Davis stated, "The monies are used for the Public Safety Camp and retirement fund for the public safety officers. These monies are not used for fire equipment."

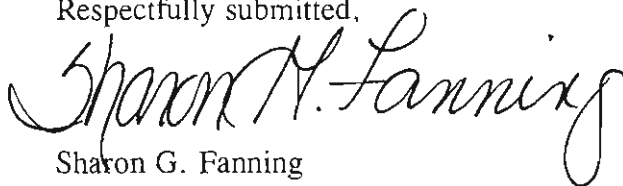
City Administrator Yow asked Council for nominations to the Legislative/City/County Task Force. City Council was invited to a meeting on January 8, 2001, at South Carolina State University. Also in attendance were County Council Members and our Legislative Delegation. The purpose of this original meeting was to discuss the possibility of ongoing meetings to address issues and opportunities that may arise between the City and County and even the Legislative Delegation. It was generally agreed upon at that meeting that each group would appoint three representatives. The leader of each elected body would be the Mayor, Chairman and two Councilmembers. We will need two nominations for that task force. The City Administrator and Manager of the Department of Public Utilities would also be members. Mayor Miller stated, "Councilmembers who have the time and are interested in serving on any of the above mentioned Boards or Commissions should inform the City Administrator before the next meeting. Additional nominations may be made at the Novmeber 6, 2001 meeting."

There were no utility matters brought before Council.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to enter into an Executive Session for a legal matter concerning Set-off Debt Litigation. This motion was unanimously approved.

There being no further the business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

SGF/pfb

City





RESOLUTION

RESOLUTION OF CITY COUNCIL TO SET SUBURBAN FIRE PROTECTION RATES AS AUTHORIZED UNDER SECTION 18-4.2 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG SOUTH CAROLINA

WHEREAS, the City of Orangeburg, South Carolina provides fire protection and other related services to the suburban areas outside the city; and

WHEREAS, a large Majority of the emergency calls are in the suburban areas; and

WHEREAS, the City incurs substantial costs in providing this service; and

WHEREAS, the City strives to maintain and improve its level of Public Safety services.

NOW THEREFORE, BE IT RESOLVED, that the Orangeburg City Council sets the rate for fire protection for annual suburban fire contract protection, effective October 16, 2001 , as follows:

SUBURBAN FIRE PROTECTION RATES

1.	1st house less than 900 square feet	\$ 67.00
	All other miscellaneous structures on same lot	\$ 47.00
2.	1st house 900 square feet to 1499 square feet	\$ 94.50
	All other miscellaneous structures on same lot	\$ 75.00
3.	1st house 1500 square feet to 2099 square feet	\$101.00
	All other miscellaneous structures on same lot	\$ 81.00
4.	1st house 2100 square feet to 2699 square feet	\$108.00
	All other miscellaneous structures on same lot	\$ 88.00
5.	1st house 2700 square feet to 3299 square feet	\$114.00
	All other miscellaneous structures on same lot	\$ 94.50
6.	1st house 3300 square feet to 3899 square feet	\$121.00
	All other miscellaneous structures on same lot	\$101.00
7.	1st house 3900 square feet and larger	\$128.00
	All other miscellaneous structures on same lot	\$108.00
21.	Single Wide Trailer	\$ 67.00
22.	Double Wide Trailer	\$ 94.50
23.	Mobile Home Park, Each Single Wide Trailer	\$ 67.00
	Mobile Home Park, Each Double Wide Trailer	\$ 94.50
31.	Apartments less than 900 square feet - 1st apt.	\$ 67.00
	All other apartments	\$ 47.50
32.	Apartments 900 square feet or larger - 1st apt.	\$ 94.50
	All other apartments	\$ 75.00
33.	Duplex, each apartment less than 900 square feet	\$ 67.00
	Second Duplex, less than 900 square feet	\$ 47.50
34.	Duplex, each apartment 900 square feet or more	\$ 94.50
	Second Duplex, 900 square feet or more	\$ 75.00
35.	Apartments less than 900 square feet with laundry	\$ 67.00
	All other apartments	\$ 47.50
41.	Vacant Lot not exceeding 5 acres	\$ 58.00
42.	Vacant parcels larger than 5 acres	\$ 87.00
51.	Business less than 1200 square feet	\$101.00
52.	Business 1200 square feet or larger	\$235.00
53.	Mall-shopping Complex	
	Under 1200 Square feet (each unit)	\$101.00
	1200 Square feet or Larger (each unit)	\$235.00
54.	Storage Warehouse - up to 3000 square feet	\$116.00

61.	Industrial, Manufacturing, or Institutions 1500 square feet to 100,000 square feet	\$1,158.00
62.	Industrial, Manufacturing, or Institutions over 100,000 square feet	\$1,737.00
63.	Hospitals	\$5,788.00
71.	Gasoline Service Stations	\$272.50
72.	Gasoline Service Station and Convenience Store with Underground Tanks	\$367.50
73.	Gasoline Service Station and Convenience Store with Above ground Tanks	\$435.00
74.	Gasoline Bulk Plant	\$602.50
81.	Dumpster Sites (per site), or Manned Convenience Stations (per site)	\$133.50
99.	Unassigned (do not accept payment)	
	All vehicle fires	\$350.00

No contracts: When the Department of Public Safety responds to a residential call without a valid contract, the minimum service charge will be \$1,000.00 plus the price of the contract. All institutions, commercial or manufacturing calls will be billed for actual costs with a minimum charge of \$1,000.00 plus the cost of the fire contract. Fire reports will not be issued until the service charge is paid in full.

DONE AND RATIFIED BY Council duly assembled this 16th of October, 2001.



Paul G. Miller

Mayor

James H. Haire
James A. Phares
Dandra T. Knotts
Charles B. Brumfield
John Miller
Hubert J. Jones
 Council Members

Attest:

Sharon M. Fanning
 City Clerk

CITY COUNCIL MINUTES

November 6, 2001

Orangeburg City Council held a Public Hearing on Tuesday, November 6, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. The purpose of the Public Hearing was for review and receipt of public comments on proposed plans for City Council Redistricting.

Mayor Miller opened the Public Hearing.

City Attorney Walsh stated, "Every ten years after the census we normally make adjustments to our Council Districts in order to have equal population in each district. Once we adopt a new district map, we have to submit it to the Justice Department for a Section 5 clearance. The Justice Department reviews the maps. They are looking to determine if these districts are compact, if residents of the districts have common goals, political interests and have geographical, political boundaries and subdivisions. Since the 1990 census have interpreted various requirements of the Fourteenth Amendment and the Voting Rights Act. Whereas in the past, race has somewhat been a predominant issue in doing districts, they now rule that race cannot be the dominant sole consideration. The Justice Department has sixty days to approve it or reject it or they can ask for additional information in which an additional sixty days can run. Our districts need to be changed as a result of the 2000 census because of two material things that happened in the past ten years. One, in the 1990 census there were errors made in that the student population at Claflin University and South Carolina State University were incorrectly placed outside the University boundaries. Nine-hundred and forty-one students were placed in District 3. The Universities were not a part of District 3. The 2000 census corrected that error and the students were actually placed on the campuses at the Universities. The other thing that happened is that we annexed the remaining portion of South Carolina State University and that area was placed in Council District 4. As a result of those two things, District 3 went from a student population of 941 to 0. District 4 went from 104 to 1,037 students. In District 5, where most of the students were placed in the 1990 census, it went from 1,348 to 685 students. As a result of those two issues that were changed, District 3 is minus 36%, District 4 is plus 54% and District 5 is minus 32%. As a result of that, I contacted the Bureau of Statistics in Columbia. We did nothing more (referring to Plan 1,) than adjust the districts to place the students where they were mistakenly placed in the 1990 census. The result of that was District 3 was extended to the east and basically there is a strip that goes through the center of the City and in most places it is no more than one city block. It goes across and picks up these students mainly at Claflin University. In District 5, it picked up students from South Carolina State University. Both of these take students away from District 4 based on the census. Based on the population, Plan 1 was in the range as required by the Voting Rights Act and the Constitution. The problem with that district is that District 3, being an unusual shaped district is made worse. It is just a strip through the middle of the City. Councilmembers then went to Columbia and as a result of that, Plan 2 was developed. Plan 2 took in the 549 students from District 4 to District 5 and 1,144 students remain in District 4. District 4 now contains Claflin University students and a portion of South Carolina State University students and District 5 takes in students of the newly annexed area of South Carolina State University. That plan meets the population requirements in all districts. That plan creates District 3 which is a compact district. District 3, 4 and 5 are fairly compact as opposed to Plan 1 where District 3, goes through the center of the City limits. Both of those plans met the population requirements. Plan 1 does have a problem in District 3, which is called a strip district, being not so compact as districts are on Plan 2. In all likelihood, the Justice Department would look more favorably on Plan 2 than on Plan 1. In addition, the NAACP has presented a plan."

Mr. William Wilson, President of the Orangeburg Branch of the NAACP and Mr. Dwight James, Executive Director of the South Carolina State Conference of the NAACP, presented an alternative plan for redistricting. Mr. Wilson stated, "After careful review and much study of the City's plan, the Orangeburg NAACP Branch feels that the plan the City is proposing does not comply with Section 2 of the Voting Right's Act which provides minorities with the best opportunities with the

**CITY COUNCIL MINUTES
NOVEMBER 6, 2001
PAGE 2**

other members of the election who participate in the political process and to elect representatives of their choice. It dilutes the voting strength of minorities by cracking, stacking and packing and thus minimizing the number of minority districts. We feel that the two plans presented by the City are compacted districts where there is high voter participation, which is irregular. We feel our district lines are more defined and are drawn along main arteries to better represent communities of interest. We also feel the proposal we are presenting reflects the census count and represents the percentage of population of the City of Orangeburg and has cleaner lines. In addition, we feel our plan encompasses the main arteries of the City with distinguished lines. In closing, the Orangeburg Branch of the NAACP would like to encourage City Council to consider this plan as the best plan for the City."

Mayor Miller stated, "In the plan presented by the NAACP, Councilmember Barnwell would be out of his District."

Councilmember Barnwell stated, "Also, my two opponents would be out of District 3."

Ms. L. Zimmerman Keitt stated, "A word to this Council to try to make the best decision that will work for Orangeburg. When you think about the plans, regardless of where you live you have to think about the total constituents that's important. Because you notice that South Carolina State University and Claflin University does not vote here in Orangeburg at all unless they live in the City area in houses where they have addresses. They do not count as voting power until we can change that process where we can get the students to vote. We need to work out some plans where these young people can vote. They're spending their monies here. The revenues would not be as great for Orangeburg if the Universities were not here."

Hearing no other comments, the Public Hearing was closed.

Council entered into regular session immediately following the Public Hearing. An invocation was given by Service Department Director Roger D. Brant.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the October 16, 2001, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Miller and DPU Manager Boatwright presented Mr. Hercules Berry, a DPU employee, a Retirement Resolution and watch for his twenty-eight years and nineteen days service to the City. He retired on September 30, 2001.

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Haire, to accept Plan 2 and send it to the U.S. Justice Department for approval. This was a 6-1 vote. Councilmember Miller opposed this motion.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to amend Section 2-3.1, Chapter II, of the Code of Ordinances for the City of Orangeburg, South Carolina for the purpose of establishing six (6) Municipal Council Districts. This was a 6-1 vote. Councilmember Miller opposed this motion.



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY J.C. CONSTRUCTION, INC. OF LUGOFF, SOUTH CAROLINA IN THE AMOUNT OF \$855,905.00 FOR MODIFICATIONS TO THE 1974 RAW WATER PUMP STATION

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on October 4, 2001 for modifications to the 1974 Raw Water Pump Station; and

WHEREAS, the responsible bid for this work was submitted by J.C. Construction, Inc. of Lugoff, South Carolina in the amount of \$855,905.00; 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.

RESOLVED BY City Council duly assembled this 6th day of November, 2001.



Paul G. Haire
MAYOR

Bernard Haire
Sandra P. Knott

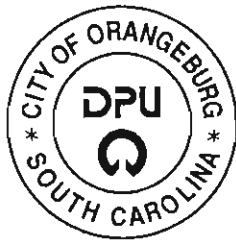
Charles B. Burnwell Jr.
Julius Miller

Chas. J. Jagan

James W. Sheneff
MEMBERS OF COUNCIL

ATTEST:

Thom A. Lanning
CITY CLERK



RESOLUTION

WHEREAS, Hercules Berry, faithfully served the Department of Public Utilities of the City of Orangeburg for twenty-eight years and nineteen days with a retirement date of September 30, 2001; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially recognize the faithful service rendered to the Department of Public Utilities in the capacities in which he served the Department and we take pride in commending 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 Department of Public Utilities, be placed in the Minute Book of the City and a copy furnished to Mr. Berry in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 6th day of November, 2001.



Lawrence M. Min

Mayor

Virginia P. Lister

Charles D. Johnson

Jeffrey R. Cherry

Charles B. Bunnell

Benjamin H. Hain

Theresa S. Miller

Members of Council

ATTEST:

Sharon H. Lanning
City Clerk

**CITY COUNCIL MINUTES
NOVEMBER 6, 2001
PAGE 3**

Council nominated Councilmember Knotts to the City/County/Industrial Park Commission. Councilmember Barnwell was nominated to the Firemen's Inspection and Insurance Fund/Supervisory Board. Councilmembers Miller and Jernigan were nominated to the Legislative/City/County Task Force.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to accept the slate for nominations as presented. This motion was unanimously approved.

Mayor Pro Tem Haire asked that discussion of speed limits on Magnolia Street be held due to citizens and his personal concerns about this. He stated, "The speed limit between the 21 By-Pass on Magnolia Street and Clark Street is 40 MPH and once you get to Clark Street it drops to 30 MPH from Clark Street to the area in front of the fairgrounds where the speed limit is 30 MPH. I'm not saying that the intent of this was for a speed trap but it in essence provides that for citizens in that if they are driving on Magnolia and are heading for Russell Street, South Carolina State University, Claflin University or Clark Street that the speed limit changes. If an individual is not really attentive on what they're doing, they can very quickly pass the 30 MPH speed limit sign and not really realize they have passed from one speed zone to another. I want to make the speed limit uniform through that stretch."

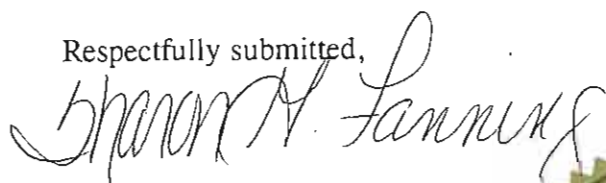
A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to instruct City Administrator Yow to contact the SCDOT to change the speed limit from the 21 By-Pass to Zeus to 30 MPH. This motion was unanimously approved.

Mayor Miller presented Ms. Terry Boone, Representative from Orangeburg County Chamber of Commerce, and Mr. Harry O'Quinn, a Proclamation proclaiming the Character Trait, "Generosity" for November 2001.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller to pass a Resolution to accept the low bid of \$855,905.00 from J.C. D. Construction, Inc., of Lugoff, South Carolina, for modification to the 1974 Raw Water Pump Station #3. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

November 20, 2001

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 20, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Buddy Phillips of St. Andrews United Methodist Church.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

Mayor Miller announced that the Orangeburg County Chamber of Commerce President presented City Council with the Chairman's Award in appreciation of all the outstanding support and service to the Orangeburg County Chamber of Commerce.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the November 6, 2001, City Council Minutes. This motion was unanimously approved.

City Administrator Yow presented to Council for Second Reading, an Ordinance to amend Section 2-3.1, Chapter II, of the Code of Ordinances for the City of Orangeburg, South Carolina for the purpose of establishing six (6) Municipal Council Districts. He stated that everything remained the same as the first reading except City Attorney Walsh inserted November 6, 2001, as the official map date.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to amend Section 2-3.1, Chapter II, of the Code of Ordinances for the City of Orangeburg, South Carolina, for the purpose of establishing six (6) Municipal Council Districts.

At this time Mr. Willie B. Owens, Representative of the Orangeburg Branch of the NAACP, asked to be heard. Mayor Miller explained that a Public Hearing had already been held at the previous meeting on this subject. Council allowed Mr. Owens to address them prior to Second Reading of the Ordinance.

Mr. Owens asked, "What happened to the first plan, was that plan presented to the City as a whole? My second question is, "How many plans were presented to the City?"

Mayor Miller responded, "There were three plans presented, Plan 1, Plan 2 and Plan 3."

Mr. Owens asked, "Was Plan 1,2, and 3 discussed at your first hearing?"

Mayor Miller responded, "Yes sir."

Mr. Owens stated, "First of all when we drew our first plan, we talked to the Mayor and he asked that we submit the plan. That was prior to the election of City Councilmembers. At that time, there was no incumbent in District 3. I was told, in my absence, as I was out of town on business during the first reading, that was one of the reasons you so hurriedly threw our plan out or failed to give our plan any consideration, because you found out there were two persons, City Councilmembers in the same district."

PAGE 2

Mayor Miller clarified that Mr. Owens was speaking on Plan 3 and there were three candidates for Councilmembers in the same district that would no longer be in that district in Plan 3. He stated he told Mr. Wilson that when the plans were delivered to this office for review.

Mr. Wilson stated, "For clarification when I submitted the Plan to your office, nothing ever came up about three Councilmembers. The words that were used during that presentation was, I hope you don't monkey around with district 3. Later, you discovered and your words were yes, you all did monkey around with District 3. Just for a correction, nothing was said about the three Councilmembers being in the same district."

Mayor Miller stated, "I did say to you that the three gentlemen that were running were not in District 3 in the plan you created."

Mr. Wilson stated, "I believe you did."

Mr. Owens stated, "I would like you to look at the Plan I am presenting (Plan 4) since we had two persons in the same district, Councilmember Rheney and Councilmember Barnwell, I don't think there's a time limit on presenting a plan. There were no time limits presented to me as such. I've dealt with this the last thirty years and I've dealt with this one the last time in 1991. The census in 1991, you had 13,739 people in the City. Since that time it has shrunk to 12,675. Looking at the changes in the demographics and what occurred since that time, we had a minority population in 1991 of 8,226 persons. Today, according to your sense of definition, we have a minority population of 8,618 which I see an increase in minority population of 392 persons. A way that change occurs is a large portion is in District 3, which was not affected in your plan; however, it is affected in my plan. I see an attempt to draw a saw tooth plan. If you look at how the City has drawn District 3, it is kind of like a jigsaw puzzle. I know that we can draw a more clear and defined plan than we have here which is called City District Map 2. I also see that the more things change, the more they remain the same, but it should not be so in drawing our districts based on our population. It does call for a change in demographics in District 3. I also see that in adopting this Plan, you will attempt to dilute a certain segment of the population and we have a serious problem with that. I don't think it would take a demographer to look at District Plan 2 and do an analysis of what is taking place. I'm asking that this Council not do things just for individual self gratification, but do it for the benefit of the City. If you look at the map, it reflects years of gerrymandering and it does not have to be so. That's a part of Orangeburg City, one indeed we are not proud of. I've stood up here before talking about annexation. I ask that you step back from the table and look at the map and demographics placed before you. You can see it more adequately represents what Orangeburg City should be the first ten years of the 21st Century. I hope you take your job seriously and you attempt to be fair and not be too politicalized in your decision."

Councilmember Miller asked, "The City presented two maps to the public, where the NAACP only presented one. Is there an alternative solution or another map where we may come to a solution where it doesn't take a Councilmember out of their district?"

Mr. Owens stated, "This map doesn't take a Councilmember out of the district. This map keeps each Councilmember in his or her district and it's not a jigsaw puzzle and it is easily read and it is a long clear and defined line and you can easily identify where you are and also where the populous may be."

Councilmember Barnwell asked, "Why wasn't this plan presented before the first reading? I think you're out of order"

Mr. Owens stated, "This plan was not presented initially before the first reading because I was out of town and I was not aware that I had you and Councilmember Rheney in the same district."

Councilmember Barnwell stated, "That isn't Council's fault."

Mr. Owens stated, "But it does not close the door on presenting a fair and equitable plan for the City of Orangeburg."

PAGE 3

Councilmember Barnwell stated, "I think if you already had a reading on three plans and you come in with another plan, I'm not sure that would be appropriate."

Mr. Owens stated, "That's why you have three readings. You're not taking care of everything in one reading. You can have a third reading and you can change the plan you adopt in the third reading. I'm well aware of the process and I know how it works."

Mayor Miller stated, "I appreciate your willingness. For the record, this needs to be called Plan 4, not Plan 2, because we have already identified the first three plans. I don't know at this point without having this Plan to look at physically in front of me, it doesn't mean anything to me."

Mr. Owens stated, "A workshop needs to take place to plan and digest this map. It does make sense for this Council to take enough time to study what's being proposed by a group of citizens to look at the Plan to see if it's feasible."

City Attorney Walsh stated, "I want to bring to Council's attention that the ad in the paper stated that any Plans be submitted by Monday, October 22, 2001, and to consider another Plan, I think we would have to go back and have another Public Hearing and notice in the paper."

Mr. Owens stated, "I'm looking at content and substance. I will meet you at the Justice Department. The problem is I want to make sure that the citizens of the City of Orangeburg get a fair share in providing six districts for the City based as closely as possible, one man, one vote, and community interest that this plan does not dilute the voting right of any citizens in Orangeburg."

Councilmember Jernigan asked, "What are the differences in Plan 4 and Plan 2?"

Mr. Owens stated, "The major differences are that we changed two block groups. We swapped block groups from 1 to 3 and put 1 in 3 and took 1 out of 3. The block group that Mr. Barnwell is in was District 1, so I put that block group in District 3 where it is supposed to be because he ran in District 3. I pulled a small block group out of District 3."

Councilmember Jernigan asked, "What's the difference in this plan you are referring to and the Plan we have accepted on first reading?"

Mr. Owens stated, "There's a big difference. It does not represent the population change and demographics change in that district; the saw tooth method upon which this district was drawn. You have a lot of gerrymandering in that district." Plan 2 was looked at on the board. "I know good and well we can draw a better district than that. If you submit that, you are going to hear from me."

Councilmember Rheney stated, "Mr. Owens, do you realize Ms. Knotts, Ms. Keitt, Mr. Jernigan, Mr. Miller and myself went to Columbia and worked the numbers and maps and everybody agreed at the time that the lines were good."

Mr. Owens stated, "Yes. I stood before this Council in 1989 and that this Council voted unanimously that this City did not need representation and they passed it. We filed suit and we came back and got redistricting. So it doesn't mean that if you vote unanimously that you are unanimously right."

Councilmember Rheney stated, "At the time we were in Columbia it seemed fair and we worked hard."

Mr. Owens stated, "I spent quite a lot of time working on mine. We have no interest in one person or another. Our total interest was in behalf of the City of Orangeburg. I disagree with Council."

Mayor Miller thanked him for bringing this to Council. I'm not totally sure at this point what to say because City Attorney Walsh has said that Plans should be submitted prior to a certain date. I think we need to go ahead with the second reading."

PAGE 4

City Attorney Walsh stated, "You don't have to."

Councilmember Rheney stated, "There is a motion on the floor already."

A motion had previously been made. Mayor Miller called for the question.

This was a 6-0 vote in favor of adopting the Second Reading of an Ordinance to amend Section 2-3.1, Chapter II, of the Code of Ordinances for the City of Orangeburg, South Carolina for the purpose of establishing six (6) Municipal Council Districts. Councilmember Miller abstained from voting.

Councilmember Miller asked to address Council. "Being the newest Councilmember here, I've taken my time and done my homework and I've observed now five different Plans. I wasn't the one who went to Columbia and had a shake in the two Plans. I personally feel that there is a meeting ground in order to appease everyone. We need to take the opportunity to look at ourselves to realize what's best for the people."

Mayor Miller thanked him.

City Administrator Yow asked for discussion of informal and formal processes for initiating renewal of Cable Television Franchise with Time Warner Cable.

City Attorney Walsh discussed the formal and informal process. He recommended to start both processes and have a Public Hearing under the formal process and have an informal process going at the same time.

Mayor Pro Tem Haire asked, "Before anything is given to Time Warner, can there be a Public Hearing first?"

City Attorney Walsh stated, "Yes."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to have a Public Hearing to begin the formal process. This motion was unanimously approved.

Ms. Dede Blewer, Executive Director of the Orangeburg County Chamber of Commerce, updated Council on the progress for expansion of Orangeburg County Chamber of Commerce Building and initial discussion for extension of lease agreement. She stated, "The expansion project is doing very well. Contractually, West Summers has been secured for preliminary drawings and these are in their final stages. City Administrator Yow will review the drawings after completion. The next step is securing a civil engineer and then a few more issues need to be worked out before prepping the site with easements and wastewater. The engineer should be secured next week in order to fine tune the drawings. The lease agreement and extension of the lease needs to be discussed with City Administrator Yow." City Administrator Yow stated that the plans also include an office for a DPS officer for the Gardens and possibly a Resort Vehicle Park.

City Administrator Yow asked Council for authorization to accept SC Department of Commerce Airport Grant in the amount of \$50,000.

City Administrator Yow stated, "In our construction of Runway 17/35 the State has participated with the FAA and the City by a 5% match on certain project costs. At a prior meeting, Council has accepted a grant and authorized a 5% match on \$947,746.00. We have actually already authorized \$52,387.00. I'm not sure why they have rounded off to \$900,000 at this point. I want to bring to your attention we did accept 47,000 FAA amount and the State is only participating at \$900,000"

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, for authorization. This motion was unanimously approved.

There were no DPU matters brought before Council.

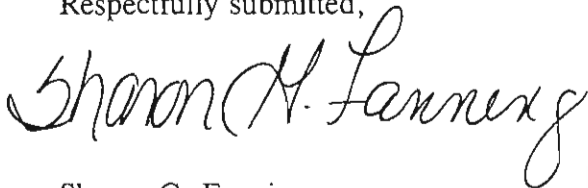
PAGE 5

A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan, to enter into an Executive Session for a legal matter concerning Set-Off Debt Litigation. This motion was unanimously approved.

Council then entered back into open session. A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to authorize the City Administrator and DPU Manager to settle the Set-Off Debt Litigation as discussed in Executive Session. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

December 4, 2001

7:00 P.M.

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 4, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Rick Bennett of First Baptist Church.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the November 20, 2001, City Council Minutes. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to cancel the January 1, 2002, City Council Meeting as it falls on New Year's Day. This motion was unanimously approved.

Mrs. Bernice Tribble, DORA Manager, asked Council for their approval of a plan to provide temporary shuttle service for shoppers during the Streetscape Project renovations. She stated that a golf cart that can carry six or seven people is available for \$6,000. Volunteers from DORA would drive the cart providing shuttle service for merchants in the construction area. After the Streetscape the cart would be used for parades and festivals. She asked that Parks and Recreation, Public Works and DORA each divide the cost of the cart.

Councilmember Barnwell raised issues on liability. He stated, "If a car comes through and kills four people, I don't think the City wants to assume that responsibility. "City Attorney Walsh stated, "DPU is already in litigation with the SC Department of Motor Vehicles over the licensing of golf carts. "

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to take this issue under advisement until Council knows about the liability insurance. This motion was unanimously approved.

Hearing was held on the suspension and revocation of business license for Silver Selections at 1488 St. Matthews Road. City Administrator Yow told Council a business license was renewed on May 4, 2001, at 1549 Broughton Street for the business Silver Selections. In late September, the owner of the business came to the City to make a change of address for her business license. The new address is 1488 St. Matthews Road. The license was inadvertently issued by the City. The license is in error because the property at 1488 St. Matthews Road is residential, not commercial, and therefore, improperly issued contrary to law. It was brought to the attention of the City Administrator's office during the week of November 25th that a business was operating inappropriately in a residential zone. In accordance with City Code, the owner has been notified that their business license is suspended.

Mrs. Anne Love, owner of Silver Selections, told Council that she wanted to appeal her business being shut down immediately. She stated, "I operated a business on Boulevard right out of Julie's Gifts. I moved out of Julie's Gifts to Broughton Street because I was growing and I needed more room. My business grew and I outgrew the Broughton Street location. I wanted to go on the St. Matthews Road. I really did not know that this was a residential area. I know all businesses are

PAGE 2

going out in that direction. I went to City Hall and I told them I wanted to apply for a business license for 1488 St. Matthews Road. The girl pulled it up on the computer and printed it out. I figured it was alright to operate a business. Ms. Fanning called me Friday and she told me I could not operate a business there because it was zoned residential. Ms. Burch brought me the paperwork Monday. That's why I'm here. I was issued the license so I figured I could operate it. I later found out I couldn't." City Administrator Yow stated, "My position, and Attorney Walsh is in agreement, that the license has been suspended, pending Council's decision on revocation. Council could immediately revoke her license." Mrs. Love stated that this was her busiest time of the year, Valentine's and Christmas. "If I'm put out of there right now means somebody's cut my wings out from under me." Mrs. Love asked for an extension of time until after Valentine's day. City Administrator Yow stated, "This was brought to my attention last week even though the business license was issued in September. There is no doubt a business license was issued to Mrs. Love erroneously but there has been some discrepancy involved. Some City employees have said she was instructed to go to zoning to have the business license approved. She did not come back that day but came back at a later time and asked another lady at the counter for her business license. I don't know what happened, I wasn't there. I'm just summarizing what was stated by some City employees. I'm not trying to say who's 100% right. I think there's some responsibility with all parties involved, the business owner, the property owner and City staff. I was going to recommend to Council that we do not immediately revoke Mrs. Love's license because we are party to this. I was going to recommend we allow her to operate until January 4, 2002. This will give her time to have any returns or conduct an after Christmas sale. I was hoping Council could allow her to do that."

Councilmember Barnwell stated, "My concern is someone coming to us and saying well you're allowing someone to operate a business in a residential area."

City Administrator Yow stated, "You raised a good point and we have had a complaint. If you look at the Ordinance the Hearing we're having now is to be held at a time within thirty days of the service of the letter. If she had not agreed to be here she could have requested a Hearing within thirty days. I don't think we're granting her anything outside of the Ordinance."

Councilmember Barnwell stated, "I think the only thing we can do based on your recommendation is allow her the license as suspended right now. Until January 4, 2002, thereafter, I don't think Council has any authority. The property owner is going to have to go through the proper procedures to get the property rezoned."

City Administrator Yow stated, "If a rezoning is applied that in no way implies that a business can operate during that interim period."

A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan, to allow the business of Silver Selections to operate until February 15, 2002. This failed on a 2-5 vote. Mayor Miller, Mayor Pro Tem Haire and Councilmembers Knotts, Barnwell and Miller opposed this motion.

motion was made by Councilmember Miller, seconded by Councilmember Barnwell, to allow the business to continue until January 4, 2002. This motion was unanimously approved.

City Administrator Yow asked for Council's approval on the Third Reading of an Ordinance to amend Section 2-3. 1, Chapter II, of the Code of Ordinances for the City of Orangeburg, South Carolina for the purpose of establishing six (6) Municipal Council Districts.

Mr. Willie B. Owens, Representative for the NAACP, asked to speak to Council for sixty seconds.

Mayor Miller stated that he had received and answered a letter from Mr. Owens yesterday in which a request was made for a meeting with Council at 6:00 P.M. before the Council meeting. He did respond back in writing and on the answering machine. "For the record, basically what I said was I appreciate your desire to want to meet, however, as we indicated at our last Council meeting on November 27th, the time for filing plans for consideration expired on October 22, 2001. Furthermore, a Public Hearing was held on Plans 1, 2, and 3, in which Plan 3 was the Plan submitted by the

NAACP. Additionally, due to timing of your latest request this would be improper to hold a special meeting of City Council without a Public Notice." Mr. Owens stated, "I am here to request that you delay action on your Third Reading in the name of political gestures. I realize what you said a few seconds ago, but I thought we really followed the procedure. Due to the statements I made in the letter are the reasons why things were done like they were, I just ask that you not hastily make this decision. I think we have adequate time to do this. I don't necessarily think you have to have one Public Hearing. I think most cities have two or three Public Hearings. The County has three on reapportionment. Considering the fairness of the process which will last for ten years, we want a lot of openness that gives everyone an opportunity to make a fair pitch about reapportionment. It's up to you as City Council. I was hoping you will be politically astute in this matter. Thank you very much for your consideration."

A motion was made by Councilmember Jernigan, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to amend Section 2-3. 1, Chapter II, of the Code of Ordinances for the City of Orangeburg, South Carolina for the purpose of establishing six (6) Municipal Council Districts. This was a 6-0 vote. Councilmember Miller abstained from voting.

Mayor Miller presented Ms. Dede Blewer, Executive Director of the Orangeburg County Chamber of Commerce, a Proclamation proclaiming the Character Trait, "Wisdom" for the month of December 2001. Assistant City Administrator Harley asked Council for their approval to pass a Resolution authorizing a Master Lease Agreement in the amount of \$501,500 for rolling stock to the low bidder, Ashford Capital, at 2.767% for three years, He stated the rolling stock being lease-purchased is a front loader commercial garbage truck, grapple unit, service truck and seven DPS vehicles.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to pass a Resolution authorizing execution and delivery of a Master Lease Agreement with Ashford Capital at 2.767% for \$501,500 for three years. This motion was unanimously approved.

Public Works Director Bowden asked for approval to purchase a front loading sanitation truck from Heil Environmental Industries, LTD. He stated, "We included \$160,000 in our current Budget for the purchase of a replacement commercial garbage truck. In deciding on the appropriate truck and equipment to recommend for purchase, we reviewed our experience with the three (3) front loaders we now own and operate as well as looking at two different makes available. The first one was a McNeilus Atlantic Series Front Loader that we saw demonstrated at a trade show we attended. The second was a Dempster High-Compaction Front Loader demo that our employees tested on one of our routes. Both of these front end loaders already exhibited stress damage to the sides of their packer bodies similar to what we experienced with the Pak-Mor. There were also operational problems with the Dempster front end loader. We concluded from our evaluation that the Heil "Classic" Full Eject 28 cubic yard front loader mounted on a Mack Cab and Chassis is still the best value for the City of Orangeburg and that it will best enable us to continue to meet our customers' expectations. "

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the purchase of a front loading sanitation truck from Heil Environmental Industries, LTD, for \$154,275.00. This motion was unanimously approved.

Parks and Recreation Director Smith told Council that Parks and Recreation had submitted a \$30,000 grant application to the National Recreation Foundation for the operation of a multi-sports camp for at-risk youth. The Camp would be operated for two summers and targets approximately 40 boys and girls ages 10 to 12. This grant required no local match but to enhance the application, a commitment was made to use budgeted materials and supplies to partially operate the camp. He recommended that Council accept the grant and to authorize the City Administrator to sign the agreement on behalf of the City.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Haire, to accept the \$30,000 National Recreation Fund Grant to operate a multi-sports camp for at-risk youth and have City Administrator Yow sign the agreement. This motion was unanimously approved.

PAGE 4

There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to enter into an Executive Session for a contractual matter concerning the SC Pipeline, Incorporation. This motion was unanimously approved.

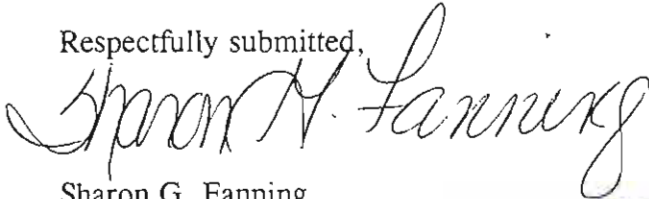
Council entered into open session.

DPU Manager Boatwright asked Council for consideration to pass a Resolution authorizing himself, as Manager of the Department of Public Utilities, to execute a precedent agreement dated November 16, 2001, effective date between DPU and SC Pipeline, Incorporation for the purpose of natural gas transportation. He stated, "This is not the best agreement, we do object to the price; however, I recommend that you authorize me to sign it."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to pass a Resolution to authorize the DPU Manager to enter into an agreement with SC Pipeline, Incorporation for the purpose of natural gas transportation. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb





RESOLUTION

A RESOLUTION AUTHORIZING THE MANAGER OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG TO EXECUTE A PRECEDENT AGREEMENT DATED NOVEMBER 16, 2001 BETWEEN THE DEPARTMENT OF PUBLIC UTILITIES AND THE SOUTH CAROLINA PIPELINE FOR THE PURPOSE OF NATURAL GAS TRANSPORTATION

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

That the Department of Public Utilities and South Carolina Pipeline enter into a Precedent Agreement for the purpose of natural gas transportation between South Carolina Pipeline and the City of Orangeburg effective November 16, 2001;

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 Precedent Agreement 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 Precedent Agreement on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 4th day of December, 2001.



Paul A. Mini
MAYOR

Samuel Haire
Sandra R. Hottel
Charles B. Brumfield
William A. Miller
Chad D. Jones
James L. Hensley
MEMBERS OF COUNCIL

ATTEST:

Spencer H. Fanning
CITY CLERK



RESOLUTION OF GOVERNING BODY

At a duly called meeting of the governing body of Lessee held in accordance with all applicable legal requirements, including open meeting laws, on the 4th day of December, 2001, the following resolution was introduced and adopted:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 01, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the governing body of the **City of Orangeburg** ("Lessee") desires to obtain certain equipment (the "Equipment") described in Equipment Schedule No. 01 to the Master Lease Agreement (collectively, the "Lease") with **Sun Trust Leasing Corporation**, the form of which has been available for review by the governing body of Lessee prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with **Sun Trust Bank** (the "Escrow Agent") pursuant to an Escrow Agreement between Lessee and the Escrow Agent (the "Escrow Agreement") and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Lessee proposes to enter into the Lease with **Sun Trust Leasing Corporation** and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Lease and the Escrow Agreement (collectively, the "Financing Documents") in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The City Administrator of Lessee and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The City Administrator of the Lessee and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code.



James M. Min
Mayor

Samuel Haire
Dorinda T. Knotts

Charles B. Burchette

Julius A. Miller

Charles D. Dugger

James W. Rhines
Members of Council

Attest: *Sharon M. Lanning*
City Clerk

CITY COUNCIL MINUTES
December 18, 2001
7:00 P.M.

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 18, 2001, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Ernest C. Etheredge of Trinity United Methodist Church.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to approve the December 4, 2001, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Jim Sulton and Mrs. Geraldynne Zimmerman, Chairpersons for the Orangeburg Cemetery Committee gave Council a brief history of the Cemetery and thanked them for all the support given to the restoration of this Cemetery. Mr. Buster Smith distributed the new brochures depicting the restoration and history of the Orangeburg Cemetery.

Mr. Fred Broughton, Chairman of the Accommodations Tax Advisory Committee, told Council that the Commission met on December 13, 2001 to review requests for funds. The Committee made the following recommendations:

1. The Orangeburg County Chamber of Commerce be designed as the lead agency.
2. All funds except \$50.00 be disbursed among the eligible entities. (Funds not disbursed to keep account open.)
3. The Orangeburg County Fine Arts Center receive \$2,500.00 for the Festival of Roses 2002 fee for entertainment on the River Stage and along Riverside Drive.
4. The City of Orangeburg Parks and Recreation Department receive \$3,250.00 for Children's Garden Christmas rack cards, Orangeburg Cemetery brochures and the remainder toward ads.
5. The Orangeburg County Chamber of Commerce receive \$10,200.00 for tourism related requests.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney to accept the recommendation from the Accommodations Tax Advisory Committee. This motion was unanimously approved.

Assistant City Administrator Harley told Council that the Truck Route Ordinance needs to be amended to update the names of some of the streets. This amendment is due to name changes that have occurred because of the implementation of the County's Emergency 911 services. The following are the changes:

Old Street Number & Name

New Street Number & Name

1. 100-400 Riverside, SW
2. 1400-Up Boulevard, SE

100-400 Stonewall Jackson Blvd
Charleston Road

Also, Joe S. Jeffords Boulevard is now the name for the section of U.S. 21/178 By-Pass between Charleston Road and Five Chop Road. He stated he would bring this item back for First Reading of an Ordinance at the next City Council Meeting on January 15, 2002.

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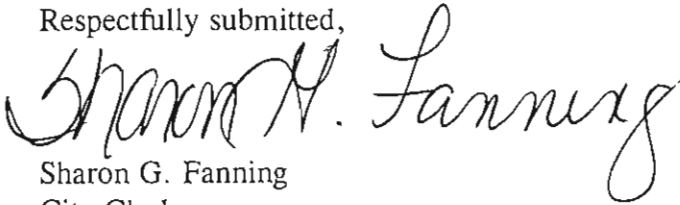
City Administrator Yow informed Council that individuals on the Board of Zoning Appeals, Planning Commission and Aviation Commission are scheduled for expiration in January 2002. He stated that this matter would be listed as an agenda item at the January 15, 2002, City Council Meeting. Councilmembers are encouraged to provide nominations prior to January 10, 2002. Mr. Yow volunteered the staff's assistance if any Councilmember has questions.

DPU Manager Boatwright announced that DPU won the Engineering Excellence Award for the DPU Centennial Park from the SC Society of Consulting Engineers.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Haire, to enter into an Executive Session for a personnel matter concerning the Municipal Court.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb

