

CITY COUNCIL MINUTES

January 15, 2002

7:00 P.M.

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 15, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Roger Brant, Director of the City's Service Department.

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 Miller, seconded by Councilmember Knotts, to approve the December 18, 2001, City Council Minutes as distributed. This motion was unanimously approved.

Ms. Mary Hudson, Representative of Orangeburg National Bank, presented Council with a framed document recognizing Council for demonstrating the Character Trait of Wisdom in creating the Edisto Memorial Gardens.

City Administrator Yow announced that a Public Hearing would be held on February 19, 2002, at 7:00 P.M., for discussion of the Time Warner Cable Franchise Renewal.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to appoint Ben Davis (At large), Paul Moon (District 1), Rion Salley, (District 3) and L. Zimmerman Keitt (District 5) to the Board of Zoning Appeals. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to appoint Randy Snell (At large), Harris Davis (District 1), Don Tribble, (District 3), and Mia Buck (District 5) to the Planning Commission. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to appoint A. J. Hutto (At large), Reverend Dr. William H. Phillips, (District 1), E. O. Hudson (District 3) and Joe Glover (District 5) to the Aviation Commission. This motion was unanimously approved.

Mayor Miller presented Ms. Dede Blewer, Executive Director of the Orangeburg County Chamber of Commerce, a Proclamation naming "Punctuality" as the Community Character Trait for the month of January 2002.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance amending Chapter 9-13.3, Truck Routes Established, of the Code of Ordinances for the City of Orangeburg, South Carolina, for the purpose of changing street names to correspond with the appropriate E-911 address. This motion was unanimously approved.

There were no utility matters brought before Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning
 Sharon G. Fanning
 City Clerk



CITY COUNCIL MINUTES

February 5, 2002

7:00 P.M.

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 5, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Rheney.

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 Jernigan, to approve the January 15, 2002, City Council Minutes as distributed. This motion was unanimously approved.

Miss April Cary, reigning 2002 Queen of Roses, presented to Council her platform of bringing the youth and elderly together through the performing arts.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance amending Chapter 9-13.3, Truck Routes Established, of the Code of Ordinances for the City of Orangeburg, South Carolina, for the purpose of changing street names to correspond with the appropriate E-911 address. This motion was unanimously approved.

Mayor Miller proclaimed February's Community of Character Trait as "Compassion". He presented Ms. Dede Blewer, Executive Director of the Orangeburg County Chamber of Commerce, with a Proclamation.

Mr. Joe Binnicker of C.C. McGregor and Company presented the City's FY 2000-01 Audit to Council. He stated that the City and the Department of Public Utilities' financial status is strong. The City's General Fund had \$774,000 excess revenues over expenditures and the Department of Public Utilities had a six percent (6%) increase in retained earnings. Orangeburg Municipal Airport had an operating loss of \$77,000 that was covered by a General Fund transfer. Hillcrest Pro Shop and Golf Course had a total loss of \$80,000, some of which was depreciation expenses tied primarily to new cart paths and parking lot.

Mayor Pro Tem Haire asked about an audit disclaimer that allowed for the risk of material error and fraud not being detected. Mr. Binnicker stated, "An audit tests controls and there is no way to test every check and receipt. There are no material weakness in internal controls and no compliance problems. There may be some smaller items that don't turn up. This is pretty standard language for any audit to have in it."

Mayor Miller thanked him for his report.

Public Works Director Bowden asked Council for their approval of a truck and grapple unit. He stated, "We included \$80,000.00 in our current budget for the purchase of a replacement grapple unit used for yard trash collection. The unit being replaced has been in service for ten (10) years. Over the past several weeks, our Sanitation and Garage Divisions have worked together to identify the type grapple unit that will best meet our needs. There are several manufacturers of grapple units in the southeast with each having some degree of uniqueness to their unit. Because of the varying degrees of uniqueness, we could not establish a standard set of specifications we could send to each

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for bids. Therefore, we established our own list of minimum design and operating requirements that would meet our operating and safety needs. We requested proposals from four (4) vendors for a grapple unit meeting or exceeding these designs and operating requirements mounted on a 2002 FL-70 Freightliner Cab-Chassis. We received proposals from all four (4) vendors with one vendor submitting two (2) proposals. We evaluated each proposal against our minimum standards and checked references as needed. We recommend the purchase of the Nu Life Model 1700A manufactured in Easley, South Carolina and distributed by Public Works Equipment and Supply, Inc. of Monroe, North Carolina, for \$71,000 plus \$300.00 South Carolina Sales Tax.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to approve the purchase of a truck and grapple unit at a cost of \$71,300.00 from Public Works Equipment and Supply, Inc. This motion was unanimously approved.

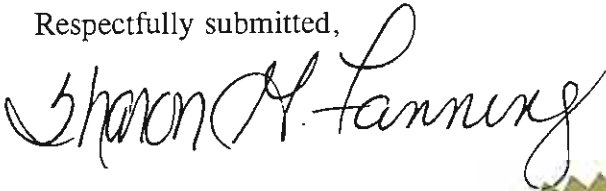
City Administrator Yow presented the FY 2002-03 Budget Calendar to Council. A date will be set for the full day Budget Retreat with Council at the next meeting.

DPU Manager Boatwright told Council that the Public Service Commission ruled unanimously against DPU's petition concerning the upcoming hearings in the natural gas case. He stated, "Three of three of our motions have been denied. The latest setback means that DPU will be under a very tight time schedule to prepare for the hearing on the extremely complex issue."

A motion was made by Councilmember Miller, seconded by Councilmember Barnwell, to enter into an Executive Session for a legal matter concerning a litigation case with the Public Works Department and a personnel matter concerning the Department of Public Safety.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

February 12, 2002

12:30 P.M.

Orangeburg City Council held a Special City Council Meeting on Tuesday, February 12, 2002, at 12:30 P.M., in Council Chambers with Mayor Miller presiding.

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 presented to Council the "Community of Character" Flag. He suggested flying it at City Hall or the Plaza.

A motion was made by Councilmember Barnwell, seconded by Councilmember Rheney, to enter into an Executive Session for personnel matters concerning the Department of Public Safety. This motion was unanimously approved.

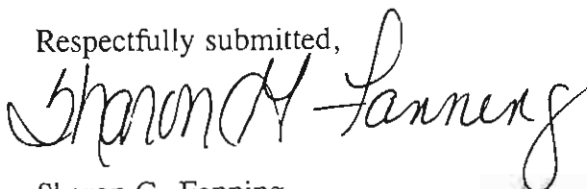
Council entered into open session.

A motion was made by Mayor Miller, seconded by Councilmember Jernigan, to remand this matter back to the Grievance Committee for the purpose of taking additional testimony and evidence which, may or may not, support the pattern of behavior as referred to in the Grievance Report dated January 17, 2002. The Grievance Committee should provide all information that includes use of force reports, training records of the employee, and any pertinent information pertaining to this individual.

Councilmember Barnwell asked that the motion be amended to include calling the investigating officer, Randy Hughes and any other individuals, to testify. Mayor Miller and Councilmember Jernigan agreed to this amendment. This was a 6-1 vote. Mayor Pro Tem Haire opposed this motion. Attorney Walsh stated the Hearing shall be scheduled within ten (10) days.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
 City Clerk

/pfb



CITY COUNCIL MINUTES

February 19, 2002

Orangeburg City Council held three Public Hearings on Tuesday, February 19, 2002, at 7:00 p.m. in Stevenson Auditorium with Mayor Miller presiding.

The invocation was given by Reverend Nate McMillan.

Mayor Miller opened the first Public Hearing on a Zoning Ordinance text change to permit upper-story, single-family dwelling units in a B-2 Central Business District. Mayor Miller asked Assistant City Administrator Harley to explain the text change to the Zoning Ordinance.

He explained the text changes and briefly outlined how those text changes would affect three sections of the Zoning Ordinance. He also added that this would further the Downtown Development in our Central Business District.

Mayor Miller asked if there was anyone in the public audience that would like to speak on this issue. Mrs. Edna Fischer, President of DORA, spoke on behalf of this issue. She stated that DORA was in support of the change to the Zoning Ordinance and thought it would enhance the Downtown area. Hearing no other comments or questions, Mayor Miller closed Public Hearing Number One.

Mayor Miller opened the second Public Hearing, which was an Amendment of the Official Zoning Map from A-1 Residential, Single-Unit District to B-1 General Business District. Mr. Warren Harley was asked by Mayor Miller to explain briefly. City Administrator Yow interjected that he had a letter from Councilmember Barnwell recusing himself from discussion or participation of voting on this matter.

Assistant City Administrator Harley then proceeded to explain information given to City Council, which was included in their packets, regarding the proposed zoning change. Mayor Miller asked if Council had any questions. There being no questions from Council, Mayor Miller then entertained those citizens who wanted to speak for or against the rezoning. He asked that they come to the podium and state their name and address.

Mr. John Gaskin of 1137 Nelson Street NE stated that he had been a resident of this area for thirty-one years and he stood in opposition of commercializing the area in which he lived.

Senator Brad Hutto, then spoke as attorney on behalf of those landowners who applied for the rezoning. He stated that since Interstate 26 had been built, Orangeburg has been growing toward the Interstate and that is why the business area has been growing on the St. Matthews Road. It was his opinion that it would be a wonderful opportunity for the City to participate in that growth in a managed way. All of the landowners want their land rezoned which would put them in a business district. He further stated, that the City would then be in a position to benefit from the taxes that would come from the development on the property and it was his opinion that in the scope of the way Orangeburg is growing, it would make good sense.

Mr. Leonard Sanford also spoke on behalf of the landowners who were also in favor of the proposed rezoning. Mr. Sanford stated that in his opinion, the way for Orangeburg to grow was to rezone for business. He pointed out that there was a lot of business growth just outside the City Limits and in order for the City of Orangeburg to gain more taxes and grow; rezoning was certainly going to be necessary.

Mr. Douglas Thomas, a resident of Nelson Street, spoke in opposition of the rezoning. He discussed the problems of traffic, speeding, and littering that already exist in the neighborhood. He stated that he appreciated the fact that Mr. Sanford had done some pretty impressive things with the property that he owns and he was contributing to the community at large but wanted Council to consider the community at hand and the impact that rezoning would have on the residential values.

Ms. Mary Jordan of 1219 Nelson Street shared concerns in opposition of the rezoning. She stated

that just as Orangeburg needed to grow in business, she felt that viable established residential areas should not suffer. As a ten year resident of the area, she had seen business move to her backdoor. She felt as if she is being forced out of the City as a resident because her neighborhood is becoming more business oriented instead of more residential oriented. She suggested to Council that they might even consider making Nelson Street a cul-de-sac to cut down on the business traffic.

Ms. Kristy Zukowski, also a resident of Nelson Street, spoke in opposition of the rezoning. She stated that she was in opposition of rezoning because she felt that her neighborhood had already experienced the downside of the commercial areas that back up to her property. She discussed the problems of noise level, speeding, and trash problems that the neighborhood had experienced. It was her opinion, that all of this would substantially increase if more of the neighborhood were rezoned for business.

There being no further comments or questions, the second Public Hearing was closed by Mayor Miller.

Mayor Miller opened the third Public Hearing to discuss the future cable television-related community needs and interests and performance of Time Warner Cable under its existing franchise with the City of Orangeburg for the period beginning May 1, 1995, and expiring on May 31, 2004.

Mayor Miller asked City Attorney Walsh to explain the purpose of this Public Hearing. Jimmy Walsh explained that this would be the first step in a formal process whereby the City would renew the franchise with the present cable operator. He went on explain that there were two processes that could be used, the formal process and the informal process. City Council has chosen to begin the formal process, which begins with a public hearing whereby the citizens may address the future needs of the community in regards to cable television and also any deficiencies that the present operator has failed to perform under the existing franchise agreement.

Mayor Miller stated that before City Council could hear from citizens, he wanted to make certain that the audience knew that Council could only hear from individuals who are residents of the City of Orangeburg because the cable franchise only deals with inside the city limits of Orangeburg. He also asked for a show of hands of those that wanted to address Council in this public hearing. The number that wanted to address City Council was eight.

Mayor Miller asked for those that wanted to address City Council to come to the podium and state their name and address. He also stated that the citizens of Orangeburg would be given an opportunity to speak and then representatives from Time Warner Cable would be allowed to address issues during the public hearing.

Mr. William Pearce of 1970 Broughton Street thanked Orangeburg City Council and the Time Warner representatives. He wanted to specifically thank Mayor Miller, Councilmember Rheney and Councilmember Knotts for their help in communicating with Time Warner. The problem that he has had with Time Warner Cable has centered around communications with the public. It was his opinion that Time Warner had gotten too big and busy to affectively deal with the public. He explained that in general, the local office never seemed to be able to give out useful information, the employees seemed to be reading from a script, there never seemed to be anyone available to discuss issues and they are not good at documenting information. He concluded that he thought that the attitude that Time Warner had was that they were the "only game in town."

Ms. Loretta Scott-Walker of 333 Treadwell spoke to strongly advocate for a basic optional equal opportunity package that would be affordable to diverse populations of seniors, university students, the disabled, and generally economically disadvantaged. She suggested that a return to an affordable package of \$15.00 - \$20.00 would benefit this population.

Mr. Robert Ford of 279 Treadwell Street suggested to Council that a cap be put on the cost of cable television. He voiced a concern of the increase that had taken place over the years. He also suggested more educational channels for young people.

Mr. John Smith, Director of the Orangeburg County Emergency Services, appeared in that capacity, as well as a citizen of the City of Orangeburg, to speak on the problems that he has encountered with Time Warner Cable. He went on to state that at one point in time he had the ability to brag at many conferences that Orangeburg, unlike many other places in the state, had the capability that most did not. Jones Intercable gave him the ability to override their cable system with an audio warning. They could simply dial in with a password and a code and warn citizens of impending threats such as severe weather, chemical spills, etc. The system, according to Mr. Smith, worked very well for several years, even after Time Warner purchased the system. Unfortunately, one day they went to send out a severe thunderstorm warning and the answer that they got on the telephone was that the line had been disconnected. Orangeburg County had received no notice or information from Time Warner. They did not know that it was no longer available to them. Mr. Smith stated that it was quite a shock and he attempted to try to find out what had occurred. An explanation was given to him that it was a technical problem because Time Warner had to convert to the federally required Emergency Alert System, which was an automated system. In his opinion, that system is good for general weather warnings but does not meet the needs for severe local information that is critically needed. To this date, Mr. Smith stated that he had not been able to work out the details to go back to the former system. He further went on to use as an example, the chlorine gas leak over the weekend. He requested from Time Warner that they look into the former system and that Council consider making this system a requirement for the franchise in the future.

Mr. Aaron Frier of 450 Nature Lane and an employee of Claflin University spoke to City Council. He wanted to give information to Council about the relationship between Time Warner and Claflin University. According to Mr. Frier, Time Warner has given a four-year scholarship to Claflin University in Mass Communications and they have renewed their commitment to providing scholarships in the amount of \$40,000.00. They also provide internships for the Mass Communication students. Mr. Frier also stated that Time Warner wired all the residential rooms at Claflin University. Also, Time Warner is producing three television programs at the Claflin University video studio. In his opinion, Mr. Frier likes the relationship that Claflin University has with Time Warner.

Ms. Mary Jordan of Nelson Street wanted to speak to City Council as an educator and based on what she heard from Mr. Frier regarding the Time Warner partnership with Claflin University wanted to state "that she was pleased that some of the money that she felt that she was being "gorged" out of was at least going toward education purposes." However, she stated that she felt the fees were exorbitant because of the increase in fees. She told Council that she would like to see the fees be more affordable for everyone and would like for the citizens to have more input into the channels that they receive.

Mr. Artie Knight, Jr. of 1527 Dunes Street appeared before Council to express his opinion that Time Warner is doing something without getting any input from the people that pay for it. He stated that he initially started with a package of \$12.00 per month and that has risen to about \$40.00 per month. He suggested to Council that a survey from the citizens should be made available in order to have input from the citizens.

Mr. Louis Boone of 515 Brewton Street spoke to Council and asked City Council if there was any way that Time Warner could have some competition. He stated that he thought there should be some way to make it competitive. He suggested to Council that they look into other companies. He stated the Time Warner rates had increased 84% since their ownership of the local system, which greatly exceeded the inflationary rate.

There being no further citizens to speak, Mayor Miller asked for representatives of Time Warner Cable to approach the podium. He asked that Mr. Bud M. Tibshirany of Time Warner to speak first.

Mr. Bud M. Tibshirany, Vice President of Public Affairs of Time Warner Cable spoke to Council and thanked City Council and the citizens of Orangeburg for the information that was received. He stated that Time Warner Cable learns from all of the input of their customers. Mr. Tibshirany went on to explain about the process of franchise renewal. He went on to further state that he wanted to remedy any bonafide problems that exist in this community. Time Warner has invested six million

dollars in the fiber upgrade project in Orangeburg and has dedicated good service to the community for the short haul as well as the long haul. He also went on to further explain the services that Time Warner provides.

Mr. Jeffrey A. Hirsch, Vice President and General Manager of Time Warner Cable appeared before Council and also thanked City Council and the citizens of Orangeburg for the information that was received. He discussed the issues of customer service and also rates. He stated that it was his belief that improvements have been made in regards to customer service. He asked that anyone with specific problems meet with him after the meeting and he would talk with individuals about those problems. Mr. Hirsch went on to describe various packages that were available to customers. He further went on to discuss the technology and services that are provided and the costs of each of those to Time Warner.

Mayor Miller asked for any further comments.

Mayor Pro Tem Haire stated, "I too am concerned as are the constituents about rate increases. I would hope that Council in the future would not extend such long term agreements with Time Warner in that, they would not have to answer to the public as they are doing now since their expiration of their franchise is approaching. I think the last franchise that we issued was just entirely too long, so I would be in favor of reducing that from the present to no more than five years. There are still citizens in the City of Orangeburg who do not have access to cable and businesses that do not have access to cable and part of that agreement that was made some time ago is that all residents and businesses in the City of Orangeburg would have access to cable. The lines have not been run. I get really "peeved" at times when I'm viewing the television and the cable goes out. There is no consideration given to me as relates to the amount of money I still pay. The same bill has to be paid each month. So there needs to be some consideration as relates to the outage and the amount that individuals have to pay to Time Warner. Sometimes it goes out for hours but I get the same bill. It would seem to me that Time Warner would be able to determine that there is outage and that once they send out the next bill that is deducted from that bill. I realize that there are times when we have electrical storms or trees and limbs fall on lines and may break them but I'm quite sure that there are citizens who call me and report that these things are out. I would like to see Time Warner give consideration to those outages and reducing the bill. Time Warner had said that it was a good corporate citizen. I do not share that belief or I do not feel that it is because of the dictatorial manner in which programs are just stuffed down the citizen's throat. I don't consider that to be a good corporate citizen. We have had input from citizens tonight who want to have an opportunity to make choices as relates to the programs. We have seen Time Warner package these programs to say take it or leave it and I think this wrong. I am totally against extending to Time Warner any long term franchise in the future."

Councilmember Miller stated, "I would like to applaud Mayor Pro Tem Haire in his response. As a Councilmember and a citizen, he basically touched bases with some of my concerns. But, one concern that I also have that may not have been addressed is the long wait in lines – thirty to forty minutes just to pay a bill. People get deterred and say I don't want to pay the bill and just let the cable go off." He expressed that he had experienced firsthand the long lines out of the door while employees were discussing personal matters. He was also in agreement with Mayor Pro Tem Haire not to extend the contract more than five years for the franchise.

Councilmember Barnwell asked the question, "Will Time Warner make it mandatory to turn in the black boxes and go to a higher premium box?" He also wanted to bring up the reason that Council wanted to have a formal process. As Time Warner Cable well knows, if Council went the informal route, the citizens don't have a right to express themselves. That is the purpose of holding the formal process.

Mayor Miller asked for any further comments.

Mayor Miller then closed the third Public Hearing. He thanked all for the patience and input from the citizens and representatives of Time Warner.

Mayor Miller recognized and welcomed Lee Harter and Claflin University journalism students.

Mayor Miller congratulated two authors from the City of Orangeburg. Dr. Clemmie Webber, author of "My Treadwell Street Saga," will have an autograph session on Saturday at South Carolina State University. Dr. Gene Atkinson's book, "History of the City of Orangeburg" is on sale at several locations.

City Council entered into its regularly scheduled meeting with Mayor Miller presiding.

PRESENT:

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

A motion was made by Councilmember Knotts, seconded by Councilmember Barnwell, to approve the February 5, 2002, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Haire, to approve the February 12, 2002, Special City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance amending Chapter 9-13.3, Truck Routes Established, of the Code of Ordinances for the City of Orangeburg, South Carolina, for the purpose of changing street names to correspond with the appropriate E-911 address. This motion was unanimously approved.

City Administrator Yow presented the Budget Calendar for fiscal year 2002-2003 to Council. It was decided that June 22, 2002, would be a full day budget retreat for Council. This is a goal setting and planning retreat. The location is still to be determined.

City Administrator Yow recommended to Council to proceed with first reading of an Ordinance to permit upper-story, single-family dwelling units in a "B-2, Central Business District" by amending Article V, Section 24-5, Table I, residential uses, Article X, Section 24-10.7, special development standards for condition uses and projects and Article XIII, Section 24-13, words defined. He stated, "I do not anticipate bringing this back to the next meeting for second reading. I would like to get DORA to review this Ordinance and to send it back to their Board. As staff, we have a couple of recommendations to make changes already."

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to approve the First Reading of an Ordinance to permit upper-story, single-family dwelling units in a "B-2, Central Business District" by amending Article V, Section 24-5, Table I, residential uses, Article X, Section 24-10.7, special development standards for conditional uses and projects and Article XIII, Section 24-13, words defined. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve the First Reading of an Ordinance to amend the official Zoning Map of the City of Orangeburg in order to change property owned by Leonard Sanford, Nancy and Ronnie Riggins, Jerry Irick and Clyde Kemmerlin from "A-1 Residential, Single-Unit District" to "B-1 General Business District." This was a 4-0 vote. Councilmember Knotts and Councilmember Miller abstained from voting. Councilmember Barnwell was excused from the voting.

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Discussion was held on pedestrian crossing at the Intersection of U. S. 601 (Magnolia Street) and Russell Street.

Mayor Pro Tem Haire stated, " I'm asking that this Council go on record in favor of asking the Highway Department to install devices in where citizens who desire to cross can utilize the buttons to cross safely at this intersection."

Councilmember Miller stated, "I have this same concern. I have been addressed by South Carolina State University and Claflin University students and faculty about this. A lot of students use this walkway (601 and Russell Street) to gain access to the Piggly Wiggly so that they can retrieve groceries. We need to understand if a situation happens and there are no safety devices, it could look real bad."

Mayor Miller stated, "I too share your concerns. I don't know what the feasibility of this is but I would like to explore the avenue of having an overhead crossing from the two universities to our business district. This would eliminate the need of students having to cross the railroad tracks, particularly in view of the speed of the trains that come down through there. I certainly think this would be a much safer way for our students to come into our business district."

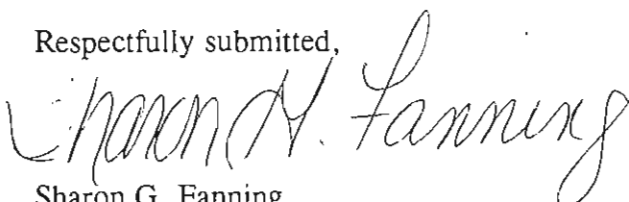
City Administrator Yow stated, "As Council knows from the earlier briefings from the Orangeburg Community Development Corporation, that was in one of their conceptual plans. However, I think if we're going to ask the Department of Transportation to look at this, we need to ask them to do one as priority and look at the other one also. In case, if they don't do the overhead and maybe that's long term; maybe a short-term solution could be the other item. Let's ask them to look at both of those items."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to ask the South Carolina Department of Transportation to look into the feasibility of the crosswalk as well as the installation of the pedestrian signal devices. This motion was unanimously approved.

Fred Boatwright, Manager of the Department of Public Utilities, stated, "at your last meeting, I reported to you that we had received another set back in our struggle at the South Carolina Public Service Commission in that they had rejected three out of three of our motions relating to our opposition to South Carolina Pipeline's open access filing. I am happy to report to you tonight that I was officially notified late last Friday afternoon that South Carolina Pipeline Corporation had withdrawn their filing in the open access case. I do not know what will happen next, but we will remain on top of the issue."

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to enter into Executive Session for a legal matter concerning City of Orangeburg vs BellSouth. This motion was unanimously approved.

Respectfully submitted,



Sharon G. Fanning
City Clerk

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CITY COUNCIL MINUTES

March 5, 2002

7:00 P.M.

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 5, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Cedric Gibbs, Executive Director of the YMCA.

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 Mayor Pro Tem Haire, to approve the February 19, 2002, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Dennis Llinas, resident at 1721 Broughton Street, told Council that the Truck Route Ordinance is constantly being violated on Broughton Street. He stated he regularly sees common carriers passing in front of his home on their way to Wal-mart and the Prince of Orange Mall. "The large trucks which go by seven days a week, day and night, are tearing up the street and causing a lot of noise." He also observed a police car following behind a large truck that had deviated from the truck route and did nothing to stop the violator. He stated he counted thirteen large trucks that came down Broughton Street today.

Mayor Miller stated that some trucks, which are making direct deliveries, do have a legitimate right to be off of the truck route. Others do not. "We'll see if we can't get a little better enforcement on Broughton Street."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to amend the official Zoning Map of the City of Orangeburg in order to change property owned by Leonard Sanford, Nancy and Ronnie Riggins, Jerry Irick and Clyde Kemmerlin From "A-1 Residential, Single-Unit District" to "B-1 General Business District". This was a 6-0 vote. Councilmember Barnwell was recused himself from voting.

Mayor Miller proclaimed "Courtesy" as the Character Trait for the month of March 2002.

Mayor Miller proclaimed the month of March 2002, as "YMCA Month" and Sunday March 17, 2002, as "YMCA Sunday" in the City of Orangeburg.

Department of Public Safety Director Davis asked Council for their authorization to purchase a service/rescue truck. He stated, "The department has completed a thorough bid process and review of specifications for the new service truck. As discussed in the Fiscal Year 2001-2002 Budget Workshop, the existing service truck is no longer practical for service. This truck was re-fitted to serve as a service truck prior to the most recent ISO inspection. We have reached the point that the cost of maintenance to keep the truck in operation outweigh the service capability of the existing service truck. The department worked closely with the City garage prior to submitting the Request for Proposal to identify various components such as the transmission, engine, and chassis that were recommended by the garage and were common to the existing City vehicle fleet. The department sent a total of six request for proposals through the City's Purchasing Agent to established vendors of fire apparatus. The Purchasing Agent, set the bid opening date and time. We received a total

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MARCH 5, 2002
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of five (5) bids. The low bid submitted by American LaFrance was disqualified because it did not meet the desired chassis specifications. American LaFrance provided a bid on a freightliner chassis and the department requested bids on an International chassis. The department recommends we accept the bid of \$71,612.00 from Fire Equipment Service which is the low bid that meets all desired specifications."

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to authorize the purchase of a Department of Public Safety Service/ RescueTruck from Fire Equipment Service at a cost of \$171,612.00. This motion was unanimously approved.

Parks and Recreation Director Smith asked Council for their acceptance of two (2) P.A.R.D. Grants. He stated, "Staff submitted two (2) P.A.R.D. Grant Applications in the amount of \$3,500.00 each to complete the renovation of two backstops. These grants will complete the work on the Dixie Youth Field at Hillcrest and on the field at the Albergotti playground. The total cost for both projects would be approximately \$8,000.00. The required match is included in the current budget. It is recommended to accept the grants and authorize the City Administrator to sign the Project Agreements on the City's behalf."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to accept two P.A. R. D. Grants in the amount of \$3,500.00 each and to authorize the City Administrator to sign the Project Agreements. This motion was unanimously approved.

Parks and Recreation Director Smith presented to Council a drawing of the Mountain Brook Project at the Edisto Memorial Gardens. He stated, "The project was first identified in the City's Ten Year Master Plan. Work has already begun on the project. The pool will be lined with mountain stone to create a pool and three (3) waterfalls. It will also be lighted and landscaped and the water will be recirculated to the top of the hill. It will be another unique feature to the Gardens. Funds for the project material are from a \$10,000 donation from the Dick Horne Foundation. The work will be constructed in-house."

There were no utility matters brought before Council.

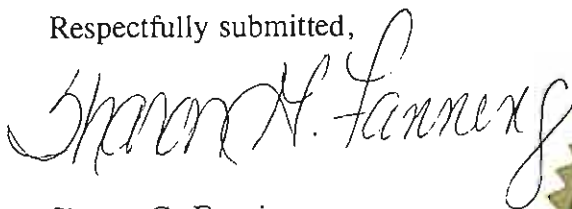
A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan, to enter into an Executive Session for a personnel matter concerning a City Grievance with the Department of Public Safety.

Council entered into open session.

A motion was made by Councilmember Jernigan, seconded by Councilmember Rheney to uphold the finding of the Grievance Committee which upheld the Department of Public Safety's termination of an employee. This was a 5-2 vote. Councilmembers Miller and Knotts opposed this motion.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

March 19, 2002

7:00 P.M.

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 19, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Robert Ford.

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 Miller, seconded by Mayor Pro Tem Haire, to approve the March 5, 2002, City Council Minutes as distributed. This motion was unanimously approved.

Council held discussion on Norfolk Southern Railroad operations. City Administrator Yow stated, "In light of our recent tragedy, I was asked by some Councilmembers to put this item on the agenda. As you know, it has been well documented that the City of Orangeburg has been opposed to the increase in train speed, at 30 MPH and most assuredly opposed to the 49 MPH. It also has been documented that we have requested more railroad crossing safety equipment."

Mayor Pro Tem Haire stated, "It has been my concern, what took place two weeks ago now, where two individuals tried to cross the tracks at the 301 and 601 intersection. I was at the University that particular day when I was informed of an accident. I went to the accident and was informed by DPS that two individuals were killed in the accident. Norfolk Southern is to blame for these deaths because their vehicle collided with the car. I know from reading the paper the next day there was speculation as to whether the individual tried to beat the train. I don't know as to what happened in that situation. I was talking to one of the persons who witnessed it and they said that the car in front of the vehicle that was struck by the train went across the track. I know that in the past, I've gone to the traffic light or stop sign where there are dual lanes and sometimes the person is making a right turn on red and I've caught myself thinking the light is red and time to move forward and then realized this person is simply making a right on red. I'm saying the individual could have thought that it was okay to cross the track. Nevertheless, with the speed that Norfolk Southern travels through Orangeburg, they have in essence disregarded the safety of our citizens by asking and having permission granted to travel at such a high rate of speed in congested areas such as the one here in Orangeburg. The other day, I was looking when I was crossing the railroad track at Peasley and Magnolia. I looked down the track at Zan Street, the next crossing down. There was a disability van that had pulled up to the Zan Street crossing. The traffic on U.S. 601 had the van blocked. The back end of the van was across the railroad track. The Highway Department, in their great wisdom, had put lines down on the street where it says to motorists you are not to come any further than this before the road is clear. This van had obeyed that but its rear end still was across the railroad tracks. A train traveling at the 40 MPH, a person driving this van would either stay on the track and get hit by the train or pull off the track and get hit by oncoming vehicles. If a train is traveling at a slow rate of speed it gives that individual more time to get clear of either the train or the oncoming traffic. It says lives are not of value to Norfolk Southern. I know I'm being real hard on Norfolk Southern. It says to me anytime you run a train through a congested area such as Zan Street and Peasley Street crossing, you're putting lives at jeopardy. We don't allow tractor trailer trucks, who have a task to do, such as deliver commerce, to travel at any greater speed to get to their destination. I would like to make a motion for this Council to direct our City Administrator to write letters to our Congressional Delegation as it relates to seeking help in reducing the speed of Norfolk

Southern traveling through Orangeburg at 30 MPH, which is too fast. I would want them to reduce it. I know our Ordinance says 15 MPH but I would be willing to go 5 MPH above that. I really believe that if this doesn't happen, eventually we're going to have an accident at the Peasley Street crossing where I see people get trapped on those rails all the time. This is my motion.

Councilmember Barnwell asked, "Mayor Pro Tem Haire would you consider amending that to direct that letter to the State Representatives of South Carolina. I'm afraid if we go nationwide, they are not going to amend the statute for each small town. The State of South Carolina General Assembly amends the statute and we'd have a better chance of having that passed to reduce the speed for municipalities and towns."

Mayor Pro Tem Haire stated, "I'm saying our Congressional Delegation for this reason somewhere someone has to bring attention nationwide. I believe that the trains are traveling at just as high speeds in other towns that have similar situations as we have. I believe that the gentlemen that regulate the speed of trains do not take into consideration those kinds of congested areas that we have. Even though we've had some discussion with our Delegation, I would be in favor of amending it to both and in that same letter also ask for additional funds to install safety equipment at the intersections that do not currently have them."

City Administrator Yow also suggested that we request funding for railroad crossing safety equipment. This suggestion was accepted by Council.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, expressing that letters be sent to State and Federal delegations and that we ask for funds for safety equipment and to reduce train speed.

Councilmember Miller stated, "He would also like to amend the motion. I think we need to hold the railroad responsible for educating our students on railroad safety. This may save someone else's life."

Councilmember Barnwell stated, "I think that ought to be a separate motion. I don't think the United States House and Senate are going to direct the railroad to educate students or anyone. I think Mayor Pro Tem Haire's motion is appropriate."

City Attorney Walsh stated, "You can also request that the Federal Railroad Commission do an inspection of tracks at that intersection. That would come from the Atlanta office. You might want to do this at the same time." This suggestion to the motion was also accepted by Council.

Mayor Miller called for the question.

This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, for the Third Reading of an Ordinance to amend the official Zoning Map of the City of Orangeburg in order to change property owned by Leonard Sanford, Nancy and Ronnie Riggins, Jerry Irick and Clyde Kemmerlin from "A-1 Residential, Single-Unit District" to "B-1 General Business District". This was a 6-0 vote. Councilmember Barnwell was recused from voting.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to permit Upper-Story, Single-Family Dwelling Units in a B-2 Central Business District by amending Article V, Section 24-5, Table 1, Residential Uses, Article X, Section 24-10.7, Specific Development Standards for Conditional Uses and Projects and Article XIII, Section 24-13, Words Defined. This motion was unanimously approved.

Mayor Miller proclaimed March 30, 2002 as Doctor's Day in the City of Orangeburg. He presented Dr. Steve Patterson with a Proclamation.

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Mayor Miller recognized the Orangeburg Wilkinson High School Bruinettes' coaches and players for winning the 2001-2002 Class 4-A State Championship and declared March 13, 2002, as Orangeburg-Wilkinson High School Bruinettes' Day in the City of Orangeburg.

City Administrator Yow told Council that there were three (3) appointments on the Accommodations Tax Advisory Committee that were expiring this month. He stated there are no appointments from the lodging sector and one from the arts sector.

There were no utility matters brought before Council.

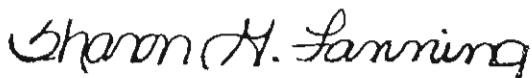
A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to enter into an Executive Session for a contractual matter concerning the purchase of real property.

Council entered back into open session.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve a contract for the purchase of 1.72 acres of property from Raymond H. Kemmerlin on Kennerly Road for a fire substation at a cost of \$50,000. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Sincerely,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

April 2, 2002

7:00 P.M.

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 2, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Rheney.

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 Knotts, seconded by Councilmember Miller, to approve the March 19, 2002, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Miller presented Sergeant Elton Shuler, of the Department of Public Safety, a Resolution for his devotion of duty to the City of Orangeburg. Sergeant Shuler was faced with a life and death situation where he saved the life of a young child.

Ms. Andrea Savely of the American Diabetes Association asked for the City of Orangeburg's support in the Tour De Cure Bicycle Event on May 11, 2002, which will start in Orangeburg and finish in Folly Beach.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to permit Upper-Story, Single-Family Dwelling Units in a B-2 Central Business District by amending Article V, Section 24-5, Table 1, Residential Uses, Article X, Section 24-10.7, Specific Development Standards for Conditional Uses and Projects and Article XIII, Section 24-13, Words Defined. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to reappoint Mrs. Edna Fischer (Cultural Origin) and Mr. Howard Roe (Lodging Industry) to a four-year term on the Accommodations Tax Advisory Committee. This motion was unanimously approved. There remains one vacancy on this Committee, which needs to be filled by a person from the lodging industry.

Mayor Miller proclaimed the Character Trait for the month of April 2002 as "Sincerity". He presented Ms. Dede Blewer, Executive Director of the Chamber of Commerce, the Proclamation.

Mayor Miller proclaimed April 20, 2002, as "Edisto Stewardship Day" in the City of Orangeburg. He presented Mr. Phillip Rand with the Proclamation.

City Administrator Yow told Council that he received a request from Southeastern Housing Foundation in reference to improvements being made at the Landmark Towers Apartment Building. This building provides space for a police substation. City Administrator Yow stated, "Southeastern Housing Foundation asked first that all necessary permits and business license fees be waived. This waiver would be \$1,200 for building permits and up to \$680 for business license. Secondly, they requested the City to provide assistance with the landscaping of the home ownership office building on Doyle Street. Mr. Boatwright stated there would be no cost for DPU's portion of installing a pad-mount transformer, therefore the request was a moot point.

CITY COUNCIL MINUTES
APRIL 2, 2002
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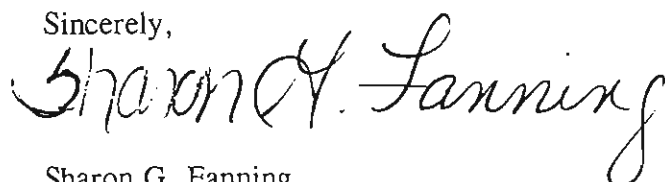
City Administrator Yow recommended waiving the building permit and business license fees and the City would provide technical assistance and planning on the landscaping.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan to accept the City Administrator's recommendation. This motion was unanimously approved.

There were no utility matters brought before Council.

There being no further business, the meeting was adjourned.

Sincerely,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES APRIL 16, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 16, 2002, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Haire presiding. An invocation was given by Mayor Pro Tem Haire.

PRESENT:

Charles W. Barnwell
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

ABSENT:

Paul A. Miller, Mayor

A motion was made by Councilmember Miller, seconded by Councilmember Barnwell, to approve the April 2, 2002, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow reported on the request by City Council from the February 19, 2002 meeting to ask the South Carolina Department of Transportation to install a pedestrian activated crossing in the area of the intersection of Russell and Magnolia Streets. He was also requested at that meeting to have the South Carolina Department of Transportation look into a pedestrian crossover. He thanked Mr. Dean Campbell on his timely response and study. The information from that study was included in the packets that were sent out to Council. City Administrator Yow pointed out two things that Mr. Campbell requested. (1) To give SCDOT City Council's feelings on the proposed pedestrian crosswalk at a different location and (2) inform Council that construction of a pedestrian crossover would cost well over \$500,000 and funds were not available for that project. He stated the Department simply did not have the money at this time. He further stated that Council's conversation should center on what South Carolina Department of Transportation has recommended and it was not imperative that a decision be made immediately but they were awaiting recommendation from City Council before they proceeded. City Administrator Yow then entertained questions from Council.

Mayor Pro Tem Haire asked if there were any questions.

Councilmember Jernigan asked if any indication had been given, assuming Council made this recommendation, as to the time frame that it would be put into effect.

City Administrator Yow stated that Mr. Campbell did not set a specific time but by the tone of his letter, he would assume that it would be in the current fiscal year. He went on to state, "He thought as they spent budgetary funds, the time limits might affect as to when it may be installed. If Council waits too long on a decision, it may be delayed until next year."

Councilmember Rheney stated that it might be in position for the new year but she would love to see something done.

Councilmember Jernigan commented that he thought that it should be a really good alternative to what had been discussed earlier and would be more feasible from a financial standpoint.

City Administrator Yow agreed and said that he thought this was a solution on the short-term basis but still would need a more permanent cross over structure in the long term.

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Councilmember Barnwell asked if there was any reason to delay this.

City Administrator Yow stated that he and Mayor Pro Tem Haire had discussed some things and possibly the proposed location by SCDOT could be up for discussion. South Carolina Department of Transportation brought the location back down from the intersection at Russell and Magnolia Streets with the idea that there was just too much activity going on at that intersection. They suggested putting it at a location up Magnolia closer to the SCSU entrance and explained why in their letter. City Administrator Yow wanted to hear Council's opinions on the placement.

Councilmember Miller expressed that his constituents had complained about the difficulty in crossing at the intersection of Russell and Magnolia Streets.

Mayor Pro Tem Haire stated that his concern was for students that would be crossing Russell Street at that intersection. He thought that a pedestrian activated crossing might be a solution for this problem at that location.

A motion was made by Councilmember Miller, seconded by Councilmember Barnwell, to accept the proposal from the South Carolina Department of Transportation and to ask that the South Carolina Department of Transportation to install an additional pedestrian activated crossing at the corner of Russell and Magnolia Streets (crossing Russell between the old Lincoln-Mercury dealership and the service station across the street). This motion was unanimously approved.

Mayor Pro Tem Haire called for the vote on this motion. The motion passed with a unanimous vote.

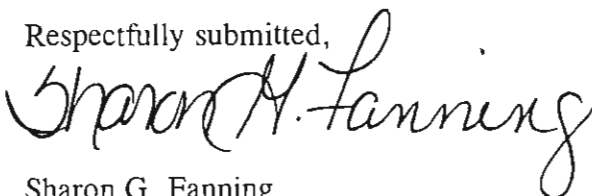
A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to pass a Resolution proclaiming April 2002, as Fair Housing Month. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to enter into an Executive Session concerning a contractual matter regarding the sale of 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

May 7, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 7, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Larry Jones, Minister of Music at the First Baptist Church.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles W. Jernigan
Trelvis A. Miller
Joyce W. Rheney

ABSENT:

Charles W. Barnwell
Sandra P. Knotts

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to approve the April 16, 2002, City Council Minutes as distributed. This was a 3-0 vote. Mayor Miller abstained from voting as he was not present at the April 16, 2002 meeting.

Parks and Recreation Department Director Buster Smith presented Outstanding Rose Garden Maintenance Award to employees of his department. Those receiving recognitions were: Jay Hiers, Mike Rast, Jennifer Gruber, James Jenkins, Dennis Brothers. They were all commended for their hard work and efforts that made it possible for the City to receive this award.

Ms. Francena D. Williams and Ms. Annie Jamison gave Council a presentation on the newly formed Communities of Shalom. This is a team of various organizations and groups designed to bring the entire community together to find resources and to help the needy by enhancing existing work. The initial work of this program will begin in the New Brookland and Edisto Drive areas.

Mayor Miller proclaimed the Character Trait for the month of May 2002 as "Respect." He presented Ms. Dede Cook, Executive Director of the Chamber of Commerce, the Proclamation.

Mayor Miller proclaimed the month of May 2002 as "Mental Health Month" in the City of Orangeburg.

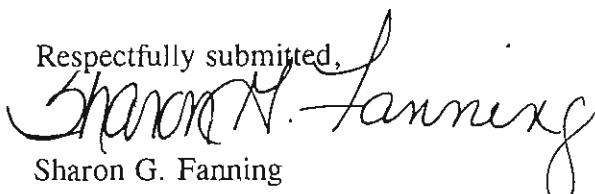
Mayor Miller proclaimed May 10-11, 2002, as "Zero Tolerance For Litter Days" in the City of Orangeburg and urged all citizens to work together this weekend and throughout the year for a cleaner community and thus preserving the natural beauty of our community, our state and our country.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Haire, to elect L. Hugh Smith to complete the unexpired term of Rion Salley to the Board of Zoning Appeals in City Council District #3. This vote was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to approve a Resolution to accept the bid from Rea Construction Company of West Columbia, South Carolina, in the amount of \$236,877.47 for a new parking lot construction as a part of the Department of Public Utilities Administrative Building expansion and improvements. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Sharon G. Fanning
City Clerk





RESOLUTION

WHEREAS, the City of Orangeburg desires that all its citizens be afforded the opportunity to attain a decent, safe and sound living environment, and;

WHEREAS, the City of Orangeburg rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status in the sale, rental, or provision of other housing services, and;

WHEREAS, the State of South Carolina enacted the South Carolina Fair Housing Law in 1989, and;

WHEREAS, April is recognized nationally as Fair Housing Month.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council, in Council assembled do officially hereby designate, April 2002 as Fair Housing Month.

Passed By the City Council of the City of Orangeburg, State of South Carolina, this 16th day of April 2002.



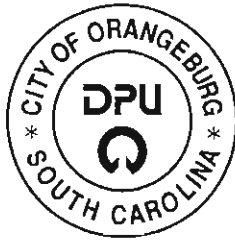
Mayor

Samuel Harris
Sandra T. Lott
Charles B. Barnwell
Tracy A. Miller
Charles D. Johnson
Joyce S. Phares

Members of Council

ATTEST

Sharon H. Lanning
City Clerk



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY REA CONSTRUCTION COMPANY OF WEST COLUMBIA, SOUTH CAROLINA IN THE AMOUNT OF \$236,877.47 FOR A NEW PARKING LOT CONSTRUCTION AS A PART OF THE DEPARTMENT OF PUBLIC UTILITIES ADMINISTRATIVE BUILDING EXPANSION AND IMPROVEMENTS

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on April 25, 2002 for a new parking lot construction as a part of the Department of Public Utilities Administrative Building Expansion and Improvements; and

WHEREAS, the responsible bid for this work was submitted by Rea Construction Company of West Columbia, South Carolina in the amount of \$236,877.47; 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 May, 2002.



Paul M. Min
MAYOR

James Haire
Richard A. Miller
Charles D. Johnson
James W. Cheney

MEMBERS OF COUNCIL

ATTEST:

Sharon H. Lanning
CITY CLERK

CITY COUNCIL MINUTES

May 21, 2002

Orangeburg City Council held a Public Hearing on Tuesday, May 21, 2002, at 7:00 p.m. in Council Chambers with Mayor Miller presiding for the purpose to amend Chapter XXIV, Article VI, Section 24-6.3a, for the purpose of amending the definition of Approach Zone and Referencing in the 2001 Orangeburg Municipal Airport Restriction Map.

Mayor Miller opened the Public Hearing for comments

Mr. Reese Earley stated that the change reflects only an update in the wording from "protection" zone to "approach" zone. There were no other comments. Mayor Miller closed the Public Hearing. City Council entered into its regularly scheduled meeting.

An invocation was given by Councilmember Miller.

PRESENT:

Paul A. Miller, Mayor
Charles W. Barnwell
Bernard Haire
Charles W. Jernigan
Trelvis A. Miller, Sr.
Joyce W. Rheney

ABSENT:

Sandra P. Knotts

A motion was made by Councilmember Jernigan, seconded by Councilmember Miller, to approve the May 7, 2002 City Council Minutes as distributed. This motion was unanimously approved.

Mayor Miller and Department of Public Safety Director Davis presented Department of Public Safety Sergeant, Anthony Robinson, a Resolution naming him Officer of the Year.

A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to amend Chapter XXIV, Article VI, Section 24-6.3a, for the purpose of amending the definition of Approach Zone and Referencing the 2001 Orangeburg Municipal Airport Restriction Map. This motion was unanimously approved.

City Administrator Yow recommended Council to pass an Ordinance for the purpose of providing payment of costs for periodic reviews of the City's Comprehensive Plan or any of its elements. He stated that this Ordinance would establish a fee for any property owner or resident who would wish to have the Comprehensive Plan or a portion of it studied and amended at a time other than when the City would regularly do it. Anyone requesting a review of the City's Comprehensive Plan must pay the full costs of the study within fifteen (15) days of filing the initial petition or application. There is no set fee. The cost will depend on the scope of the request.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the First Reading of an Ordinance to amend Section 2-10.1, Planning Commission, by adding a new section numbered 2-10.1 (g) for the purpose of providing for the payment of costs for periodic reviews of the City's Comprehensive Plan or any of its elements. This motion was unanimously approved.

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

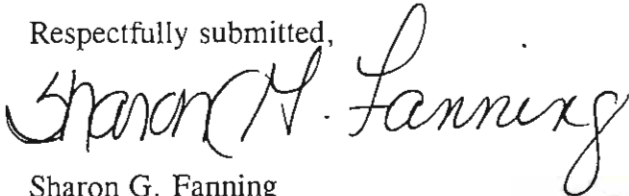
CITY COUNCIL MINUTES
MAY 21, 2002
PAGE 2

City Administrator Yow announced that Mayor Miller and retired Claflin professor Sidney Young were recognized by the Indian Water's Council as recipients of the National Whitney M. Young Boy Scouts of America Award.

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

June 4, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, June 4, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Patrick Latta of Northside Baptist Church.

PRESENT:

Paul A. Miller, Mayor
 Charles W. Barnwell
 Bernard Haire
 Trelvis A. Miller
 Joyce W. Rheney

ABSENT:

Charles W. Jernigan
 Sandra P. Knotts

Mayor Miller announced that the U.S. Justice Department has approved the City Council Redistricting Plan that Council submitted.

Mayor Miller announced that a Special City Council meeting will be held at the Department of Public Utilities on Monday June 10, 2002, at 12:30 P.M.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the May 21, 2002, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Miller presented the Edisto Award to Mr. and Mrs. E. J. Lackey. They have been in the photography business in Orangeburg for over sixty-five years and currently operating Lackey Studio, which has been in business for fifty-three years.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to approve the Second Reading of an Ordinance to amend Chapter XXIV, Article VI, Section 24-6.3a, for the purpose of amending the definition of Approach Zone and Referencing the 2001 Orangeburg Municipal Airport Restriction Map. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to amend Section 2-10.1, Planning Commission, by adding a new section numbered 2-10.1 (g) for the purpose of providing for the payment of costs for periodic reviews of the City's Comprehensive Plan or any of its elements. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to amend Chapter XIII of the Code of Ordinances for the City of Orangeburg, South Carolina, providing for the adoption of the International Residential Code. Appendices E, G, H and J are adopted along with the Code. This motion was unanimously approved.

Mayor Miller proclaimed the Character Trait for June 2002 "Faith." He presented Mrs. Dede Cook, Orangeburg County Chamber of Commerce President, the Proclamation.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to pass a Resolution in memory of Stanley Quarles of Aiken, for his service and dedication to the City of Aiken and municipalities across South Carolina. He played a major role in the "Character First Initiative" program adopted by Orangeburg. This motion was unanimously approved. The Resolution will be presented to his family and the City of Aiken at a later time.

CITY COUNCIL MINUTES

PAGE 2

JUNE 4, 2002

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to appoint Duane Tarrant/Finance Department and Clatus Griddle/Hillcrest Golf Course to the City Grievance Committee and appoint Jacque Fogle/Parks & Recreation Department and Carrie Johnson/Finance Department, as alternates to the Grievance Committee. This motion was unanimously approved.

There were no utility matters presented to Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb





RESOLUTION

WHEREAS, Stanley Quarles was a man who exemplified the term "character" in every aspect of his life, and;

WHEREAS, he was instrumental in implementing the award winning Character First Initiative program, the first of its kind in the state, and;

WHEREAS, he played a major role in implementing the Character First Initiative program in Orangeburg, for which we are forever grateful and;

WHEREAS, he served the citizens of the City of Aiken for only thirteen short years, but served all of mankind his entire life and;

WHEREAS, he also had a positive influence on persons throughout the State of South Carolina by assisting numerous cities and organizations with a wide array of projects.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council, in Council assembled do officially honor the memory of Stanley Quarles.

BE IT FURTHER RESOLVED, that a copy of this Resolution in memory for his service, dedication and devotion to his fellow man, be placed in the Minute Book of the City.

Passed By the City Council of the City of Orangeburg, State of South Carolina, this 4th day of June 2002.



Paul G. Miller

Mayor

Sam Haire

Charles B. Bance

Julius A. Miller

Chuck [unclear]

James W. [unclear]

Members of Council

ATTEST:

Spencer H. Lanning
City Clerk

CITY COUNCIL MINUTES**SPECIAL SESSION****JUNE 10, 2002**

Orangeburg City Council held a Special Session Meeting on Monday, June 10, 2002 at 12:30 P.M. in the Conference Room of the Department of Public Utilities, 1016 Russell Street with Mayor Paul A. Miller presiding. An invocation was given by Mayor Miller.

PRESENT: Paul A. Miller, Mayor
Bernard Haire, Mayor Pro Tem
Charles B. Barnwell, Jr.
Charles W. Jemigan
Trelvis A. Miller, Sr.

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

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller; to enter into Executive Session for the discussion of proposed contractual matters regarding the Natural Gas Division – Water Division – Wastewater Division of the Department of Public Utilities. This motion was unanimously approved.

Council then entered into Executive Session.

Council returned to Open Session.

Fred H. Boatwright, Manager of the Department of Public Utilities presented a Resolution recommending to Council that they accept an Agreement dated May 31, 2002 between the Department of Public Utilities and South Carolina Pipeline Corporation for the purpose of natural gas firm and transportation service. Mayor Miller read the Resolution to Council.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve a Resolution authorizing the Manager of the Department of Public Utilities to execute on behalf of the City of Orangeburg a new agreement dated May 31, 2002 between the Department of Public Utilities and South Carolina Pipeline Corporation. This motion was unanimously approved.

There being no further business, the meeting was adjourned.



Respectfully submitted,

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

CITY COUNCIL MINUTES

June 18, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, June 18, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Father Michael Polewczak.

PRESENT:

Paul A. Miller, Mayor
Charles W. Barnwell
Charles W. Jernigan
Bernard Haire
Trelvis A. Miller
Joyce W. Rheney

ABSENT:

Sandra P. Knotts

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the June 4, 2002, City Council Minutes as distributed. This was a 4-0 vote. Councilmember Jernigan abstained from voting as he was not present at the June 4, 2002, City Council Meeting.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve the June 10, 2002, Special City Council Minutes as distributed. This was a 4-0 vote. Councilmember Rheney abstained from voting as she was not present at the June 10, 2002 Special City Council Meeting.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to amend Chapter XXIV, Article VI, Section 24-6.3a, for the purpose of amending the definition of Approach Zone and Referencing the 2001 Orangeburg Municipal Airport Restriction Map. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to amend Section 2-10.1, Planning Commission, by adding a new section numbered 2-10.1 (g) for the purpose of providing for the payment of costs for periodic reviews of the City's Comprehensive Plan or any of its elements. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to amend Chapter XIII of the Code of Ordinances for the City of Orangeburg, South Carolina, providing for the adoption of the International Residential Code with Appendices E, G, H and J being adopted along with the Code. This motion was unanimously approved.

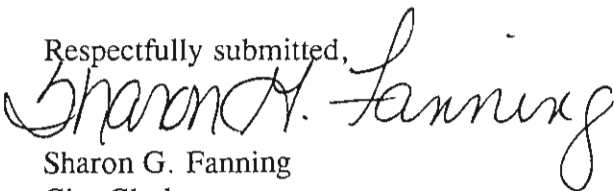
A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to suspend the July 2, 2002, City Council Meeting due to an all day Budget Workshop scheduled for Saturday, June 22, 2002, and two Budget Workshops on July 9th and 10th, 2002.

There were no utility matters presented to Council.

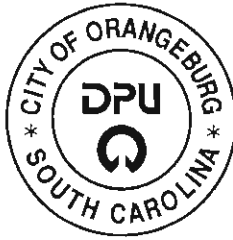
Councilmember Barnwell was in attendance for Old Business item #5 and New Business item #6 and #7.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Sharon G. Fanning
City Clerk





RESOLUTION

A RESOLUTION AUTHORIZING THE MANAGER OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG TO EXECUTE AN AGREEMENT DATED MAY 31, 2002 BETWEEN THE DEPARTMENT OF PUBLIC UTILITIES AND SOUTH CAROLINA PIPELINE CORPORATION FOR THE PURPOSE OF NATURAL GAS FIRM AND TRANSPORTATION 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 Department of Public Utilities and South Carolina Pipeline Corporation enter into an Agreement for the purpose of natural gas firm and transportation service between South Carolina Pipeline Corporation, and the City of Orangeburg effective November 1, 2002;

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

RESOLVED BY City Council duly assembled this 10th day of June, 2002.



Paul G. Miller
MAYOR

Samuel Haire

William B. A. Miller

Charles E. Bennett

Charles D. Dargatzis

MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning
CITY CLERK



PUBLIC NOTICE

The regularly scheduled Orangeburg City Council Meeting for Tuesday, July 2, 2002, has been canceled.

The next regularly scheduled City Council Meeting will be on Tuesday, July 16, 2002, at 7:00 P.M. in City Council Chambers at City Hall, 979 Middleton Street, Orangeburg, South Carolina.

JOHN H. YOW
CITY ADMINISTRATOR

CITY
COUNCIL
MEETING

FOR
July 2, 2002
CANCELED

BUDGET WORKSHOP MINUTES

July 9, 2002

Orangeburg City Council held a Budget Workshop Meeting on Tuesday, July 9, 2002 at 6:00 P.M. in Council Chambers. An invocation was given by Mayor Miller.

PRESENT:

Paul A. Miller, Mayor
 Charles B. Barnwell, Jr.
 Charles W. Jernigan
 Sandra P. Knotts
 Trelvis Miller
 Joyce W. Rheney
 John H. Yow, City Administrator
 Warren T. Harley, Assistant City Administrator
 Sharon G. Fanning, Finance Director

ABSENT:

Bernard Haire

The purpose of this meeting was to conduct a Budget Workshop for the FY 2002-2003 Budget.

City Administrator Yow opened the discussion with an overview of finalized FY 2001-02 projections. He stated that we were going to bring in revenues over expenditures in the General Fund approximately \$1,640 with no cash reserve being used. The General Fund is showing a \$28,092 loan to the Golf Course. Also, the General Fund is still supplementing the Airport for a transfer of \$40,349. City Administrator Yow gave Council a Budget Summary Overview (See Attachments). A proposed Budget was presented at this time with no millage increase or an increase in the Department of Public Utilities transfer. It included a deficit in the General Fund and a deficit at the Golf Course. A transfer to the Airport Fund from the General Fund was also included.

There were several proposed increases in rates included in the budget.

- Increase in fire contracts by 5% totaling \$25,000
- Increase in tie down rates from \$10 to \$30
- Increase in residential sanitation fees from \$5 to \$6 per month which would generate approximately \$48,000
- Increase of \$800 in hangar lease revenue
- Increase in hangar rental 25%, approximately \$6,000

Discussion was held on increasing the hangar rental rate. Councilmembers talked about increasing hangar rentals by 50% on airplanes registered out of the City and increasing hangar rentals by 25% on ones registered in the City.

City Administrator Yow explained to Council that \$500,000 cash reserve has been budgeted to help balance the budget.

There were several decreases in expenses included in the proposed budget.

- Decrease in investment interest of \$75,000
- Decrease in vehicle tax revenue of approximately \$13,600 due to vehicle tax rollback relief
- Decrease in criminal and traffic fines approximately \$40,000

BUDGET WORKSHOP MINUTES
JULY 9, 2002
PAGE 2

Expenses budgeted were:

- A 2% Cost-of-Living raise totaling \$120,000.
- Fourteen merit raises totaling \$19,687.00
- Approved one (1) P&R Maintenance Worker I for Parks and Cemeteries Division (Approximately \$23,000 salary plus benefits)
- Three retirements totaling \$37,094.00
- Retiring two debt payments totaling \$309,356.58 and adding one--\$92,000 (net decrease)
- Transfer to Airport from General Fund to cover operating costs --\$116,961
- Only \$260,000 in Capital Equipment
- Assessments on criminal and traffic fines increased from 100% to 107.5%

Discussion was held on changes in health and dental insurance rates. City Administrator Yow stated that a 5% increase was needed in health insurance. The City will absorb 100% of the increase for the employee only. The employee will absorb 100% increase for the dependent and family coverage. Retirees will absorb 100% of the increase. A 5% dental increase was needed. The City will absorb 100% increase for active employees. The employee will absorb 100% increase for family coverage. Prescription drug cards will change from \$10 generic/\$20 preferred to a 3-tier plan - \$12 generic/\$25 preferred/\$40 nonpreferred. Drug cards for retirees 65 and over will change to \$15 generic/\$30 preferred to a 3-tier plan - \$15 generic/ \$35 preferred/\$50 nonpreferred. Copays are changing from a flat \$20 to \$20 for regular office visits at a General Practitioner, Pediatrician, Internist and OB-GYN and \$30 for specialists.

Discussion was held on building a new Department of Public Safety Complex. Plans were discussed about adding a courtroom. City Administrator explained that if we borrow \$1.5 million to supplement financing the Complex, we would need to add \$145,000 to the annual debt expense for fifteen years. This was estimated at an interest rate of 4.92%.

Public Works Director Bowden highlighted his budget requests for Council. He stated he had several progression merit raises among his Divisions. The Garage Division, as always, is one of the biggest areas of challenges for salaries of mechanics because private industry pays much more. He stated that we have to stay competitive to keep good employees. In the Sanitation Division, he stated that approximately \$32,000 is spent each year on roll out carts and garbage containers. This is included in this FY Budget. Also, the grapple units now being used are much safer units for employees to operate. He told Council that a draft of the Airport layout plan had been received. The business plan would be done in-house.

Service Department Director Brant gave Council an overview of his budget. He stated that the Service Department was made up of eleven full-time and one part-time seasonal worker. This Department was created to help other Departments. They maintain dirt streets, cut approximately 450 acres of grass at the Airport and run two sweepers on a forty-hour a week schedule. Council thanked Director Brant for all that his Department does.

Hillcrest Manager Bryant was asked by Council what it would take to have the golf course operating in a profitable or breakeven status. He responded that advertising and possibly adding a benefit for City employees to have a discounted structure. Councilmember Rheney suggested possibly having twilight golf for City employees. Manager Bryant stated that he did not think we needed to increase rates and that our rates were competitive.

South Carolina State University's student rates were discussed. Manager Bryant stated that they had discounted rates of \$7.50 for green fees for nine or eighteen holes and \$10 for a cart fee. These rates have never been increased.

BUDGET SUMMARY

FY 2002-2003

REVENUES

1. Increase in Life Insurance Business License Revenue from adopted Budget FY 2001-2002 due to MASC collecting - \$133,000.
2. Increase in Fire and Casualty Business License Revenue - from adopted Budget FY 2001-2002 - \$67,000.
3. No tax millage increase at this time.
4. No increase in business license rates.
5. Does not include an increase in DPU transfer
6. Increase fire contract rates (5%) - totaling \$25,000.
7. Includes Cash reserve - \$500,000.
8. Proposed Landing Fee - \$2,000.
9. Increase Tie Down Rates from \$10.00 to \$30.00 (only 5 at this time, you can have up to 8) – approximately \$150.
10. Increase in hangar rent (25%) – approximately \$6,000.
11. Increase in Patten Seed (Belk Hangar) Lease. Increase 4/1/03 to \$5,000 (\$800 increase.)
12. Increase in Residential Sanitation Fees from \$5.00 to \$6.00 per month – approximately \$48,000.
13. Decrease in investment interest of \$75,000.
14. Includes Other Financing Sources - \$252,400 (Lease Purchase of Equipment.)
15. No Grant Runway revenue for the Airport.
16. Vehicle Tax Revenue decrease of approximately \$13,600 due to vehicle tax rollback.
17. Criminal and Traffic fines decreased – approximately \$40,000.

Revised 7-10-2002

EXPENSES

1. 2% COL - \$120,000.
2. Fourteen Merit Raises totaling - \$19,687.
3. Denied two (2) full-time positions that were requested – (1) P&R Leisure Program Director and (1) P&R Maintenance Worker for Gardens Division. Approved (1) P&R Maintenance Worker I for Parks and Cemeteries Division – approximately \$23,000 salary plus benefits.
4. Increase in health and dental insurance approximately \$33,000 (City's portion) – 5% overall – Increase in Co-pay on prescriptions \$10/\$20 to \$12/\$25/\$40.
5. Three (3) retirements totaling \$37,094.
6. Retiring two debt payments totaling \$309,356.58 and adding one - \$92,000 (Net decrease.)
7. Transfer to Airport from General Fund to cover operating costs - \$116,961.
8. Only \$260,000 in Capital Equipment.
9. Borrowing \$1,500,000 for DPS Complex – would add \$145,000 to annual debt expense for fifteen years at 4.92%.
10. Assessments on Criminal and Traffic fines increased from 100% to 107.5%.

Revised 7-8-2002

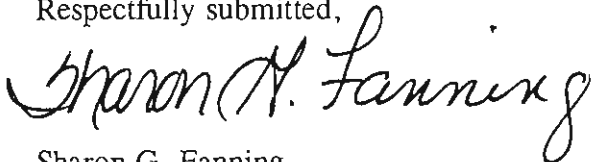
BUDGET WORKSHOP MINUTES
JULY 9, 2002
PAGE 3

Some Councilmembers suggested a possible increase to \$11 green fee and \$15 cart fee and also, to give City and the Department of Public Utilities employees the same discounted rate. It was then suggested that the South Carolina State University's student rate and the employee rate be set at \$10 for green fee and \$15 for a cart fee effective October 1, 2002.

Council asked that Manager Bryant bring back a proposal for City and the Department of Public Utilities employees for an annual rate. This would include only active employees and their immediate families. Council expressed to Manager Bryant that we need to get the revenues up at the golf course in order to break even. Council agreed to add \$6,000 to the Hillcrest budget for billboard advertising. Council agreed that they wanted to see revenues increase due to these monies being added to the budget. Other suggestions included coupons at hotels for a \$5.00 discount. Also, Companies, Orangeburg County and school districts being included for Hillcrest memberships by payroll deductions.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



**BUDGET WORKSHOP MINUTES
JULY 10, 2002**

Orangeburg City Council held a Budget Workshop Meeting on Tuesday, July 10, 2002 at 5:00 p.m. in Council Chambers. An invocation was by given by Councilmember Rheney.

PRESENT:

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

The purpose of this meeting was to conduct a Budget Workshop for the FY 2002-2003 Budget.

Mayor Paul A. Miller opened the budget workshop with continued discussion from the July 9, 2002 Budget Workshop regarding the issue of a tax increase versus other options to help balance the budget. After much discussion regarding a tax increase, the consensus of City Council was not to increase taxes during this budget year. After further discussion, it was agreed upon that an increase in the transfer from DPU would be needed to balance the Budget. The total amount needed to balance is \$200,000. This includes an additional \$145,000 debt service payment to help fund repayment of approximately \$1,500,000 bond issues to help fund construction of a new DPS complex.

Councilmember Jernigan and Mayor Pro Tem Haire expressed their views on annexation and the possible effects on City finances as well as other intangible effects such as long-term growth of City.

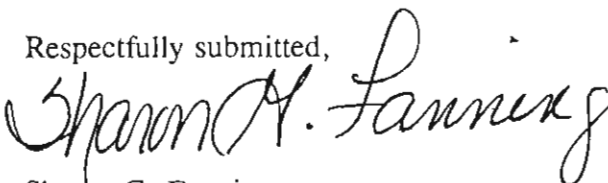
Director of Public Safety, Wendell Davis, highlighted his budget requests for Council. He expressed his appreciation to Council for the support that his Department had been given. He briefly went over the City's crime statistics for Council. He stated that we might need to annex areas in the Greater Orangeburg area, to assist in getting these specific areas improved. He told Council there would be an on site visit in December for the accreditation process. Director Davis answered various questions from City Council regarding Department of Public Safety issues. Areas specifically discussed were vehicle operation, maintenance and overall costs. Also, the cost of overtime is something to constantly monitor with special events and training.

Parks and Recreation Director Smith gave City Council a brief overview of his budget requests for FY 2002-2003. There was some discussion about the Master Plan and various operations of the Parks and Recreation Department. It was agreed that many of the new projects have been well received, however, we do realize increased operational and maintenance costs with these improvements.

City Administrator Yow stated that the first reading of the FY 2002-2003 Budget would be scheduled for Tuesday, August 6, 2002 with the second reading and public hearing to be on Tuesday, August 20, 2002. Final reading will be scheduled for Tuesday, September 3, 2002.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk



CITY COUNCIL MINUTES
July 16, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, July 16, 2002 at 7:00 p.m. in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Roderick Belin.

PRESENT:

Paul A. Miller, Mayor
Charles W. Jernigan
Sandra P. Knotts
Trelvis A. Miller
Joyce W. Rheney

ABSENT:

Charles B. Barnwell, Jr.
Bernard Haire

A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan to approve the June 18, 2002 City Council Minutes as distributed. This was a 4-0 vote. Councilmember Knotts abstained from voting as she was not present at the June 18, 2002 City Council meeting.

Mayor Miller recognized Mr. Leon Sanders, recently elected Governor of Palmetto Boy's State. Mayor Miller presented Mr. Sanders a plaque on behalf of City Council for his accomplishment as one of only five youths from Orangeburg ever to be named as Governor of Palmetto Boy's State.

There was no Old Business to discuss.

City Administrator Yow thanked City Council for their many hours put in at the FY 2002-2003 Budget Workshop and stated that the Budget Ordinance would be ready for the August 6, 2002 meeting for First Reading.

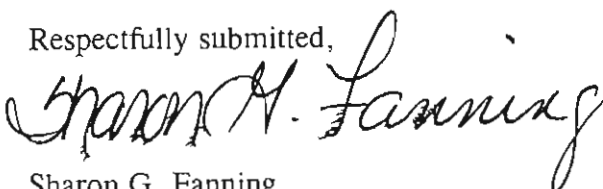
City Administrator Yow presented to City Council the Award of bid for the construction of parking area in the 1000 Block of Broughton Street. Three bids were received. Braxton Construction Company, Inc., submitted the low bid in the amount of \$71,143.62. A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan to accept the low bid submitted by Braxton Construction Company, Inc. The motion was unanimously approved.

City Administrator Yow stated that two current appointments to the Hillcrest Golf Commission expired this month. Those appointees are Mr. John Worley and Mr. Lee Harter. Dr. Wilbur Shuler, whose appointment is made by SCSU, also expires this month. Mayor Miller contacted Mr. Worley and Mr. Harter and both are willing to serve on the Commission again. President Finney, of SCSU, will be contacted to appoint the SCSU representative. A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan to reappoint Mr. John Worley and Mr. Lee Harter to the Hillcrest Golf Commission. The motion was unanimously approved.

There were no utility matters presented to Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk



CITY COUNCIL MINUTES AUGUST 6, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, August 6, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Father Michael Polelwczak of Holy Trinity Catholic Church.

PRESENT:

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

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to approve the July 16, 2002 City Council Minutes as distributed. This was a 6-0 vote. Mayor Pro Tem Haire abstained from voting as he was not present at the July 16, 2002 meeting.

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the July 9, 2002 Budget Workshop Minutes as distributed. This was a 6-0 vote. Mayor Pro Tem Haire abstained from voting as he was not present at the July 9, 2002 Budget Workshop meeting.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to approve the July 10, 2002 Budget Workshop Minutes as distributed. This motion was unanimously approved.

Mayor Miller presented Frank and Pearl Tourville the Edisto Award for their contributions of service, leadership, dedication and commitment to the Orangeburg community. The Tourville's brought the Zeus Manufacturing operation, a major employer to Orangeburg, in 1981. Mayor Miller acknowledged Mr. Tourville as an industry leader and for his volunteer service to Boy Scouts environmental organizations and local charities. "I accept because of my family and the employees of Zeus and the people of the community. If I didn't love this community, I wouldn't be here."

Mayor Miller presented Department of Public Utilities Manager Boatwright a trophy for the Municipal Achievement Award given by the Municipal Association of South Carolina for the DPU Centennial Park. Orangeburg won for the category of Municipalities 10,000-20,000 population.

Department of Public Safety Director Davis told Council, "I am extremely proud to report the results of our Firefighter's Competition Team in this years Firefighter's Relay Challenge. The DPS team participated in the South Carolina State Firemen's Association annual competition in Myrtle Beach earning first place overall and the title of State Champions in the Firefighter's Relay Challenge. The competition is a team event, which exemplifies the teamwork needed in the day-to-day firefighting operations. The competition required five members of the team to perform separate functions to receive an aggregate score based on the time recorded to complete the entire event. The team members are: Lt. Terrell Brown, Sgt. Anthony Robinson, Sgt. Anthony Scott, Sgt. Nick Riley, PSO II Harry Shuler, and PSO I Chad Corbett. Mayor Miller and City Council congratulated the officers for a job well done.

There was no Old Business to discuss.

Mayor Miller proclaimed the Character Trait "Initiative" for the month of August 2002. He presented Orangeburg County Chamber of Commerce President Dede Cook the Proclamation.

CITY COUNCIL MINUTES
AUGUST 6, 2002
PAGE 2

Department of Public Safety Director Davis gave a report on the 2002 National Night-Out. The Department of Public Safety has for the past eight years united with citizens of our City to celebrate partnerships developed between the neighborhoods and our officers to work together to reduce criminal elements. This year the Department is going a step further by initiating neighborhood watch groups throughout the City. Events were being held at St. Paul Apartments, Marshall Street and Sunnyside Street.

City Administrator Yow gave several highlights on the proposed FY 2002-2003 Budget. He stated the General Fund total is \$12,570,000 and General Fund, Enterprise Fund total is \$13,733,662. There will be no tax millage increase. It will remain at 72 mills. There is no business license rate increase. Vehicle tax assessments will decrease due to a rollback over the next seven years. Residential sanitation fees will increase \$1.00 per month per cart. This is the first increase since this fee was put into place. Fire contract rates increased 5%. The Department of Public Utilities transfer will increase \$200,000. He presented a balanced budget to Council for first reading.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 2002 and ending September 30, 2003. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to amend the Budget for the City of Orangeburg, South Carolina for the Fiscal Year beginning October 1, 2001 and ending September 30, 2002. This motion was unanimously approved.

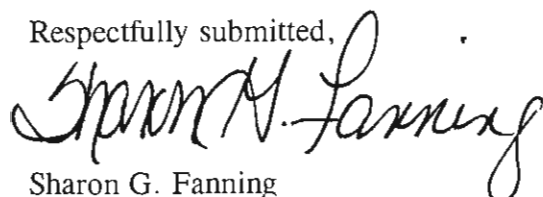
There were no matters brought before Council concerning the Department of Public Utilities.

Mayor Miller allowed Mrs. Lillie Gaffney an opportunity to address City Council. She explained to City Council that she was appearing to represent the estate of Rosa Gaffney. She stated the house on the Gaffney property is unoccupied and that it is in need of repairs. A letter was received earlier in the year from Mr. Allan Ott that stated the windows needed to be boarded up, which was subsequently done. On Friday, August 2, 2002, she received another letter from Mr. Ott. She wanted to let City Council know that the family is trying to sell the property and that there is a prospective buyer but it would take some time to make the repairs. Mayor Miller suggested that since neither City Council nor City Administrator Yow is familiar with the case and that there is a formal appeal process if needed, Mrs. Gaffney should contact the City Administrator's office so that they may review the file.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



SPECIAL SESSION
CITY COUNCIL MINUTES
AUGUST 13, 2002

1391

Orangeburg City Council held a Special Session Meeting on Tuesday, August 13, 2002, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Paul A. Miller presiding. Michael G. Sells gave an invocation.

PRESENT: Paul A. Miller, Mayor
Bernard Haire, Mayor Pro Tem
Charles W. Jernigan
Trelvis A. Miller, Sr.
Joyce W. Rheney

ABSENT: Charles Barnwell
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 2002-2003 Budget.

Summary Budget Presentation
Fred Boatwright to Mayor and Council

Fred Boatwright expressed he was pleased to present a proposed budget for the City of Orangeburg's Department of Public Utilities for Fiscal Year 2002-2003. He explained the proposed budget reflects increased costs of purchased power per our purchase agreement with South Carolina Electric and Gas Company (SCE&G), increased costs of purchased natural gas per our new purchase agreement with South Carolina Pipeline Corporation (SCPC) and increased costs of providing Water and Wastewater service. He stated the budget did not however anticipate what might happen to "off the market" Natural Gas pricing because there are so many unknowns in that market right now that will not be known at least for another year, maybe longer.

He went on to explain the budget numbers reflect anticipated increases as follows:

1. Electric – The purchase contract with SCE&G provides for an approximate 5% increase in the purchase price of electricity beginning May 1, 2003. The rate schedules approved effective May 1, 2001, contain provisions that will automatically pass the increase to our customers. This is a direct pass through of costs. The margin on the service will remain unchanged.
2. Natural Gas – The new purchase contract with SCPC goes into effect November 1, 2003. The Department is reviewing its Natural Gas rate design in an effort to make rates to our customers reflect the new purchase agreement. He stated prior to November 1st, he would be recommending changes to our Natural Gas rates. He asked that Council please remember that we did not change our natural gas rates when we revised all of our other rates on May 1, 2001. He stated as he reported last year, there is a real risk of losing some of our industrial gas customers due to the high price of gas, the delivery restrictions on the interstate pipeline infrastructure and the reorganization of the gas business in this state. He stated that he did feel that the Department can and will rise to these challenges and continue to succeed with the natural gas portion of our business. He expressed It was important to note that all of our profits in the Gas Division come from industrial sales; residential sales are a direct pass through of costs.
3. Water and Wastewater – The Department's long anticipated re-writing of the General Terms and Conditions is complete. He stated he will present this document for their consideration in October. He explained he will recommend that impact fees for new Water and Wastewater services be increased by \$100 each and that tap fees for both Water and Wastewater be changed to reflect actual costs

1392 computed annually by the Department. This is a part of our long-term strategy to assign the costs for services where they actually apply and take those costs out of the rate schedules.

He went further to explain, he had been contacted by Orangeburg County and asked to act as the County's contractor for certain of their one-percent (1-%) sales tax water and wastewater projects which are adjacent to our existing distribution and collection systems. Our previous agreement is that we will act as their contractor having full control over engineering and design of the projects, that we will pay for the engineering and construction observation and that the County will reimburse us for all construction costs. When the projects are completed, the installed infrastructure will become assets of the City of Orangeburg, owned and operated by DPU. He stated it was his opinion that this is a very good deal for both the County and the City and represents how it is possible for both of us to work together for the benefit of the citizens we all serve. These projects will take many years to complete so I have not included our costs (which will be minimal considering the assets we will receive, not to mention the expanded customer base) in my budget forecasts. However, you will note that I have not included any capital projects for the Wastewater Division.

He explained spending on capital projects in Fiscal Year 2002-2003 is anticipated to be considerably more aggressive than last year. Last year we needed to slow down a little to catch up. There are some potentially important business opportunities which may arise for which we need to be prepared. Most of the capital projects are carry-overs from previous years. There are some capital projects notably a **proposed new transmission line and substation** in the Electric Division, a **proposed new high pressure gas main** in the Gas Division, and a **proposed major expansion of our Water Treatment Plant** in the Water Division. The Department also proposes to continue work on several major on-going projects from years past including a 3-year plan to reconfigure our office building to provide for improved access for our customers and additional work space for our employees, our Department wide GIS system, and the 115kV cross-town tie; all of which are major capital improvements.

He expressed this is a sound budget proposal that does anticipate some rate increases (later in the year I will present to you a reorganization of our General Terms and Conditions with recommend fee changes) and which provides us with the resources to continue to meet our obligations of:

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

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 - Administrative Building Modifications

Total Project Cost:	\$1,411,877
Expenditures to Date:	\$ 436,877
Estimated 2002-2003 Cost:	\$ 975,000

Continuation of an ongoing project. The purpose of this project is to re-arrange and expand the DPU 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:	\$1,836,000
Expenditures to Date:	\$ 990,000
Estimated 2002-2003 Cost:	\$ 846,000

Continuation of an ongoing project. The purpose of this project is to enhance and increase the capacity, reliability and stability of the Transmission System of the Department by adding a 7.7 mil 115 kV Cross-Town-Tie.

Project #2 - Geographical Information System

Total Project Cost:	\$2,577,000
Expenditures to Date:	\$ 150,000
Estimated 2002-2003 Cost:	\$ 800,000

1393

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 #3 - 115 kV Transmission Line & Substation #24

Total Project Cost:	\$3,815,000
Expenditures to Date:	\$ 100,000
Estimated 2002-2003 Cost:	\$ 200,000

This is a new proposed project. The purpose of this project is to provide the County/City Industrial Park and adjoining area with additional electrical capacity to improve service reliability, future capacity for industrial development, and to restore capacity in the Department's existing Substation #15 (301 North and Substation #20 (Rowesville Road).

GAS DIVISION PROJECTS

Project #1 - Natural Gas Service to U.S. Highway 301 North

Total Project Cost:	\$1,350,000
Expenditures to Date:	\$ None
Estimated 2002-2003 Cost:	\$1,350,000

This is a new project. The purpose of this project is to provide natural gas services to serve the proposed industrial development area on U.S. Highway 301 between Interstate 26 and U.S. Highway 176.

WATER DIVISION PROJECTS

Project #1 - Modifications to the 1971 – 4 Million Gallon Finished Water Reservoir

Total Project Cost:	\$380,000
Expenditures to Date:	\$ None
Estimated 2002-2003 Cost:	\$380,000

This is a new project. The purpose of this project is to address deficiencies related to the roof structure on our existing 1971 Finished Water Reservoir at the Water Treatment Plant. Our plan is to construct a roof design that will not only utilize the existing roof structure, but also at the same time, control the vast temperature changes that contribute to the on-going structural damage of the roof panels. A roof coating made of polyurethane and silicone will be installed over the existing roof panels with an average depth of (4") inches. The roof coating will adequately support personnel traffic, prevent water from entering cracks in the existing roof panels and regulate the surface temperature of the roof panels. By regulating the temperature and prohibiting water from penetrating the structure, expansion and contraction issues will be eliminated. Repairs to approximately five damaged panels and some interior work will be performed at the same time.

Project #2 - 10 Million Gallon Per Day Treatment

<u>Capacity Expansion at the Water Treatment Plant</u>	
Total Project Cost:	\$12,326,500
Expenditures to Date:	\$ None
Estimated 2002-2003 Cost:	\$ 1,750,000

This is a new project. The purpose of this project is to address projected water system demand increases by increasing the treatment capacity at the Water Treatment Plant from 19-million gallons per day to 30-million gallons per day. This is a major project intended to provide adequate water supply for the next ten years. This project will require approximately 3 years to complete. This expansion will represent the final capacity expansions planned at the John F. Pearson Water Treatment Plant.

1394	Project #3 - 24" Ductile Iron Water Main From Water Plant to Existing 12" Mains Along Riverside Drive & Riverbank Drive
	Total Project Cost: \$1,045,000
	Expenditures to Date: \$ None
	Estimated 2002-2003 Cost: \$ 490,000

Continuation of an going project. The purpose of this project is to improve our capacity to pump finished water from the Water Treatment Plant into the northwestern quadrant of our distribution system. Phase I is to construct a 24" water line from the Water Plant along Riverside Drive to the intersection of Park Street and tie into the existing 12" on Park Street. Phase II of this project will be to continue with the construction of the 24" main along Riverside Drive to the intersection of Riverbank Drive and Rutledge Street. Connections to existing 12" mains will be made at Scoville, Rutledge and Riverbank. Phase II is scheduled to be completed during Fiscal Year 2003-2004 prior to the completion of the Water Treatment plant 10 MGD Expansion.

WASTEWATER DIVISION PROJECTS

The Wastewater Division did not have any projects for Fiscal Year 2002-2003

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, 2002 through September 30, 2003.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to accept the first reading of an Ordinance to Adopt the 2002-2003 Annual Budget for the Department of Public Utilities. Council voted 5-0 to approve the Budget on 1st Reading.

Fred Boatwright asked Council for consideration to pass a Resolution authorizing himself as Manager of the Department of Public Utilities, to accept the low responsible bid by Advantica Stoner of Charlotte, North Carolina in the amount of \$1,433,817.00 for the purchase of a Geographical Information System (GIS).

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to pass a Resolution to authorize the DPU Manager to accept the low responsible bid by Advantica Stoner in the amount of \$1,433,817.00 for the purchase of a Geographical Information System (GIS). Council voted 5-0 to approve this Resolution.

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 20, 2002

Orangeburg City Council held a Public Hearing for the purpose to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina, for the fiscal year beginning October 1, 2002 and ending September 30, 2003.

City Administrator Yow stated that the fund total for the General Fund is \$12,569,941, Hillcrest Golf Course is \$812,805, and Airport Fund is \$350,916. All funds total \$13,733,662. The proposed fiscal year millage remains at 72 mills. Approximately \$25,000 new revenues in the General Fund is from 5% increased fire contract rates and an increase of \$1.00 per month in residential sanitation fees will increase revenues \$48,000. City employees will receive a 2% cost of Living Allowance.

Mayor Miller opened the Public Hearing for public comments. Hearing none, the Public Hearing was closed.

A second Public Hearing was held for the purpose to adopt a Budget for the operation of the Department of Public Utilities for the City of Orangeburg, South Carolina, for the fiscal year beginning October 1, 2002 and ending September 30, 2003.

Department of Public Utilities Manager Boatwright told Council that nothing had changed from the first reading of the Budget Ordinance.

Mayor Miller opened the Public Hearing for public comments. Hearing none, the Public Hearing was closed.

Council entered into its regularly scheduled City Council Meeting. An invocation was given by Councilmember Jernigan.

PRESENT:

Mayor Paul A. Miller
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
Trelvis A. Miller
Joyce W. Rheney

ABSENT:

Sandra P. Knotts

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the August 6, 2002 City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the August 13, 2002 Department of Public Utilities Budget Workshop Minutes as distributed. This was a 5-0 vote. Councilmember Barnwell abstained from voting.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina, for the fiscal year beginning October 1, 2002 and ending September 30, 2003. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Second Reading of an Ordinance to amend the Budget for the City of Orangeburg, South Carolina, for the fiscal year beginning October 1, 2001 and ending September 30, 2002. This motion was unanimously approved.

CITY COUNCIL MINUTES
AUGUST 20, 2002
PAGE 2

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities for the City of Orangeburg, South Carolina, for the fiscal year beginning October 1, 2002 and ending September 30, 2003. This motion was unanimously approved.

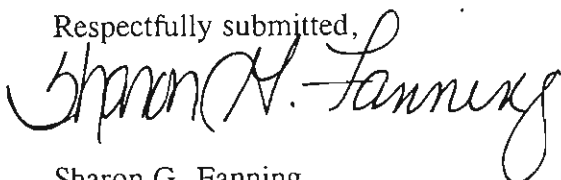
DPU Manager Boatwright presented Council with a second item, which was the First Reading of an Ordinance to adopt new rates pertaining to Natural Gas for the Department of Public Utilities of the City of the Orangeburg, South Carolina. DPU Manager Boatwright reminded Council that several months ago, negotiations with South Carolina Pipeline were ongoing to change the way natural gas was being purchased. He stated that the Department of Public Utilities had been successful in negotiating a good contract and as a result, Council and South Carolina Pipeline had signed a Resolution and it is now before the Public Service Commission for their approval. If approved by the Public Service Commission, it will go into effect on November 1, 2002. Therefore, the Department of Public Utilities needs to be prepared by that date to have the new gas rates for the customers to reflect the new purchasing contract. He felt that because three readings are necessary, it would be appropriate to have this process begin now. DPU Manager Boatwright also reported that due to the new contract, he expects over the next fiscal year, perhaps the next two fiscal years, a savings of one-half million dollars a year will be seen for natural gas purchases. He asked Council to consider decreasing the natural gas rates for most class of customers. A 1 1/2% decrease would be seen for the small general service gas customers who are residential customers and there will be a slight increase (about 1/2 of 1%) for the interruptible customers. He proposed that Council pass an Ordinance establishing new Natural Gas rates. A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan to approve the First Reading of an Ordinance to adopt all new rates pertaining to Natural Gas for the Department of Public Utilities of the City of Orangeburg, South Carolina. This motion was unanimously approved.

DPU Manager Boatwright presented the First Reading of an Ordinance to adopt new General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg, South Carolina. He explained that the General Terms and Conditions is the document approved by City Council, which defines the way the Department of Public Utilities does business. He also stated there were some major changes in the General Terms and Conditions and there would be a few minor changes made prior to the Third Reading of this Ordinance. A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to adopt General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg, South Carolina. This was a 5-0 vote. Mayor Pro Tem Haire abstained from voting.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to enter into an Executive Session for a (1) legal matter concerning Annexation-DPU Consumer Contract and (2) contractual matter concerning the Chamber of Commerce.

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 ADVANTICA STONER OF CHARLOTTE, NORTH CAROLINA IN THE AMOUNT OF \$1,433,817.00 FOR THE PURCHASE OF A GEOGRAPHICAL INFORMATION SYSTEM (GIS)

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received final proposals on August 7, 2002 for the purchase of a Geographical Information System (GIS); and

WHEREAS, the responsible bid for this work was submitted by Advantica Stoner of Charlotte, North Carolina in the amount of \$1,433,817.00; 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 20th day of August, 2002.



Paul J. Miller
MAYOR
Frederick A. Miller
Charles D. Dismore
Barry Haire
Jayce W. Kenealy

MEMBERS OF COUNCIL

ATTEST:

Sharon H. Lanning
CITY CLERK

CITY COUNCIL MINUTES

September 3, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 3, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to approve the August 20, 2002 City Council Minutes as distributed. This was a 6-0 vote. Councilmember Knotts abstained from voting as she was not present at the August 20, 2002 meeting.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 2002 and ending September 30, 2003. The General Fund is \$12,569,941, Hillcrest Golf Course Fund is \$812,805 and Airport Fund is \$350,916. All funds total \$13,733,662. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to amend the Budget for the City of Orangeburg, South Carolina for the Fiscal Year beginning October 1, 2001 and ending September 30, 2002. This motion was unanimously approved.

Mayor Miller proclaimed the Character Trait "Honor" for the month of September 2002. He presented Orangeburg County Chamber of Commerce President, Dede Cook, with the Proclamation.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities for the City of Orangeburg, South Carolina, for the Fiscal Year beginning October 1, 2002 and ending September 30, 2003. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan, to approve the Second Reading of an Ordinance to adopt all new rates pertaining to natural gas for the Department of Public Utilities of the City of Orangeburg, South Carolina. This motion was unanimously approved.

DPU Manager Boatwright told Council that he would not bring this item back to Council for Third Reading until the October 15, 2002 City Council Meeting, which is when the Public Service Commission is expected to approve the contract. The new rates will go into effect November 1, 2002.

DPU Manager Boatwright asked for Council's approval on the Second Reading of an Ordinance to adopt General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg, South Carolina.

**CITY COUNCIL MINUTES
SEPTEMBER 3, 2002
PAGE 2**

Mayor Pro Tem Haire asked DPU Manager Boatwright who made the request for the fire hydrant flow tests. He explained that generally those that are inquiring are doing so for the purpose of building new industries or subdivisions. He further explained that it is normally not the average citizen; it is a builder or developer.

Mayor Pro Tem Haire also asked DPU Manager Boatwright to explain the fee for testing of the water.

DPU Manager Boatwright explained that the Department of Public Utilities maintains a complete chemical analysis of the water for any customer, which may be obtained at any time. He stated that at times the customers request the water be tested at a specific point on their property and the fee in question is for that purpose.

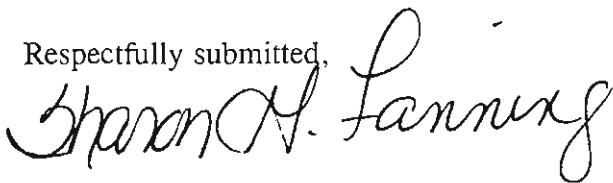
Councilmember Rheney asked if most of the water lines had been relined at this point.

DPU Manager Boatwright stated that approximately 98% of the old lines had been relined.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to adopt General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg, South Carolina. 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 17, 2002

Orangeburg City Council held a Public Hearing on Tuesday, September 17, 2002 at 7:00 P.M. for the purpose to hold a discussion on the Local Law Enforcement Block Grant. Department of Public Safety Director Davis stated that the purpose of the Local Law Enforcement Block Grant Program is to reduce crime and improve public safety. The Department of Public Safety proposes to use the grant funds in the program areas of communication, training and computer enhancement.

Mayor Miller opened the Public Hearing for comments. Hearing none, the Public Hearing was closed.

Council immediately entered into its regularly scheduled meeting with Mayor Miller presiding. An invocation was given by Roger Brant, Director of the City Service Department.

PRESENT:

Paul A. Miller, Mayor
Charles W. Barnwell
Charles W. Jernigan
Trelvis A. Miller
Joyce W. Rheney

ABSENT:

Bernard Haire
Sandra P. Knotts

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan, to approve the September 3, 2002 City Council Minutes as distributed. This motion was unanimously approved.

Mayor Miller presented Parks and Recreation Director Smith and his Management Team the 2002 South Carolina Recreational and Park Association Outstanding Agency of the Year Award. This is the fourth year they have received this award. They also received the award in 1989, 1993, 1995 and 2002.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the Local Law Enforcement Block Grant from the U.S. Department of Justice in the amount of \$60,011 with a required 10% match from the City in the amount of \$6,668 and have City Administrator Yow sign and accept the documents. This motion was unanimously approved.

DPS Director Davis told Council that the Department of Public Safety has been selected as one of ten cities in South Carolina to receive a \$50,000 maximum grant award from the SC Department of Juvenile Justice. He stated truancy is a major problem for South Carolina schools and the juvenile justice system. Truancy has been described as a gateway offense to other violations of the law. Those persons who are repeatedly truant often possess other risk factors that, if not monitored, would prove detrimental to the community in the long run. The City expects to use this grant to partner with other community agencies to address the truancy problems in our community. This is a 100% grant and will only require an in-kind service match from our agency.

A motion was made by Councilmember Jernigan, seconded by Councilmember Rheney, to approve a Law Enforcement Truancy Initiative Grant with the SC Department of Juvenile Justice in the amount of \$50,000.00. This motion was unanimously approved.

There were no Department of Public Utilities 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 annexation/DPU utility services,

**CITY COUNCIL MINUTES
SEPTEMBER 3, 2002
PAGE 2**

Mayor Miller called the meeting of Orangeburg City Council back to order after the Executive Session.

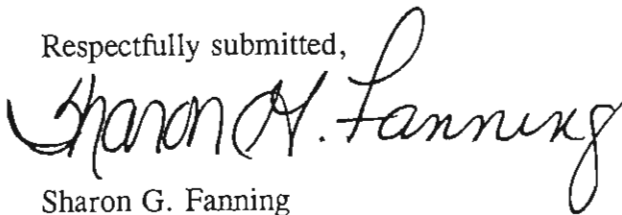
City Administrator Yow stated that over the last few years City Council had discussed various methods and ways to annex properties into the City that would have a positive effect on City growth. City Council directed the staff to proceed with some research in order to bring a recommendation to them to begin initiating the annexation process. An Ordinance to amend the General Terms and Conditions of the Department of Public Utilities of the City of Orangeburg and a Resolution to place a conditional moratorium on providing water and wastewater taps to premises located contiguous to the Corporate Limits of the City of Orangeburg was presented to City Council. City Administrator Yow further stated that since receiving the last census report, the population had not grown and these two documents would provide an avenue for growth. He also stated that these two documents would put into effect a process that most municipalities with utilities have been using in South Carolina for decades.

A motion was made by Councilmember Jernigan, seconded by Councilmember Miller, to approve the First Reading of an Ordinance amending the General Terms and Conditions of the Department of Public Utilities of the City of Orangeburg, South Carolina. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve a Resolution placing a conditional moratorium. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

SGF/pfb





RESOLUTION PLACING A CONDITIONAL MORATORIUM ON PROVIDING WATER AND WASTEWATER TAPS TO PREMISES LOCATED CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF ORANGEBURG

WHEREAS, the City of Orangeburg has adopted by first reading an ordinance governing the provision of water and wastewater taps to premises located contiguous to the corporate limits of the City of Orangeburg, and;

WHEREAS, the City of Orangeburg finds that it is in its best interest to not provide any said water and wastewater taps unless the owner or owners of said premises agree to comply with the pending ordinance referred to hereinabove,

NOW THEREFORE BE IT RESOLVED BY COUNCIL DULY ASSEMBLED, that pending the final passage of the above ordinance which was adopted on first reading on September 17, 2002 no water or wastewater taps shall be provided by the Department of Public Utilities to premises located contiguous to the corporate limits of the City of Orangeburg until the said ordinance is considered for third reading on October 15, 2002.

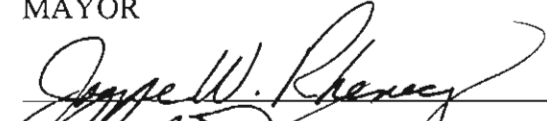
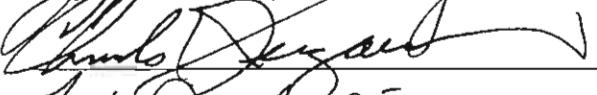
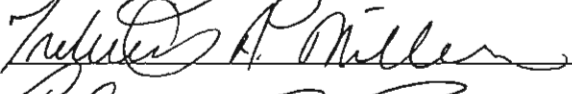
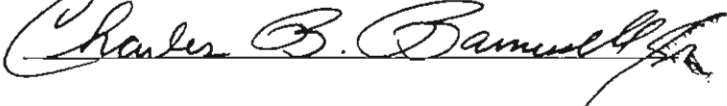
BE IT FURTHER RESOLVED, that said water or wastewater taps can be provided to premises located contiguous to the corporate limits of the City of Orangeburg if the owner or owners of said premises agree by covenant and petition to be annexed into the corporate limits of the City of Orangeburg.

BE IT FURTHER RESOLVED, that if a water or wastewater tap is conditionally approved by the Department of Public Utilities for the City of Orangeburg in compliance with this Resolution and the above ordinance is not adopted and passed on the third reading on October 15, 2002, then, in such event, any required covenant and petition required hereunder shall be null and void.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 17TH DAY OF SEPTEMBER, 2002.





MAYOR

MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

CITY COUNCIL MINUTES OCTOBER 1, 2002

Orangeburg City Council held a Public Hearing on Tuesday, October 1, 2002, at 7:00 P.M. for the purpose of discussion to amend Section 24-4.2, District Boundaries and Maps of the Code of Ordinances and the Zoning Map of the City of Orangeburg, property of St. Paul Baptist Church, (Tax Map #0173-17-33-006).

Assistant City Administrator Harley told Council they are requesting rezoning of this property from A-2 Residential to B-1 General Business District. He stated, "You will also find a Resolution from the Planning Commission recommending the approval of this change and a plat of the property as well as a colored map showing the zoning of the property located on Glover Street. Also, you will see in your packet where Attorney Walsh has given his opinion that this would not be considered spot zoning."

Mayor Miller asked for public comments.

Mr. Curtis Carter, representing St. Paul Baptist Church stated, "We would like to have this property rezoned, as we plan to build a church at this location."

Councilmember Knotts asked Mr. Carter, "Is this the only piece of property that you are talking of rezoning on Glover Street?"

Mr. Carter answered, "Yes, at this time."

Hearing no further comments, the Public Hearing was closed.

Council held a second Public Hearing for the purpose of discussion to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances and the Zoning Map of the City of Orangeburg, property of Edisto Habitat for Humanity (Tax Map # 1073-18-15-005).

Assistant City Administrator Harley told Council that the rezoning of property owned by Edisto Habitat for Humanity for property located on Rowe Street would be from D-1 Industrial to A-2 Multi-Unit Residential. He stated, "The Planning Commission has recommended this zoning change, as well as the maps, showing the designated areas and the zoning surrounding this area."

Mayor Miller opened the Public Hearing for public comments.

Dr. Henry Frierson representing the Board of Directors for Edisto Chapter of Habitat for Humanity asked that the property on Rowe Street be changed from industrial to residential. He stated, "We are asking that this be expedited as we were planning to start the house on the first of October with a grant from the South Carolina Housing Authority, which has tentatively been approved, but not officially, but will be by the end of the month. If we can lay the foundation by October 18th, we can hopefully complete the house and have the family in by Christmas. We did not know that this property was zoned industrial until we came in for a permit. In the past, there had been a house on this lot, and a house immediately behind, and a house immediately across the street in both directions. The family who will be occupying this house knows of the situation of zoning in the immediate area. We respectfully request this change from industrial to residential."

Councilmember Rheney asked, "Is this the only property that is zoned industrial in that general area?"

Dr. Frierson stated, "There are some properties immediately across from Rowe Street that are zoned industrial, also the property between this lot, which is on the corner of Rowe Street and Brunson Court, between there and Dukes Street is all industrial. This will be the twenty-third house that Habitat for Humanity has started, twenty-two have been completed within the City limits of Orangeburg, and I would like to take the opportunity to thank the City of Orangeburg, City Council, the City Administrator and others for their assistance."

Hearing no further comments, the Public Hearing was closed.

Council held a Third Public Hearing for the purpose of discussion on an Ordinance to annex property owned by Ms. Sarah Monroe, into the corporate limits of the City of Orangeburg, South Carolina (Tax Map # 0173-07-01-002) to zone same as "B-1 General Business District" and to assign same to Municipal Council District #2.

Assistant City Administrator Harley presented a petition to annex the property owned by Ms. Sarah Monroe, property located on Chestnut Street. He stated, "The Planning Commission has recommended this annexation for bringing this property into the City of Orangeburg and it is requested that this property be zoned B-1 General Business District. This also is the zoning designation to properties immediately surrounding and contiguous to this property."

Councilmember Miller asked, "What type of business is it?"

Assistant City Administrator Harley stated, "They are apartments."

Councilmember Rheney asked, "Ms. Monroe is this right next to your home, along with the strip of apartments."

Ms. Sarah Monroe stated, "Yes. About eleven years ago, I appeared before City Council to get a house at 840 and the apartments, which are 826-834 annexed into the City. Recently, I have completed a duplex, numbers 794 and 796, and since I live right across the street from the fire station and this property is in the City, I would like to request fire protection and garbage collection from the City for the duplexes."

City Administrator Yow stated, "Just for clarification, when property is annexed it is automatically annexed as residential unless the petitioner specifies and requests otherwise and that is what Ms. Monroe has done."

Mayor Miller stated, "I applaud you for wanting to come into the City of Orangeburg and your reasons for wanting services are valid."

Hearing no further comments the Public Hearing was closed.

Council entered into the regular scheduled City Council Meeting. An invocation was given by Reverend Rick Bennett of First Baptist Church of Orangeburg.

PRESENT:

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

A motion was made by Councilmember Miller, seconded by Councilmember Barnwell, to approve the September 17, 2002, City Council Minutes as distributed. This was a 5-0 vote. Councilmember Knotts and Mayor Pro Tem Haire abstained from voting as they were not present at this meeting.

Mayor Miller proclaimed the Character Trait "Honesty" for the month of October 2002. He presented Mrs. Bernice Tribble, Downtown Orangeburg Revitalization Manager, with the Proclamation.

Mayor Miller stated, "Mrs. Tribble is such a great Ambassador to the City of Orangeburg and she was given the "Citizen of the Year" award by the Kiwanis Club.

City Administrator Yow stated, "The second item under new business is the appointment to the Aviation Commission. Mr. E. O. Hudson, who was a member of our Commission, did relocate and respectfully submitted his resignation to the City. He was representative to District #3, the Mayors former district, which is now Councilmember Barnwell's District. We have notified Mr. Barnwell of this vacancy and he has a nomination for an appointment."

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan to nominate Mr. B. Reese Earley, to the City Aviation Commission to fill the unexpired term of Mr. E. O. Hudson. This motion was unanimously approved.

City Administrator Yow stated, "The next order of business is an application for a pawn shop at 1135 Russell Street, SC Gold and Diamond Exchange. In your package is a copy of the application and you also have a copy of the City Ordinances as they pertain to the operation of a pawn shop, and the application that needs City Council's approval as well as the surety bond in the amount of \$1,000.00 that is required by City Ordinances. City staff has reviewed this application, we have also investigated the individuals that have applied for the license, and we have no objections to this application."

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Haire, to approve SC Gold and Diamond Exchange at 1135 Russell Street to operate a pawn shop. This motion was unanimously approved.

City Administrator Yow stated, "The next order of business for Council is the consideration for approval and award of a bid on the renovation of the Old Jail Building on Market Street. As most of you know, this is the building as you go down Market Street behind Stevenson Auditorium. It has not been used by the City for many years, at least the last twelve years, other than storage. We have discussed previously that we need additional space for the Public Works Department and some possible reorganization within the City and we have determined that a renovation of this existing City owned building in downtown would be the course we would like to consider. Mr. West Summers has been the architect on this project and he has worked closely with Public Works Director Bowden and other staff in designs. We did accept bids on the project and we received only two bids. It was sent to four different contractors, one of them does not have sufficient bonding to do this job and we did not elect to waive the bonding that we required. The bid that came in was \$339,000.00. This was higher than the funds we had budgeted. We met with Mr. Summers and the contractor and have negotiated several items and actually have removed a couple of items or have changed the materials. The recommendation is a contract in the amount of \$311,825.00 to Cleckley and McGee, Inc., which is a local Orangeburg Company. This will be paid for primarily from 2% Funds, which are the Accommodations and Hospitality Tax, of which we are trying to encourage the development of our downtown. You will note that the parking lot is nearing completion on Broughton Street. Persons going to the Public Works Office can either park on Middleton Street or park in the new parking lot on Broughton Street, which is now a very short walk. We also hope to gain additional storage space for Stevenson Auditorium. As it has been some time since the last briefing on this subject, the total square footage being renovated is approximately 5,000 square feet."

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the bid of \$311,825.00 to Cleckley and McGee, Inc., for the renovation of the Old Jail Building on Market Street. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances and the Zoning Map of the City of Orangeburg, property of St. Paul Baptist Church (Tax Map # 0173-17-33-006). This motion was unanimously approved.

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

the First Reading of an Ordinance and the Zoning Map of the City of Orangeburg, property of Edisto Habitat for Humanity (Tax Map # 0173-18-15-005). This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Haire, to approve the First Reading of an Ordinance to annex property owned by Sarah Monroe into the Corporate Limits of the City of Orangeburg, SC (Tax Map # 0173-07-01-002) to zone same as "B-1 General Business District" and to assign same to Municipal Council District 2. This motion was unanimously approved.

Mayor Pro Tem Haire stated, "We have been asked by Habitat for Humanity regarding their property to put it on the fast track as it relates to their needs to get some things done, to have the house completed by December. I would be in favor of having some special meeting to get this taken care of."

Mayor Miller stated, "We need a Second Reading on just this one Ordinance that can be held at 12:00 Noon, Monday, October 7th." Mayor Pro Tem Haire said he has no objection to putting the other two Ordinances on at the same time. City Administrator Yow has asked that Councilmembers contact him on whether they can attend at 12:00 Noon on October 7th to ensure we have a quorum.

City Administrator Yow stated, "I ask that you defer action on Item #9 tonight. After some discussion we would like to bring this back to Council in Ordinance form. Deferring it does not interfere with our time schedule."

Mr. Yow stated, "The next item for discussion is Item #10 on Norfolk Southern Railroad Operations. You do not have any material in the agenda package on this, but I have been asked by a Councilmember to add to this to the Agenda. With your permission, Mr. Mayor, I would like to give the floor to Mayor Pro Tem Haire to address this item."

Mayor Pro Tem Haire stated, "On September 23, 2002, at 10:00 P.M. or shortly after, I was leaving South Carolina State Campus to return home. I usually go across the Peasley Street Crossing. As I was attempting to go there, there was a locomotive blocking the intersection. I drove down to Zan Street and after going to Zan, then back to Boulevard, I then drove down to the Peasley intersection. There was a white van and three gentlemen, two were getting out of the train and one gentleman was in the van. They proceeded to get into the van to leave, so I asked the gentleman who was driving, as to how long they intended to block the intersection. He turned to another gentlemen who had gotten out of the locomotive and turned back to me and shrugged his shoulders. I drove on home and immediately called the City Administrator. I asked him to meet me at the Intersection of Peasley and Boulevard. I informed him as to what had transpired. He made several attempts to make contact with persons connected to Norfolk Southern and he also made an attempt to call the Public Service Commission. We stayed at that site for more than one hour. We then had our DPS officers come down to where the train was blocking the intersection. Finally after about 1 ½ hours, we were able to get in contact with Norfolk Southern about the problem. Shortly thereafter the three gentlemen returned and questions were asked about it. They said they were the relief crew. They looked to me as the same crew. I felt that Norfolk Southern looks upon Orangeburg as Mayberry and our Law Enforcement as the Barney Fife type. They do not hear or have any corporate citizen concerns as to what effect they are having on our community as it relates to the speed of the train or the parking of the cars on the sitings. I am of the opinion that we need to make a statement with Norfolk. It is my understanding that a summons has been issued to Norfolk, but the things that I hear relating to that summons and the cost to Norfolk Southern, is nowhere near the inconvenience that it causes. I have asked for copies of the State Ordinance, as well as our Ordinance, as both Ordinances address blocking intersections more than five minutes. I believe we need to send a statement as it relates to this Ordinance that would be in terms of dollars that Norfolk Southern would feel, and that this kind of behavior on the part of Norfolk employees should not be allowed to continue. I ask, as it stands now, what is the amount that Norfolk can be fined as it relates to their Willful disregard?"

DPS Director Davis stated, "It is \$ 100.00 on our Ordinance book, in State it is \$ 15.00 or \$ 20.00. Also, the maximum is \$ 500.00 under a City Ordinance fine."

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Mayor Pro Tem Haire stated, "Whatever Ordinance or procedure needs to take place, I would like to see that the maximum fine be in place as it relates to our Ordinance and that it is \$500.00."

A motion was made by Mayor Pro Tem Haire, that the fine for blocking railroad crossings more than five minutes would be increased to \$500.00.

City Administrator Yow stated, "The story as related by Mayor Pro Tem Haire is in fact the way it happened. We called several people and we were told that they were having a shift change and the other item was that they had too many cars that they were pulling so they had to block somewhere. Neither of the two excuses is acceptable to leave the intersection blocked. One of the things that the Ordinance states as well as the state statute is five minutes. To some of you that may sound unreasonable, but that is five minutes after they have been contacted blocking the crossing. So it is not while you are sitting there blocking the intersection more than five minutes. Just for clarification, so it is not unreasonable, it is after you give that engineer or agent of the railroad notice. One of the things I have not had the opportunity to share with Mayor Pro Tem Haire is to ask for you to consider this in this motion. There was a Bill proposed to the State House last year, to increase the fines on the state level and to be fined or impose jail time for blocking the intersections. This was not proposed by our local Delegation or lobbyists, it was some other community. I do not believe that it was voted upon by the House. I would like to ask that Council give us direction to write our House Members and ask them to research this and attach their name to it to get it passed in the General Assembly next year."

Councilmember Miller stated, "The maximum that can be penalized, even if it is only \$ 500.00, is only a drop in the bucket for Norfolk. My concern is that we could implement that fine to the person who caused that infraction, and I believe that it would affect them a lot more if their personnel had to pay it out of their pocket, rather than to the railroad."

City Administrator Yow stated, "We would have to write the citation to the persons that we determined to be the offenders. We would have a little bit of difficulty with this one. A citation was issued in this case. The person that we notify to get the train will be the engineer or the agent in charge would also be the person we would write the ticket to. This is a good point that was raised but the citation would be only turned over to the claims department."

Councilmember Miller stated, "I guess what I was trying to say is if that employee is following instructions from their supervisor as to what they are to do, the railroad is going to pay it anyway. I think that is another reason what I said about the state statute, I understand what was proposed, but that I have not seen it yet. The fine or jail time would really get the person's attention to what we are saying. The \$ 500.00 is going to penalize them, but putting them in jail would be better. This \$500.00 is a drop in the bucket for a company of Norfolk's size. As Mayor Pro Tem Haire stated, they are taking us for a joke. We really need to step up and play baseball, we are representing the City and we have constituents that utilize the streets everyday."

City Administrator Yow stated, "We have met with the railroad since this incident. The core management representatives met with us. We had a very good discussion. They stated that there would be no more engines left in this general vicinity running all night, keeping the residents awake as that was not acceptable unless it was an emergency. The gentleman that came up from Greenville instructed the staff that was here with him, to not leave any more intersections blocked, or cross arms down. We have had three incidents in the last two months, and this is not acceptable. If there was an emergency with an engine, they should notify us before hand. We let him know that we would appreciate the notification since it is always the City notifying the railroad, when they have a problem. I thanked them for those sentiments, but reminded them that we have had these meetings before. Mayor Pro Tem Haire, Mayor Miller and past Councilmembers have been involved in these discussions before and they have assured us that these things will cease and will not happen again. While we appreciate what they told us yesterday, time will be the jury. I wanted to report that we have met with them and they did send people in town yesterday."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to draw up the necessary Ordinance to increase the fine to \$500 for blocking the railroad crossings more than five minutes and that City Administrator write our House Members and ask them to research a Bill that was proposed to increase fines on the state level. This motion was unanimously approved.

City Administrator Yow stated that he was asked by Mayor Pro Tem Haire to put Item # 11, discussion of the Weedy Lot Program on the Agenda.

Mayor Pro Tem Haire stated, "I am concerned about the maintenance of weedy lots in the City. I have noticed in my district that lots have been maintained once this year, especially about three lots on the street where I live and to my knowledge there has only been one cutting. The lots have grown up. We need to look at possibly another method of getting these lots cleared as it is an eyesore for the City if you go down Boulevard. Looking at the property that is adjacent to the railroad tracks between Peasley Street and Zan Street they are growing up already, just not being maintained. I would hope the City would look at a means by which we could better maintain these lots rather than have them grow up as they are at present. If you ride around the City, it is an eyesore. I would hope we could possibly come by some suggestions as to how we can remedy this because our current system, and this year has been the worst, needs improvement."

City Administrator Yow stated, "I would like to have my staff give me answers to the questions and I will bring a report back to Council. We do a couple of different things. We have a list of individuals that agree that we mow their properties for them and they pay a reasonable fee for the service. We have people that we have to notify by certified letter that they need to cut their property or contact us, and we will have it mowed and charge them the contractor's fee plus a City fee. Some people do not even respond to the letter, they just ignore us completely and that is one weakness in our system. We are writing very few citations. We have some people that have not agreed to be on the general maintenance list and who also disregard any certified letter sent to them. They just do not cooperate and we mow their lot and send them a bill and they pay it. A lot of time has been spent going to these same people as many as three times in one year. We need to address several things and one will be issuing citations for people who ignore us."

Mayor Miller stated, "It is my recommendation to increase the fee for cutting weedy lots to get someone's attention. I had a lady that called me about a lot on Dantzler Street and I have seen that the lot has been like that for some time. It is discouraging if you live in a neighborhood where everyone else's lots are maintained and you have one that sticks out like a sore thumb. Anything that can be done to increase enforcement of this situation would be greatly appreciated."

City Administrator stated, "I appreciate the comment. I will also add that the contractor that won the bid this year mowed several lots and then notified us that his equipment was broken down. He later notified us that he wasn't going to get it fixed and he couldn't mow anymore. We need to have a fall-back plan when this happens and we need to be ready to go to another contractor immediately. You will recall in the budget cycle, Council approved for the Sanitation Department to purchase a tractor mower so we can mow some of the lots ourselves with our City personnel."

Mayor Pro Tem Haire asked, "What is the maximum that we can charge on weedy lots?"

City Administrator Yow answered, "It depends on the lot size. When we take bids on weedy lots we get a price on the area and size, plus add our City fee."

Mayor Pro Tem Haire asked, "Can we just make it a fine and just set it at whatever we want to set it? If so, I would so move."

City Administrator Yow stated, "We have that option."

Mayor Pro Haire stated, "If you have habitual offenders, we have to be stern."

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City Administrator Yow stated, "We have not been aggressive on citations and if you want recommendations from us, that will be one of the recommendations and as each of you know, when we start issuing citations, you will get calls on them."

Mayor Miller stated "Does anyone on Council have any problems with this." No one had any problems with the issuing of citations.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance amending the General Terms and Conditions of the Department of Public Utilities of the City of Orangeburg, South Carolina, as adopted by Council on October 15, 2002. This was a 6-1 vote. Councilmember Knotts opposed this motion.

DPU Gas Director Miller, stated, "I am representing Mr. Boatwright and I bring one order of business for consideration. It is a Resolution allowing us to accept a low responsible bid from Pipeline Construction Company, Inc., in Lexington, South Carolina, to construct approximately 6 miles of 10" high pressure natural gas maintenance out on 301 North. This project is for the intersection of 301 North and Interstate 26 and to continue out 301 North approximately six miles. The low bid on this project is \$ 1,019,495.80. We had estimated this project to be \$1,150,000.00, so we are \$130,000.00 under our projected bid. Foremost Pipeline Construction Company has done numerous projects for us in the past and is an excellent contractor. They have the expertise and the equipment to complete this job in a timely manner."

Councilmember Barnwell asked, "What are we going to pick up as far as revenue?"

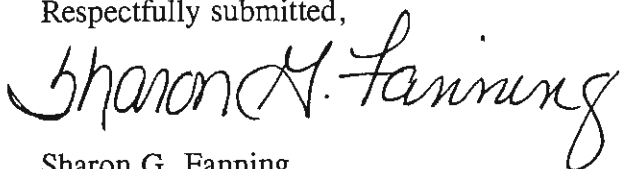
Director Miller stated, "I see this as a future industrial and distribution center area and we are installing this gas line with the anticipation of growth in that area."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to approve 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 \$1,019,495.80. This was a 6-1 vote. Councilmember Barnwell opposed this motion.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to enter into an Executive Session for a contractual matter concerning industrial development and a legal matter concerning unauthorized removal of timber from City property.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

SGF/pfb



CITY COUNCIL MEETING OCTOBER 7, 2002

Orangeburg City Council held a Special City Council Meeting on Monday, October 7, 2002, at 12:00 Noon in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Rheney.

PRESENT:

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

ABSENT:

Charles W. Barnwell

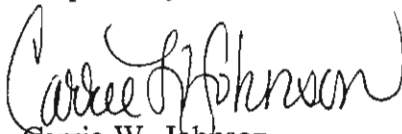
A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to approve the Second Reading of an Ordinance to Amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances and the Zoning Map of the City of Orangeburg, property of Edisto Habitat for Humanity (Tax Map # 0173-18-15-005). This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to Annex property owned by Sarah Monroe into the Corporate Limits of the City of Orangeburg, SC (Tax Map # 0173-07-01-002) to zone "B-1 General Business District" and to assign same to Municipal Council District 2. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Haire, to approve the Second Reading of an Ordinance to Amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances and the Zoning Map of the City of Orangeburg, property of St. Paul Baptist Church (Tax Map # 0173-17-33-006). This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
Assistant Finance Director



**RESOLUTION EXTENDING THE MORATORIUM ON WATER
AND WASTEWATER TAPS**

WHEREAS, the City of Orangeburg placed a moratorium on water and wastewater taps by Resolution dated September 17, 2002, and;

WHEREAS, said moratorium was to expire on October 15, 2002, and;

WHEREAS, the City now finds it necessary to extend said moratorium until November 5, 2002.

NOW THEREFORE BE IT RESOLVED BY COUNCIL DULY ASSEMBLED, that pending the final passage of an ordinance governing the provision of water and wastewater taps to premises located contiguous to the corporate limits of the City of Orangeburg which was adopted on second reading October 1, 2002, no water or wastewater taps shall be provided by the Department of Public Utilities to premises located contiguous to the corporate limits to the City of Orangeburg until the said ordinance is considered for third reading on November 5, 2002.

BE IT FURTHER RESOLVED, that said water or wastewater taps can be provided to premises located contiguous to the corporate limits of the City of Orangeburg if the owner or owners of said premises agree by covenant and petition to be annexed into the corporate limits of the City of Orangeburg.

BE IT FURTHER RESOLVED, that if a water or wastewater tap is conditionally approved by the Department of Public Utilities for the City of Orangeburg in compliance with this Resolution and the Resolution of September 17, 2002 and the above ordinance is not adopted and passed on the third reading on November 5, 2002, then, in such event, any required covenant and petition required thereunder shall be null and void.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 15th DAY OF OCTOBER, 2002.



Mayor

Paul G. Minn
James D. Hair
Donald L. Smith
Charles B. Brummett
Theresa A. Miller
Charles D. Jones
James W. Floney
Members of Council

ATTEST

Harold Fanner
City Clerk

RESOLUTION TO AUTHORIZE THE ORANGEBURG COUNTY\CITY INDUSTRIAL PARK COMMISSION TO USE AS AN ECONOMIC DEVELOPMENT GRANT TO A PARTICULAR COMPANY THE CITY PORTION OF PROCEEDS FROM A PARTICULAR PLANNED SALE OF PROPERTY AT THE ORANGEBURG COUNTY\CITY INDUSTRIAL PARK

WHEREAS, the City of Orangeburg (the "City") passed Ordinance Number 1998-8 (the "Ordinance") to provide for the establishment of the Orangeburg County\City Industrial Park Commission (the "Commission") to govern the operation of the Orangeburg County\City Industrial Park (the "Park"), and the County of Orangeburg passed a mirror-image ordinance contemporaneous with the City's passage of the Ordinance;

WHEREAS, the Ordinance empowers the Commission to "do all things necessary or convenient for the establishment, maintenance and operation" of the Park, including the power to "sell, lease or transfer property within the park under the terms and conditions it deems appropriate;"

WHEREAS, the Ordinance states that "[a] ll proceeds from the sale of properties within the Park shall be distributed by the Commission equally to the City of Orangeburg and the County of Orangeburg" (the "Proceeds");

WHEREAS, the City is aware that the Commission plans a sale of property within the Park under terms and conditions the Commission and City deems appropriate as part of an economic development transaction currently known by the code name "Project Pen" (the "Planned Property Sale"); and

WHEREAS, as part of those terms and conditions, the City portion of the Proceeds from the Planned Property Sale (the "City Proceeds") are to be used to fund an economic development grant to aid the processing and manufacturing company involved in Project Pen (the "Company") in implementing the Company's plan to establish and operate a facility on the property; which Company's plan includes promises under the terms of an Inducement and Millage Rate Agreement for, (1) the creation of approximately 80 new, full time jobs with health benefits to be established at the facility to be located in the Park, and (2) the expectation of lucrative farming opportunities in the County of Orangeburg, and;

WHEREAS, the development of the Park and the economic development of the County of Orangeburg and its surrounding areas directly and indirectly benefits the general public welfare of the City,

NOW THEREFORE BE IT RESOLVED BY COUNCIL DULY ASSEMBLED, that Orangeburg City Council makes a finding that use of the City Proceeds from the Planned Property Sale to fund an economic development grant to the Company would be for proper governmental and public purposes;

BE IT FURTHER RESOLVED, that City Council hereby authorizes and directs the Commission to use the City Proceeds from the Planned Property Sale for an economic development grant to the Company, on condition that the County of Orangeburg, the Company and all other third parties have timely fulfilled their required obligations with deadlines of October 15, 2002.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 14th DAY OF OCTOBER, 2002.



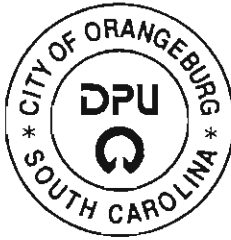
Mayor

[Handwritten signatures of Mayor and Council Members]

Members of Council

ATTEST:

[Handwritten signature of Carrie D. Johnson]
City Clerk



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY FOREMOST PIPELINE CONSTRUCTION CO., INC. OF LEXINGTON, SOUTH CAROLINA IN THE AMOUNT OF \$1,019,495.80 FOR THE CONSTRUCTION OF APPROXIMATELY 6 MILES OF 10" STEEL GAS MAIN ON U.S HIGHWAY 301 NORTH

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on September 4, 2002 for the construction of approximately 5 miles of 10" steel gas main on U.S. Highway 301 North; and

WHEREAS, the low responsible bid for this work was submitted by Foremost Pipeline Construction Co., Inc. of Lexington, South Carolina in the amount of \$1,019,495.80; 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 1st day of October, 2002.



Sam A. Miller
MAYOR

Sam Haire
Sandra T. Smith
Julius A. Miller
Chris Duggan
Jeffrey P. Haire

MEMBERS OF COUNCIL

ATTEST:

Sharon A. Lanning
CITY CLERK

CITY COUNCIL MEETING OCTOBER 14, 2002

Orangeburg City Council held a Special City Council Meeting on Monday, October 14, 2002, at 12:00 Noon in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Rheney.

PRESENT:

Paul A. Miller, Mayor

Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Joyce W. Rheney

ABSENT:

Charles W. Barnwell
Trelvis A. Miller


A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to enter into an Executive Session for discussion of matters pertaining to proposed location of industry. This motion was unanimously approved.

Council entered back into open session.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve a Resolution of Industrial Incentive. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
Assistant City Clerk

/pfb



CITY COUNCIL MINUTES

October 15, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 15, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Reverend Donald Green of Andrews Chapel Baptist Church.

PRESENT:

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

A motion was made by Councilmember Miller, seconded by Councilmember Barnwell, to approve the October 1, 2002, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the October 7, 2002, Special City Council Minutes as distributed. This was a 6-0 vote. Councilmember Barnwell abstained from voting as he was not present at the October 7, 2002, Special City Council Meeting.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to Amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances and the Zoning Map of the City of Orangeburg, property of St. Paul Baptist Church (Tax Map # 0173-17-33-006). This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to Amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances and the Zoning Map of the City of Orangeburg, property of Edisto Habitat for Humanity (Tax Map # 0173-18-15-005). This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to annex property owned by Sarah Monroe into the Corporate Limits of the City of Orangeburg, SC (Tax Map # 0173-07-01-002) to zone same as "B-1 General Business District" and to assign same to Municipal Council District 2. This motion was unanimously approved.

City Administrator Yow stated, "During the budget process it was apparent the cost to deliver public safety services continues to increase. This includes fire service that is provided outside of the City. In earlier years, I have mentioned that 60% to 65% of our total calls continue to be outside the City in this fire district. That remains the case in the number of calls that we respond to outside the City. With those facts in mind, City Council directed us to draft an Ordinance increasing the rates for this outside fire protection by 5%."

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance 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. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to approve a Resolution extending a moratorium on water and wastewater taps. This motion was unanimously approved.

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Mayor Miller stated that item #8, Executive Session, concerning a contractual matter with Orangeburg County was being deleted from the Agenda.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to enter into an Executive Session for discussion of proposed purchase of property by the Department of Public Utilities, and a legal briefing on Federal, state and local regulations pertaining to railroad operations.

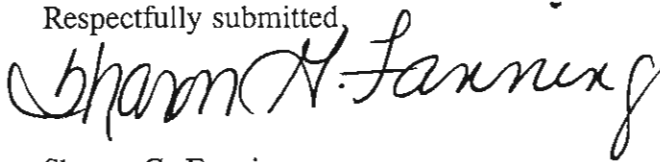
Council then returned to Open Session.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance amending Chapter XX, Section 20-3, entitled "Blocking Street Crossing; Time Limit; Exceptions" of the Code of Ordinances for the City of Orangeburg, South Carolina. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to allow DPU Manager Boatwright, on behalf of the Department of Public Utilities, City of Orangeburg, to exercise an option to purchase 39.17 acres that is presently owned by First Security, LLC with an option date of August 15, 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 NOVEMBER 5, 2002

Orangeburg City Council held a Public Hearing on Tuesday, November 5, 2002, at 7:00 P.M. for the purpose of discussion to adopt all new rates pertaining to Natural Gas for the Department of Public Utilities of the City of Orangeburg, South Carolina.

Mayor Miller opened the Public Hearing for public comments. Hearing none, the first Public Hearing was closed.

A second Public Hearing was held for the purpose of discussion to adopt the General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg, South Carolina.

Mayor Miller opened the Public Hearing for public comments. Hearing none, the second Public Hearing was closed.

Council immediately entered into their regularly scheduled City Council Meeting. Reverend Burt Williams, retired Pastor, of Northside Baptist Church gave the invocation.

PRESENT:

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

A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan, to approve the October 15, 2002, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Rheney, to approve the October 14, 2002, Special City Council Minutes as amended. This was a 5-0 vote. Councilmembers Barnwell and Miller abstained from voting as they were not present at the October 14, 2002, Special City Council Meeting.

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to approve the October 1, 2002, City Council Minutes as corrected. This motion was unanimously approved.

Downtown Orangeburg Revitalization President, Edna Fischer, presented Mayor Miller with a wooden bowl and gavel from Ben C. Pendarvis, Jr., made from the Magnolia trees that were cut down on the plaza during the Streetscape Project.

Bernice Tribble, DORA Manager, addressed Council. She stated, "The South Carolina Downtown Association announced their 2001 awards. Orangeburg will receive the Outstanding New Construction Award for the City of Orangeburg Department of Public Utilities Centennial Park. Bill Wise Printers will receive the Gaines Jontz New Sign Award. Henry Allen will receive the Master Merchant Award. These awards are evidence that Orangeburg is moving in the right direction and we applaud each of these winners for their efforts.

A couple of years ago, DORA developed guidelines for building renovations, additions and demolitions in our downtown shopping district. In developing these guidelines for a historical downtown district, we reviewed guidelines from a number of other towns. We came up with, what we believe, to be the best consensus for what should be adopted in Orangeburg. We have many architecturally beautiful buildings which were covered by facades in the 1960's. The City has invested a great deal of money in Streetscape and we feel it is reasonable to expect property owners to voluntarily take the next step for improving their buildings, using these suggested guidelines.

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Mrs. Tribble then introduced the Design Committee and asked Mr. James Townsend to address the issue of how DORA would like to implement these guidelines.

Mr. Townsend stated, “ Guidelines are here as a guidance and I believe that this guidance can provide not only an enhancement for the Streetscape that we are proposing, but I think it can assure compatibility with that Streetscape. I also think that having the guidelines will help ensure the continuing economic revitalization for our central business district. I know from experience up in Greenville, the guidelines not only increased but also protected property values and they also promoted neighborhood pride. I think those are four general items that greatly support the introductions of guidelines. We are proposing that initially the guidelines be voluntary, with one exception. Before a property owner or a tenant downtown goes to the permit office, they must meet with a City Representative; and at that time they will be given a copy of the guidelines so they are familiar with them and be encouraged to meet with the Design Committee. Greenville did its Streetscape twenty years ago, but they waited twenty years before they had design guidelines and it started off as voluntary, but there was that mandatory requirement that you meet with a City Representatives so that you could be introduced to the guidelines. The Design Committee we see as a resource to help property owners and being compatible with Streetscape and also to offer solutions to the property owners or the tenant. The Design Committee will come up with suggestions that might be more economical than what the applicant really intended to do. We see ourselves as a resource and not a stonewall. In this initial phase, communication, we think is most important. We feel that DORA should contact every property owner within the district, that is covered by the guidelines, to make them aware that the guidelines are available and to make them aware that they should plan some improvements that would alter the exterior of the property and they should meet with a City Representative. I think now is a good time for the introduction of guidelines because we have got all this momentum going with the Streetscape people and they are enthusiastic about it and I see this just as another tool to help revitalize our central business district. Another thing I believe DORA should do, we should get a copy of these guidelines to any architect or general contractor that has a City business license, so that when someone comes to them they are also aware of these design guidelines. Already we are seeing results in my opinion to our Streetscape and it is not even finished yet.”

Mayor Pro Tem Haire, stated, “I believe you said that Greenville’s guideline was voluntary, right?”

Mr. Townsend stated, “They had mandatory guidelines for the Historic District, which I was on that Board, then they introduced guidelines for the central business district, which were voluntary. And they were voluntary for about a year or two years, then they became mandatory.”

Mayor Pro Tem Haire asked, “What is your rationale then for not requesting that they be mandatory?”

Mr. Townsend stated, “I think you need to walk before you can run. I think it is going to take some education and I think its going to take getting these guidelines out. Obviously, we can start out mandatory, but I think it is better public relations in the city’s point of view that we start at a voluntary basis, educate the people, establish a track record and once they become mandatory that would be your decision. We have done our homework and we don’t have a hard selling job.”

City Administrator John Yow stated, “I think it is a learning process for us all. I do believe if Council elected to make it mandatory for the future, we would have to establish additional Codes and Ordinances within the City, mainly an Architectural Review Board and those things can certainly be done.”

Mr. Townsend stated. “If you go mandatory, you will have to go through the Public Hearing process, and you post it properly and you send letters out and it is a lot of red tape involved.”

Mayor Pro Tem Haire stated, “I am not necessary advocating mandatory, but I am just wondering why the rationale for it.”

Mayor Miller stated, “I concur with that, that we need to see where we are going first.”

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Mayor Pro Tem Haire asked, "Are we being asked to approve these, tonight?"

City Administrator John Yow stated, "I believe you are being asked to endorse them. You can do it at this meeting or approve at another meeting."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Miller, to approve putting the item on the agenda for the next meeting for endorsement. This was a 5-0 vote. Councilmember Rheney and Barnwell abstained from voting.

A motion was made by Councilmember Barnwell, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance 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. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Haire, to approve the Second Reading of an Ordinance amending Chapter XX, Section 20-3, entitled, "Blocking Street Crossing; Time Limit; Exceptions" of the Code of Ordinances for the City of Orangeburg, South Carolina. This motion was unanimously approved.

Mayor Miller proclaimed the Character Trait for the month of November 2002, as "Respect". He presented Orangeburg County Chamber of Commerce President, Dede Cook, with the Proclamation.

City Administrator John Yow stated, "The Time Warner Cable rate increase was placed on the Agenda for public discussion and for information and to allow Council to ask any questions that they may have. I would like to hand out a history of the cable rates that have been provided to me by Mr. Tibshrany from Time Warner. As Council knows, the City of Orangeburg does not have authority to regulate all of these rates. I would ask that Mr. Tibshrany address some of the material that City Council may have some authority to review."

Mr. Tibshrany stated, "I think I know what questions are going to be asked. I have been in this business a long, long time and certainly having read the newspaper articles and I will say I thought that an eight column front page headlines were reserved for things like World War II or some other catastrophe, but anything that is of a concern to our customers in Orangeburg is of great concern to us. We certainly do not take that lightly by any means. We treat our customers in Orangeburg with the same attention that we do our customers in Columbia even though we have 145,000 customers in Columbia and, we have 3,700 customers in the City of Orangeburg. But again, we place the same emphasis on the customer's service in Orangeburg that we do with anyone else in the seventy-one communities in which we operate in South Carolina. As you know, the City is in a formal proceeding for a Franchise for renewal proceeding and we have provided Mr. Yow with a draft, what is called a stand-still agreement, since there was concern on the part of the City as to it's ability to switch from the informal proceedings to the formal proceedings and switch back to the informal proceedings if the City wishes to do so. This agreement sets an official document that speaks to that and confirms that the City has that right to switch back and forth. As we have recommended before, we feel that there is no downside whatsoever for the City going informal and on the plus side it provides some flexibility. What I mean by flexibility is, as opposed to having to do certain things at certain specified times in the formal proceeding such as requesting a proposal from Time Warner Cable. Time Warner Cable has to submit a proposal within a certain deadline. The informal proceeding allows the City and Time Warner Cable to take this matter up at anytime, at a later date and prior to the expiration of the current Franchise. We still have one year and seven months remaining on the current Franchise."

City Administrator John Yow stated, "Mr. Mayor, this item is really the rates. We have some items we have to discuss with City Council on the franchise renewal, that is part of it. I would like to get back to the rates if you could."

Mr. Tibshrany stated, "Okay, I will shift on that, you have that Franchise Agreement for your consideration. One of our largest expenses is the cost of our programming to provide all of these

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channels that we need to provide. We consider programming as our fuel, if you would, you read about gas prices going up, having to purchase fuel and so forth, cable programming is what fuels our business. Without programming we would not have anything to offer to our customers. Cable is a narrow casting type of business, it is not broadcasting, it's a narrow casting business where all the channels we have and all the various channels appeal to certain segments of our audience, our customer base. We have to provide all these channels for a number of reasons. One, is we want Orangeburg to have state of the art systems just like we do in Columbia or anywhere else. This is truly a state-of-the-art system and it is very costly to have that. We spent more than six million dollars recently in the upgrade of this system to fiber optic technology. This enables us to offer all these new advanced services, digital cable, video on demand, and now a digital video recorder, which you are going to be hearing more about. It is an interactive two-way system. Six million dollars, in our opinion, almost seven, is a lot of money. At the same time we felt a need to do that. Again, keeping our customers in mind and also so that we could compete with our formidable competitors and that is the satellite services. They are formidable and we have had some customers migrate from cable to satellite services. We have had some customers to downgrade from higher levels of our cable service to the broadcast tier which the 12 channels lowest tier. So we know we do have competition in the marketplace and that is why Congress and the FCC saw fit to deregulate cables rates. The only level of service that a municipality or a local government can regulate is the broadcast tier, the 12 channel lowest level of service, if the municipality is certified by the FCC. A municipality needs to apply to the FCC for certification and then after 30 days or so, approval or non-approval is rendered. We have added a lot of channels. We have listed the channels on that analysis sheet going from thirty-one (31) channels when Time Warner Cable acquired the system from Jones Intercable in 1996 to sixty-six (66) basic service channels and there is a lot of cost affiliated with that. At the end of the three-year contract period, and it is normally three with our programming, all of these networks, Discovery Channel, CNN, ESPN, etc., inevitably they raise their rates to us, it is not only Time Warner Cable, it is other cable companies as well. We are not in a power bargaining situation; we cannot go to ESPN and say if you do not lower your rates to us we are going to take ESPN off the cable. They know good and well we are not going to take ESPN off the cable, or Discovery, or Arts and Entertainment, and so forth, so we have to go along with it. That is what drives our rate increases probably more than anything else. We have not frozen salaries and we are very fortunate and blessed that we have not had major layoffs, like numerous companies. We want to keep it that way and so we have to have a sufficient amount of revenue to operate and to provide all these new services or channels, better customer service and to continue to do whatever we need to do to make sure that our system is first class. So basically that is what I want to say as far as the rates are concerned. We try to hold the rate to 5% increase, and you read where other services type companies are going up 14% and 15% and so forth. We are doing our best to keep it down to a minimum. Cable is not a utility. Customers have certain options, they can stay with cable, which we hope they will once they see the benefit, they can go with satellite service, and last but not least they can disconnect the cable service and watch some television by using an antenna. We don't feel that this is a monopoly, it is not a monopoly, it is not a utility, so there are other options."

Councilmember Miller stated, "You used the analogy that your company was such as gas; rates are so high now I feel like walking. Are the rates in South Carolina all the same as far as Columbia rates compared with Orangeburg?"

Mr. Tibshirany answered, "As a matter of fact, rates in Orangeburg are lower than Columbia. The newspaper article even pointed this out."

Councilmember Miller asked, "Throughout the State?"

Mr. Tibshirany stated, "I do not have all those rates with me, it fluctuates. And the reason it fluctuates is because when we go back to the former FCC rules, there are certain formulas we have to use to determine the rates and another factor is that when we acquired the Orangeburg system, we acquired a number of other systems in South Carolina. They were at a certain level and even though we felt a need to adjust them upward to certain levels we have been trying to do that in stages, so that is another reason they may not all be consistent at this point in time. Orangeburg is certainly, I can

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say safely, certainly one of our lowest, lowest costs as far as basic services are concerned and I think that is what most people are interested in, the basic or standard basic service. Our broadcast tier actually is coming down. The 12 channel broadcast tier is decreasing from \$11.12 per month to \$10.60 per month, effective December 1st.

Councilmember Barnwell asked, "Is the broadcast tier the only tier we have regulation on?"

Mr. Tibshirany stated, "Yes. Our records indicate we do not have any records to show that the City has been certified by the FCC. If the City has some records, we will be happy to look at that. I do not know if Jones Intercable had any records to that effect, but we never received any records indicating that the City has been certified by the FCC."

Councilmember Barnwell stated, "No, I am not necessarily saying we are, but it seems awful strange, well not strange, obviously every time there is a rate increase, the particular rate on broadcast tier rate, which we have the say-so in, goes down, the one we have no say-so, goes up."

Mr. Tibshirany stated, "Right, and one of the explanations is we still use a certain formula that the FCC requires that we use for our communities where the rates are regulated. We treat all of our systems the same way, even if they are not certified. And so, there is a formula to that and now it is coming down. The reason that the cable tier, the second part of the basic service goes up is because that is where the bulk of the programming is. That's where the bulk of the cable networks are situated and so consequently that's where our biggest expense is on that cable tier."

Councilmember Barnwell asked, "Didn't we have a rate increase in February of this year?"

Mr. Tibshirany answered, "It was last December."

Mayor Pro Tem Haire stated, "I think we might have asked this question before and I do not recall what the answer might have been. Why is it that Time Warner cannot poll its subscribers. We have thirty five some odd hundred customers that you say are in the City and see what the wishes are of those individuals as to whether they want all those channels? Is it that you are saying that the sixty-six cable channels, you have to have all of these. This past week I was bombarded by concerned citizens that heard and read about the rate increase. I know you have heard this before, a lot that on these channels is simply duplication. Why won't you allow, or why won't Time Warner allow, the citizens the opportunity to say yes, we want these sixty-six channels? I realize you cannot please every subscriber, but at least try to get a general consensus as to what they want."

Mr. Tibshirany answered, "Mr. Haire, that would never work, sir, to get a general consensus, as you said we would have so many different thoughts and views on that, that we would not get to first base. I mentioned a while ago why we have to have a robust basic service and again, that is because we don't want Orangeburg to be a stepchild to every other system we have in South Carolina. And secondly, we have to be able to compete with the satellite services otherwise there would be a massive erosion of our customer base. If we did not provide a strong basic service, the option we offer is the twelve channels broadcast tier. We have a lot of other options that go above that, Musical Tier, Road Runner High Speed Internet, Video on Demand, Digital Video Recorder, those are options also."

Mayor Pro Tem Haire stated, "I understand those are options that require additional funds, but I am talking about options that require less funds, not additional funds."

Mr. Tibshirany stated, "Right, and it is just not a reality in this business, not just with our company but with other cable companies which operate basically the same way. They have a very strong basic service and a number of other options. Unfortunately, it is just not feasible and I do not want to dance around your question, it just is not feasible for us to do that."

Mayor Pro Tem Haire stated, "I, in growing up, there use to be an expression that you can milk the cow dry so to speak. I realize that you are not setting these rates, that it is corporate headquarters that is doing this. It causes much pain for us as Council people to have to sit and not to be able to

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do anything when our citizenry complains about the rate, after rate, after rate increases in these tiers. All that I am saying is that, if I am ever given the opportunity to provide some relief to the citizens, I will do everything that I can to provide that relief. I think that the tier is gouging the citizens. That is my feeling.

Mr. Tibshirany stated, "You certainly are entitled to that opinion, Mr. Haire. We know what it takes to run this business and we have many veterans in management of our company, and believe me decisions about price adjustments are not made in a few minutes, they are studied for practically a whole year and we would like nothing better than not to do it. I would like nothing better than not to have to pay natural gas increases, property tax increases and there is nothing I can do about those. We are faced with exorbitant costs and fortunately Time Warner Cable has the resources to provide the kind of service that we provide. Let me just mention this, by virtue of the fact that Orangeburg, is a part of the Columbia system, we are able to do a number of things in Orangeburg and provide comparable service to a smaller community, a number of our smaller communities, that we can provide the City of Columbia with a much larger customer base and revenue base. So it is a benefit that it is connected, literally connected by fiber optic cable to our Columbia system. We are getting the same channels and the same amount of product that our Columbia system is getting."

City Administrator John H. Yow asked, "What percentage of penetration do you have in the households in Orangeburg?"

Mr. Tibshirany answered, "I do not have specific Orangeburg penetration figure, but I will come close, because our penetration figure for different communities are basically the same. Our penetration figure, that is the number of homes that subscribe to cable that can subscribe to our cable, tracks pretty much with the national average, which is between 60% and 65%."

City Administrator John Yow asked, "How does that compare, with say, about five years ago?"

Mr. Tibshirany stated, "In five years, it hasn't really changed much, John, to be honest with you."

City Administrator John Yow asked, "What percentage of those subscribers, subscribe to the broadcast tier only?"

Mr. Tibshirany answered, "Well, I think you can look at the sheet and do some arithmetic. I am sorry I do not have that number handy. The total basic cable rate is \$36.81 and I do not have the subscriber number per say. I do not have that, but I can get that for you."

City Administrator John Yow asked, "Is it growing?"

Mr. Tibshirany answered, "It has grown and I know that. Several years ago, it was minuscule, the percent of customers that had just the broadcast tier. But it has grown and as I mentioned, some customers have downgraded and gone to satellite and they keep the 12 channel basic service because it has the TV channels on it. It has grown, but I do not have the figures. Tim would you have any idea?"

Mr. Tim Hartman stated, "I would say it is somewhere between 5% and 10%, my guess is it is probably more 7% or 8%."

City Administrator John Yow asked, "On the price per channel, are the home shopping channels in those channels, figured in on that?"

Mr. Tibshirany answered, "They probably are. I think we take a look at all the basic ones."

Councilmember Barnwell asked, "Why do you need duplication, like having two home shopping channels? Or say, the Movie Channel and Cinemax. I can sit there and watch the same movie, pretty much three days later on the same channel. What is the logic as to having all three of them?"

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Mr. Tibshirany answered, "I notice you are referring to those optional premium channels. You have the opportunity to maybe watch some of those movies at different times. Because they shift their schedules, Cinemax, with HBO they have a different schedule than Movie Channel, or Cinemax or Showtime. But there is some duplication on those, the beauty of the new video on demand, is you can watch a program when you want to watch it, stop it, rewind it, fast forward it, just like you do your VCR, it gives you a lot more options, more flexibility. There are some duplications there, but I think it helps so if you want to catch a movie one time, HBO might have it at a different time."

Councilmember Barnwell asked, "But is it not true that you have the same thing on the cable tier also, how many news channels do you need?"

Mr. Tibshirany stated, "Believe it or not they are very popular channels. If we didn't have them and we had them in Columbia, we know good and well that we would hear about it. They are popular channels, and we cannot have just CNN without Fox News. We got a lot of complaints about that before, for political reasons. We try to do the best we can."

Mayor Pro Tem Haire asked, "On the broadcast tier, can a subscriber get digital cable?"

Mr. Tim Hartman answered, "The short answer is yes, With the new regulations, there are some exceptions. For example you, can get the basic service tier channels 2 -13, or you can get HBO, or you can get the digital converter so you have access to pay per view, there are some limitations you cannot get the video tier, you cannot get the basic service and get digital tier, but you can get the optional premium services and pay per view services."

Councilmember Rheney stated, "I have, in fairness to you, I have three friends recently that moved back to the broadcast tier, one of them on sort of a fixed income and the other two not. But the reason being Mr. Yow, they have gotten up in years and they just watch news in that basic tier. So that is why you had three to drop down recently."

City Administrator John Yow stated, "I thought that number probably had increased over the last few years."

Councilmember Rheney stated, "It reflects, I think, generations."

Mr. Tibshirany stated, "That is why we have it, and why we try to make it even more reasonable."

Councilmember Rheney stated, "I would like to insert at this time that we had a small school, here in Orangeburg recently, that did not have cable television. If you will recall, two of the classrooms, and it was beyond the length of footage, I think, for the lines to go, but they came in and did it for the small school."

Mr. Tibshirany stated, "And at no charge."

City Administrator Yow asked Council for approval of a Resolution to purchase real property from James Smoak in the amount of \$36,680.00. He stated, "In 2001, City Council approved acceptance of a FAA Grant in the amount of \$947,746.00 for continuous improvements at the Municipal Airport. A part of this grant was used for fencing around the Airport. This has been completed and was a very good project. It adds to the security at the Airport. Also, included in that FAA Grant was the removal of obstructions from both ends of the new Runway 17/35. Most of those obstructions have been removed on the 35 end. We are coming to you to purchase property which will allow us to move forward on the 17 end. How does this tie in the purchase of the property? As you know, we've done projects in the past where we have affected wetlands. Trees that will be removed from the 17 end of the Runway are the wetlands. We will be required to mitigate in doing that. Also, in the grant I mentioned earlier, \$85,400 was earmarked for the purchase of property. It's going to be roughly eleven acres that's going to be affected on the existing Airport property. I will be presenting a Resolution in the near future placing a conservation easement on some of this property that we are asking for approval for purchase tonight. We are asking to purchase 45.85 acres at \$800 per acre for a total of \$36,680.00. The FAA will participate at 90% of the purchase price which will be

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\$33,012.00. The City will be responsible for 10% which will be a \$3,668.00 local match. On fee simple purchases, the State will not participate.”

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve a Resolution to purchase 45.85 acres at \$800 per acre for a total of \$36,680.00. This motion was unanimously approved.

Public Works Director Bowden addressed Council, He stated, “We included \$75,000.00 in our 2002-03 Sanitation Division Budget for the replacement of an existing 10 year old grapple unit used for trash collection. Last year we replaced a 10 year old grapple unit with a new style unit that was designed to be more efficient and safer to operate and shield the operator from the elements. It was a Nu-Life Model 1700A Hydraulic Knuckle Boom Loader mounted on a Freightliner FL-70 Cab and Chassis. It has now been in service for four months. Our Sanitation employees are very pleased with this unit and are in agreement that future units should be the same style and preferably mounted on a Freightliner FL-70 Cab and Chassis. Therefore, we requested proposals from three vendors that can supply this style unit including Public Works Equipment and Supply, Inc., the supplier of the unit we purchased last year. We received proposals from all three vendors. The low proposal was submitted by Public Works Equipment and Supply, Inc. in the amount of \$72,813.00. A meeting to review the proposals was held. Those in attendance were the Sanitation Division Supervisor, operators of the grapple units, Garage Manager and myself. Based on our experience with the same model unit we purchased from Public Works Equipment and Supply last year, a unanimous decision was reached to recommend to you the purchase of this grapple unit from Public Works Equipment and Supply, Inc. in the amount of \$72,813.00. Also, \$300 sales tax will need to be paid on this unit.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Haire, to approve the bid of \$72,813 from Pubic Works Equipment and Supply Inc., for the purchase of a Knuckle Boom Loader. This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to adopt all new rates pertaining to Natural Gas for the Department of Public Utilities of the City of Orangeburg, South Carolina. This motion was unanimously approved.

Department of Public Utilities Manager Boatwright outlined the changes made in the General Terms and Conditions for DPU at the request of Mayor Pro Tem Haire.

Mayor Pro Tem Haire stated, “At the two previous meetings, I supported the changes but I’ve been bombarded by constituents as it relates to rate increases for Time Warner. I think I would be hypocritical if I voted to adopt the General Terms and Conditions for DPU as it relates to what’s being requested. We’ve met and had discussions of the rationale behind this about the charges in the General Terms. I feel, in many instances, there are individuals being penalized who can least afford it. For this reason, I have problems with the final reading which I regret to say. I just can’t be hypocritical.”

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to adopt the General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg, South Carolina. This was a 4-3 vote. Mayor Pro Tem Haire, Councilmember’s Knotts and Miller opposed this motion.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to enter into an Executive Session for legal matters concerning Time Warner Franchise Renewal and the unauthorized removal of timber from City property.

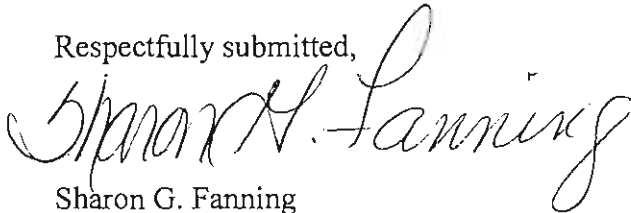
Council then entered back into Open Session.

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A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to remain in the formal process with Time Warner Cable for franchise renewal, but to extend the time for Time Warner to submit their proposal from the current deadline of November 11, 2002 to May 1, 2003. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

SGF/pfb



A RESOLUTION TO APPROVE THE PURCHASE OF A PARCEL OF LAND CONTAINING 45.85 ACRES LOCATED OFF OF MURRAY ROAD AND OWNED BY JAMES B. SMOAK FOR THE PURCHASE PRICE OF THIRTY-SIX THOUSAND SIX HUNDRED EIGHTY AND NO/100 (\$36,680.00) DOLLARS.

WHEREAS, the City of Orangeburg has completed the construction of a runway and parallel taxiway at its municipal airport, and;

WHEREAS, the approach to the new runway is obstructed by trees located on lands designated as "wetlands", and;

WHEREAS, it is necessary to remove said obstructions to comply with safety regulations and regulations and rules of the Federal Aviation Administration, and;

WHEREAS, it is necessary to purchase properties owned by James B. Smoak for the purpose of wetlands mitigation, and;

WHEREAS, the landowner, James B. Smoak, a/k/a James B. Smoak, Jr., has agreed to sell mitigation land consisting of 45.85 acres to the City of Orangeburg for the consideration of Thirty-Six Thousand Six Hundred Eighty and No/100 (\$36,680.00) Dollars;

NOW THEREFORE, BE IT RESOLVED BY CITY COUNCIL DULY ASSEMBLED that the City of Orangeburg purchase from James B. Smoak, a/k/a James B. Smoak, Jr., the below described property for the total consideration of Thirty-Six Thousand Six Hundred Eighty and No/100 (\$36,680.00) Dollars.

BE IT FURTHER RESOLVED, that upon receipt from James B. Smoak, a/k/a James B. Smoak, Jr., of a general warranty, with documentary stamps affixed, conveying the below described property to the City of Orangeburg, free and clear of encumbrances, the City Administrator is hereby authorized to execute and deliver any and all documents necessary to complete the purchase of said property in accordance with this resolution.

Description of property:

All that certain piece, parcel or tract of land with any improvements thereon situate, lying and being in Orange Township, Consolidated School District 5, County of Orangeburg, State of South Carolina containing 45.85 acres and being set forth and shown on a plat of survey prepared for the City of Orangeburg by Donald J. Smith, Jr., Inc., approved by Donald J. Smith, RLS, dated October 17, 2002 and recorded in the Office of the Register of Deeds for the County of Orangeburg, State of South Carolina in Plat Book _____ at page _____ and having the following boundaries and measurements: Northwest by property now or formerly of Bessie Hill, et al., 1,412.14 feet and property now or formerly of the City of Orangeburg, 52.82 feet; Northeast by property now or formerly of the City of Orangeburg and measuring along an irregular line a total distance of 1,169.9 feet and 126.03 feet and 175.44 feet; Southeast by property now or formerly of the City of Orangeburg, 412.60 feet, 184.81 feet, 560.12 feet and 1,026.20 feet; and Southwest by property now or formerly of the City of Orangeburg, 87.50 feet, 69.50 feet, 156.51 feet, and the run of the Edisto River for a total distance of 1,896.59 feet.

Subject to that certain 30 foot access road and 100 foot power line right-of-way as set forth and shown on the above mentioned plat and restrictive covenants of record.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 5th DAY OF NOVEMBER, 2002.



Mayor

James B. Smoak, Jr.

James B. Smoak, Jr.

Sanoka P. Kirtles

Charles B. Boudreau

Talyn A. Miller

James B. Smoak, Jr.

James B. Smoak, Jr.

Members of Council

ATTEST:

James B. Smoak, Jr.

City Clerk

CITY COUNCIL MINUTES NOVEMBER 19, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 19, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Roger D. Brant, Director of the City Service Department.

PRESENT:

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

Mayor Miller announced that Orangeburg received four awards from the South Carolina Downtown Association, now officially named Community Builders. The City received the "Outstanding New Construction Award" for the City of Orangeburg Department of Public Utilities Centennial Park. Mr. Fred Boatwright, DPU Manager, accepted on behalf of the City and Department of Public Utilities. Bill Wise Printers received the "Gaines Jontz New Sign Award", Henry Allen received the "Master Merchant Award" and Durwood Bowden received the "Hometown Hero Award."

Mayor Miller presented Department of Public Utilities Manager Fred Boatwright, Partner of the Year Award. This award was for excellence in leadership efforts for the continued economic growth and development of Orangeburg County by the Orangeburg County Economic Development Partnership.

A motion was made by Councilmember Miller, seconded by Councilmember Barnwell, to approve the November 5, 2002, City Council Minutes. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Jernigan, to endorse DORA's Building Renovation Guidelines. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance 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. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance amending Chapter XX, Section 20-3, entitled "Blocking Street Crossing, Time Limit; Exceptions" of the Code of Ordinances for the City of Orangeburg, South Carolina. This motion was unanimously approved.

City Administrator Yow told Council, "We will send a copy of this Ordinance to the Railroads."

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to reappoint West Summers to serve another four-year term, Marion Black and Jimmy Evans to serve another one year term as alternates, and appoint Willie Hubbard to a four-year term to the Construction Board of Adjustments and Appeals. This motion was unanimously approved.

DPU Manager Boatwright asked Council to consider a Resolution accepting the low bid of D.S. Utilities, Inc., of Little Mountain, South Carolina in the amount of \$846,524.00 for the installation of a 24-inch water main. He stated, "This project, approved as part of our budget package, is the first step in preparing for our water plant expansion. The 24-inch water line will replace and augment an existing 12-inch line which is no longer adequate to carry sufficient water to the northwestern sections of the City. The new line will eliminate the present 12-inch on Seaboard Street between Bull and Waring Streets, where the new plant expansion will be located, and proceed parallel to the existing 12-inch line on Riverside and Riverbank to Rutledge Street. We presented this project in our budget in two phases, Phase I to end at Park Street and Phase II continuing to Rutledge.

**CITY COUNCIL MINUTES
NOVEMBER 19, 2002
PAGE 2**

We bid the project in two divisions also. The bids we received are exceptionally good, so I am recommending that we proceed with awarding both divisions. I do not believe that we would get this price at a future date for Division II. If approved, I will delay the "Notice to Proceed" until January 5, 2003, so that the work will not interfere with Christmas Light visits in the Gardens. There will be major work to be done in the intersection of Waring and Riverside Drive and we don't want that to be occurring while the Christmas traffic is going on."

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve a Resolution for acceptance of a bid for a 24-inch water main along Riverside Drive and Riverbank Drive. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to enter into an Executive Session for a contractual matter concerning the purchase of real property for the Parks and Recreation Department. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

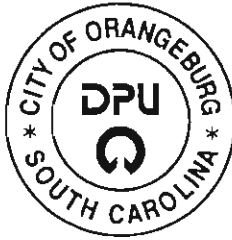
Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb





RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY D.S. UTILITIES, INC. OF LITTLE MOUNTAIN, SOUTH CAROLINA IN THE AMOUNT OF \$846,524.00 FOR THE CONSTRUCTION OF A 24" WATER MAIN ALONG RIVERSIDE DRIVE AND RIVERBANK DRIVE

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on October 23, 2002 for the construction of a 24" water main along Riverside Drive and Riverbank Drive; and

WHEREAS, the low responsible bid for this work was submitted by D.S. Utilities, Inc. of Little Mountain, South Carolina in the amount of \$846,524.00; 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 19th day of November, 2002.



Sam A. Min
MAYOR

Sam Haire
Dandra P. Knott

Charles B. Samuel

Frederic A. Miller

Paul J. Rogers

James W. Phares
MEMBERS OF COUNCIL

ATTEST:

Sharon A. Lanning
CITY CLERK

CITY COUNCIL MINUTES DECEMBER 3, 2002

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 3, 2002, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. An invocation was given by Councilmember Jernigan.

PRESENT:

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

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve the November 19, 2002, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Miller proclaimed the Character Trait for the month of December 2002, "Sharing." He presented the Proclamation to Dede Cook, President of Orangeburg County Chamber of Commerce.

A motion was made by Councilmember Rheney, seconded by Councilmember Barnwell, to approve an application for a pawn shop business license located at 1069 Broughton Street. This motion was unanimously approved.

City Administrator Yow stated that Councilmember Haire had asked that item #4, discussion of a condemned house at 940 Oak Street be placed on the Agenda. He stated that this was a house that had received fire damage several years ago that has been condemned and has not been renovated or torn down.

Councilmember Haire stated. " This piece of property is a great concern, not only because it is in my District and on the same street in which I reside, but it has also caused great concern to the neighborhood and those persons who reside near this place. John has said that this house was damaged by fire some time ago. I have found it very alarming that it has taken so long to get something done. Paul, as you remember, I brought this to your attention with a visit you and I had to this facility, to this structure earlier in the year. It seems as if we have, and I don't want to say that it has been in anyway an intentional thing, but I am greatly concerned about the speediness other residents have been given notices as it related to demolishing a home, their home. I had a family who was remodeling a house on Clark Street where the outside was just as new and up to-date as anyone would want it to be, but because the inside dry walls had not been completed this family received a summons to go to court. There were others. We had maybe, about three or four weeks ago, Mrs. Lillie Gaffney who appeared at City Council after she had gotten notice about a structure that she had boarded up. I am just concerned as to whether or not the person who is responsible for administering this is really being even-handed. I have been told that the structure that is on Oak Street, the bank had taken control of it and they were researching titles and these kinds of things. It seems to me there has been a lot of leeway given in my estimation of that particular structure versus a structure that is completely just about new as it relates to the outside appearance. My neighbor, an elderly lady, talked to me several times about hearing noises and a couple of times there was a policeman that has gone to her residence and it causes this lady great stress as it relates to safety. This house on Oak Street anyone could have gone in. There were no boards, no attempt to prevent robbers from going to this facility and using it for whatever reason they wanted to. It just doesn't seem like it got the kind of attention, or received the kind of notices that other residents have received as it relates to their buildings. I would hope that in the future, we would be, whoever the person is that is over this, would be as diligent in all the matters as it relates to condemned homes. This house really needed to have been torn down a long time ago and it was allowed to remain. I would like to express this to Council, my concern and dismay at the length of time it took for something to be done. It is my understanding

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now, that there is someone who is attempting to do some work on this house and I hope that this will not be a process by which it is dragged out. I hope this will come to a conclusion in the not too distant future. This is my concern and I wanted to raise it to Council this evening, Mr. Mayor."

Mayor Miller stated, "Thank you Mr. Haire. As Councilmember Haire mentioned, I did accompany him on Oak Street and Clark Street and saw two separate situations as he has expressed to Council. I too hope that the new owners will fix that house up post haste and have it in good living condition. Bernard, your neighborhood is due to have that done. I would say that we would stay behind it and try to have that completed as soon as possible."

Councilmember Rheney asked if they had given the new owners a time.

Mayor Miller stated that they had been given a building permit.

City Administrator Yow asked to make a couple of comments. "I have a chronological history of that house from the Building Inspection Department, if anyone's interested. The comments I make are not offering excuses but are just for clarification. There have been three different owners involved with this house. Tickets have been issued to two different owners. Persons have been fined and gone to court. In two instances, the Judge (two different Judges) gave an extension of time. In our Building Inspection Department, we gave an extension of time a couple of times. When you put all of this together it has taken too long. There were also three different liens on this piece of property. As Councilmember Haire alluded to, the attorney that was trying to clear up the matter in court, the first time it went to court, he didn't know there were two other liens. As I said, I don't offer that as an excuse but this has been a complicated one. Sometimes when persons come in and ask for more time or give reasons for more time, we do grant more time. When persons ignore the letters that are sent to them and some don't respond at all in writing and don't come in, we are quicker to move with issuance of a ticket. I don't know that any one case is identical. They are identical in that you try to apply the law fairly. I've even had Councilmembers call me and ask that I intervene with the Building Inspection Department to give persons more time. We try to do that if people have hardships or are trying to reach any insurance settlement or whatever the case may be. Even with all those things, I think this has taken too long. It is a little more complicated sometimes when several parties get involved."

City Administrator Yow asked Council to accept property at 344 Gibson Street (formerly Sunnyside Street) from Mr. Willie Rowe, Jr. He stated that this was a substandard lot with an assessed value of \$3,600. The property is located next to an existing City playground and it will be used to improve the existing facility. The City will forgive the \$67.00 owed in delinquent City taxes and will ask Orangeburg County to waive the approximate \$300 in County taxes owed.

A motion was made by Councilmember Barnwell, seconded by Councilmember Miller, to accept the property located at 344 Gibson Street (tax map # 0173-13-08-012) and to ask Orangeburg County to waive the delinquent taxes. This motion was unanimously approved.

City Administrator Yow told Council that he had received notification that railroad crossing arms are to be installed at U.S. Highway 301 and Magnolia Street and at Glover Street. The new crossing arms will be installed during the summer of 2003.

There were no utility matters brought before Council at this time.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to enter into an Executive Session for a contractual matter concerning the purchase of real property for the Parks and Recreation Department and a contractual matter for the Department of Public Utilities, Wastewater Division. This motion was unanimously approved.

Council entered back into Open Session.

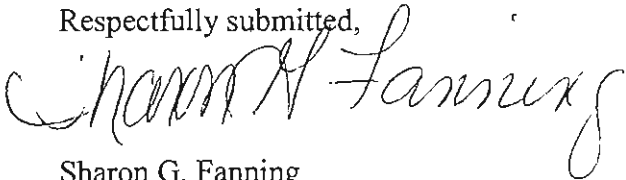
DPU Manager Boatwright asked Council for approval of a Resolution entering into a lease purchase agreement for a dryer to be used at the Wastewater Treatment Plant.

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A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to give DPU Manager Boatwright the authority to purchase a dryer for the Wastewater Treatment Plant for \$1,812,000 at 3.35% for five years with LaSalle National Bank Association. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

SGF/pfb



CITY COUNCIL MINUTES DECEMBER 17, 2002

Orangeburg City Council held a Public Hearing for the purpose of discussion on a Proposed Planned Development District on Columbia Road (Cinnamon Hill Subdivision).

Warren Harley, Assistant City Administrator, opened the Public Hearing stating, "There are two types of Proposed Planned Developments, Types A and B. Tonight Cinnamon Hill is a Type A. The Planning Commission has reviewed this PDD relevant to the site plan and the minimum area requirements. The Commission made recommendations and approved a Resolution to approve based on the recommendations that the Cinnamon Hill Subdivision have a street maintenance plan that be made part of the development agreement. Mr. Barney Houser will present the plan in depth. The property is located off the Columbia Road with entrance from Wells Drive as well. It is basically the same as Wells Grove. Any questions may be addressed to Mr. Houser."

Mayor Miller asked if anyone had questions for Assistant City Administrator Harley.

Mr. Houser addressed Council stating, "We are very excited about the project and hope that it pleases the City. The proposed plan includes the Marcus property on Columbia Road with a proposed 42 lot subdivision with eight townhouses that are very similar to Wells Grove, everything is similar to that subdivision. The front entrance will be on Columbia Road with an entrance on Wells Drive to alleviate traffic from Columbia Road. I will not build the houses, I am just developing the subdivision and selling lots. We are looking to building houses a little smaller than Wells Grove 900-1100 square feet for more choices due to more demand. The minimum square footage will be 900 square feet with a maximum of 1400 square feet."

Mayor Miller closed the Public Hearing.

Mayor Miller introduced Dr. Henry Frierson of the Edisto Habitat for Humanity. He stated, "I would like to thank Council for the event that happened Saturday, December 14, 2002 which was made possible by Council speeding up the process of approving the zoning of the property on Rowe Street. I wanted Council to know that the family moved in the completed house. The house was completed in a total of six weeks, the fastest one that has been done."

Mayor Miller thanked Dr. Frierson for his and the Habitat for Humanity efforts. The total investment in Orangeburg by Habitat for Humanity is close to one million dollars.

Council received some information about the accreditation of DPS that they have been working on for 2 ½ to 3 years. On the dates, January 5-8, 2003 the team will be here to assess our Department of Public Safety to make sure they are in compliance and hopefully DPS will be accredited. There are only three DPS Departments in South Carolina with this accreditation and/or nineteen agencies in the state. There will be a Public Hearing, 7:00 P.M. - 9:00 P.M., on the same night as the Council meeting and Councilmembers are welcome to attend after the Council meeting.

Council immediately entered into its regularly scheduled meeting in Council Chambers with Mayor Miller presiding. An invocation was given by Ms. Judy Frost of the First Baptist Church of Orangeburg.

PRESENT:

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

A motion was made by Councilmember Jernigan, seconded by Councilmember Miller, to approve the December 3, 2002, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow told Council Item #2 is a Resolution to approve a Type A Proposed Planned Development District on Columbia Road. He asked for discussion on this item.

Mayor Miller asked for comments.

Councilmember Barnwell stated, "I didn't get this packet until Friday and I frankly didn't get a chance to start going over it until today. I spent the majority of today going over it. I have a major concern with this development. One, which is not necessarily coordinated with this particular project. I truly do not believe that the existing neighborhood knows what the proposal is. If they knew I think there would be substantial objections to it. I have spoken with Attorney Walsh about various things. I make a motion to send it back to the Planning Commission for additional studies, based on the design of various items, which I will list. First, let me say I agree in concept with what Mr. Houser is wanting to do, but I think its too much concentration of housing in too small of acreage (8.2 acres). When you subtract from that the acreage which is called common ground (retention ponds, etc.) which does not include the streets, we are left with 6.9 acres. In doing the proper math, that comes about to essentially building ten houses per acre. In essence, its going to mean approximately 10 feet between each house. With what we have in our Ordinance, the density is too high. I make the following recommendations and refer it back to the Planning Commission for further consideration of these specific recommendations.

To increase the front lot frontage on each street from 40 to 50 feet. An additional study on the five-foot setback lines on each side of the house which would mean approximately 10 feet between two houses. My understanding is that the access road is 22 feet wide, that is going to be ingress and egress. That's awfully small. That means major concerns regarding drainage, etc. It's my further understanding that we really don't know who owns that property and it is too high in density. As I said, it would be ten houses per acre. I think Mr. Houser indicated it would be somewhat compatible with Wells Grove. It is not.

Wells Grove has approximately 32 or 34 lots on more acreage. We are looking at 6.9 acres and 52 house and /or townhouses. I also recommend that there be a barrier between Columbia Road. We want to be compatible with the excising downtown revitalization. I don't think it's particularly fair to the surrounding neighbors. I really don't think they have knowledge of this. I didn't have knowledge of it myself until I got my package. The notice that was in the paper is only required to be advertised for 5 days. That needs to be amended to a longer period of time and maybe a little more detail as to what is going on.

Our A-1 Zoning prohibits townhouses period. That's my opinion from a legal and layman standpoint. I don't see in the minutes when reviewing the file any time limit on the infrastructure. I think you've got to have time limits on the infrastructure. There is also a fund established through a letter of credit or a letter of guaranty. This is an estimate. We have got to have firm figures. Because if this project is not completed we are going to be left with nothing. The City does not have the money to go in and complete this project. I do not quite understand the three different phases. I think that was somewhat not clarified.

When it is sent back to the Planning Commission, I would like another ad put in the paper so the general public will know what is going to be constructed or at least the concept. As I said previously, I don't have a problem and I agree with the concept with what Mr. Houser is saying. I think the lots should be at least 50 feet square frontage on the roads and he is talking about 900 square feet houses, it should be 1100 square feet. I cannot live with 900. You are talking about putting 52 houses or 42 houses and 8 townhouse on less than 9 acres. That is not going to work. That's too high a density. It can be a major fire hazard. I think we need to refer it back to City Administrator Yow and Attorney Walsh for consideration on any other matters that they may have. I think we need a more detailed site plan. Those are my recommendations and I make that a motion."

Councilmember Jernigan asked Mr. Houser, "In the minutes from the Planning Commission that was sent to us, the first meeting, has anything been resolved on the property interest?"

Barney Houser answered, "I talked to Mr. Shuler and I am afraid the surveyors made a mistake and they came over on to a lot that I am buying. We have had some discussion and I am going to try to work something out with him. I have my surveyor here. We discovered they made the error. It is 12 ½ feet included into their subdivision that they do not own."

Councilmember Jernigan stated, "Wells Grove is in the process of building a house in their subdivision, is that right? Is that property going to come up in this dispute?"

Barney Houser answered, "The 12 ½ feet of the backyard is that lot. It is on property that they do not own or that is under dispute. I'd like to point out one thing, Wells Grove subdivision is on 3.1 acres and they have 22 houses. The density I proposed is the same as Wells Grove."

Councilmember Barnwell stated, "I don't agree with you."

Barney Houser stated, "It's a total of 10 acres, approximately 9.7 acres."

Councilmember Barnwell stated, "That's not what my package stated. What I am talking about is the actual Cinnamon Hill, not Dr. Marcus' house, that I assume is going to be extracted out and sold separately."

Barney Houser answered, "Right, I am also purchasing an additional lot from the Gresette's, an additional .9 acres. The density is the same as Wells Grove. It is 22 or 24 lots in that subdivision that the Council has approved."

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to send it back to the Planning Commission as outlined by the points Councilmember Barnwell made with an additional Public Notice and another Public Hearing.

This was a 5-0 vote. Mayor Pro Tem Haire and Councilmember Knotts abstained from voting.

Parks and Recreation Director Smith stated, "Staff submitted a pre-application for \$ 150,000 Land and Water Conservation Grant (L.W.C. F.) for the construction of a spray park in the field adjacent to the Sunnyside Canal opposite the Arts Center. Notification was received that the pre-application has been approved by the South Carolina Department of Parks, Recreation and Tourism. At that time the application was filed with the U.S. Department of Interior in Atlanta. The scope of the project would include the construction of a spray basin, the installation of spray equipment and filtration system, the construction of a restroom/clothes changing facility and the completion of other work elements, such as picnic tables, benches and trash receptacles. The establishment of a small, traditional playground will also be accomplished. The local match will be provided by \$150,000 from the City's 2 % Fund, \$ 115,000 from the County's 1% Infrastructure Tax Fund and a \$30,000 grant from the Dick Horne Foundation, for a total local share of \$ 295,000. This would result in \$445,000 being available for planning and construction. We were notified that the Spray Park Application was approved by the Department of the Interior for funding through the L.W.C..F. Grant Program in the amount of \$ 150,000."

A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to accept the Land and Water Conservation Grant in the amount of \$ 150,000 with the City Administrator being authorized to sign the Project Agreement on behalf of the City. This motion was unanimously approved.



A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE/PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council of the City of Orangeburg, Department of Public Utilities has determined that a true and very real need exists for the Equipment (the "Equipment") described in the proposed Equipment Lease/Purchase Agreement (the "Agreement") by and between LaSalle Bank National Association, and the City of Orangeburg, Department of Public Utilities, presented to this meeting; and

WHEREAS, the City of Orangeburg, Department of Public Utilities has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, the City of Orangeburg, Department of Public Utilities proposes to enter into the Agreement with LaSalle Bank National Association substantially in the proposed form presented to this meeting whereby the equipment is acquired by lease purchase agreement for the term of five (5) years, payable in ten (10) rental installment payments of Two Hundred Thousand and no/100 (\$200,000.00) Dollars each, representing the principal sum of One Million Eight Hundred Twelve Thousand and no/100 (\$1,812,000.00) Dollars, with interest accruing thereon at the rate of 3.35% per annum.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, IN COUNCIL ASSEMBLED AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Agreement as set forth above in the form presented to this meeting and incorporated in this resolution, are in the best interests of the City of Orangeburg, Department of Public Utilities (Lessee) for the acquisition of the Equipment.

Section 2. The Agreement is hereby approved. The Manager of the City of Orangeburg, Department of Public Utilities shall have power to executed contracts on behalf of the City of Orangeburg, Department of Public Utilities and he is, authorized to execute, acknowledge and deliver the Agreement with any changes, insertions and omissions therein as may be necessary. The Manager of the City of Orangeburg, Department of Public Utilities and any other officer of the City of Orangeburg, Department of Public Utilities who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of the City of Orangeburg, Department of Public Utilities to the Agreement and attest the same.

Section 3. The Manager of the City of Orangeburg, Department of Public Utilities is authorized and directed to execute and delivery 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 property for carrying out this resolution and the Agreement.

RESOLVED BY City Council duly assembled this 3rd day of December, 2002.



Sam G. Miller
MAYOR
James D. Hargis
John S. Hargis
Charles S. Hargis
August A. Miller
Charles B. Bannwell Jr.
MEMBERS OF COUNCIL

ATTEST:
Shirley L. Lanning
CITY CLERK