

RESOLUTION

A RESOLUTION TO ADOPT HEALTH INSURANCE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ORANGEBURG AND REPEALING ANY CONFLICTING RESOLUTION OR ORDINANCE

WHEREAS, by Resolution of Orangeburg City Council dated June 1, 1993, certain retirement and health insurance benefits of City employees were adopted; and

WHEREAS, the City by said Resolution retained and reserved the right to review, amend or change said benefits, with or without cause; and

WHEREAS, City Council has reviewed its present benefits and finds that for financial reasons it is now necessary to amend and change the present health insurance benefits provided its employees and retirees.

NOW THEREFORE BE IT RESOLVED, by City Council duly assembled this 19th day of January 2010, that subject to the City's right in its discretion to amend, change, discontinue or abolish in whole or in part same at any time, the conditions, qualifications and requirements of all past, present and future employees of the City of Orangeburg, including retired and disabled employees of said City (hereinafter referred to as "employees") to obtain health insurance benefits from the City shall be continuously reviewed and may be amended, changed, discontinued or abolished after each review.

BE IT FURTHER RESOLVED, that regardless of any prior review the health insurance benefits of employees shall be reviewed, established and defined annually by budget adoption during the adoption of the annual budgets of the City of Orangeburg and its Department of Public Utilities.

BE IT FURTHER RESOLVED, that any amendment, change, discontinuation or abolishment shall be effective upon adoption by City Council and notice of same after adoption shall be provided to employees within forty-five (45) days after adoption.

The City of Orangeburg is committed to reviewing its personnel policies and procedures and its health insurance benefits as needed. Accordingly, the policies and benefits of employees are subject to review, amendment, change or abolishment at any time, at the discretion of City Council; thus benefits may be increased, decreased or abolished at any time, with or without cause.

Any term, condition or limitation contained in any existing ordinance or resolution in conflict with this Resolution is repealed in its entirety.

RESOLVED BY City Council duly assembled this 19th of January, 2010.



MAYOR

MEMBERS OF COUNCIL

ATTEST:

CITY CLERK



RESOLUTION

- WHEREAS, James B. Brant, faithfully served the Department of Public Utilities of the City of Orangeburg for thirty-three years with a retirement date of January 19, 2010; and
- WHEREAS, he, through his long and faithful service contributed greatly to the successful operation of the Department of Public Utilities; and
- WHEREAS, the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially recognize the faithful service rendered to the Department of Public Utilities in the capacities in which he served the Department and we take pride in commending him for a job well done.

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

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 19th day of January 2010.



James B. Brant
Mayor

Richard A. Smith

Dorinda R. Hines

Charles D. Dizon

Richard A. Smith

Benjamin H. Hines

Charles A. Smith
Members of Council

ATTEST:

Carrie A. Johnson
City Clerk



RESOLUTION

- WHEREAS,** the City of Orangeburg, South Carolina, is concerned about the economic viability of slum and blighted areas within the corporate limits; and,
- WHEREAS,** slum and blighted areas projects a negative visual image of the community; and,
- WHEREAS,** the economic, social, physical, and cultural well-being of the City is adversely affected by the conditions of slum and blighted areas; and,
- WHEREAS,** there exists the opportunity to improve, preserve and redevelop the slum and blighted area located in downtown Orangeburg in a five block area on or near Russell Street from Doyle to Magnolia Street (or refer to map showing inventory of buildings or public improvements) to the benefit of the community; and,
- WHEREAS,** the slum and blighted area qualifies under the provisions of Ordinance No. 2010-01 passed in Council on the 2ndth day of February, 2010 and,
- WHEREAS,** one or more of the following detrimental issues have been identified which qualify the area under the State Law and Community Development Block Grant Program requirements:

- Public Improvements are in a general state of deterioration or at least 25% of the buildings are deteriorated or deteriorating and have the following characteristics
- Physical deterioration of buildings or improvements
- Abandonment of properties
- Chronic high turnover or vacancy rates in commercial/industrial buildings
- Significant decline in property values or abnormally low property values in relation to area of the community
- Known or suspected environmental contamination.

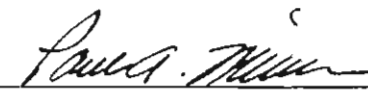
NOW, THEREFORE, BE IT RESOVED, that the following area be designated a "Slum and Blighted" Area: (Include the name of the designated area and describe the location and boundaries) (Describe and quantify the selected characteristics of the area and quantify the specific conditions causing the blight)

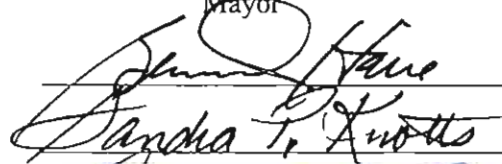
Located in downtown Orangeburg in a five block area on or near Russell Street from Doyle to Magnolia Streets; 36% of the buildings in this area are vacant and 80% of the sidewalk, lighting, curbing and road surface areas are deteriorated or deteriorating.

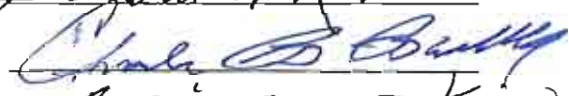
RESOLVED AND AGREED upon this 2nd day of February, 2010

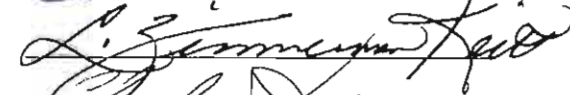




Attest: City Clerk

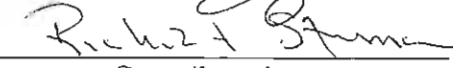

Mayor


Sandra T. Knotts


Charles B. Baskin


L. Zimmerman


Charles Dyer


Richard B. Spence
Councilmembers

**City Council Minutes
January 5, 2010**

2026

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 5, 2010, at 7:00 P.M. in Council Chambers with Mayor Miller presiding.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the December 15, 2010, minutes as distributed. This was a 5-0-1 vote as Councilmember Keitt abstained as she was not present at the last meeting.

Mr. Don Tribble, Director of the County Community of Character, accepted the January, 2010, Character Trait Proclamation, "Sincerity".

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to reappoint City Attorney Walsh to his position, as City Attorney beginning February 2, 2010, as his term on the TERI Program expires January 29, 2010.

Assistant City Administrator John Singh addressed Council in regards to updating the current Ordinance on slum and blighted areas to make certain project areas eligible for Community Development Block Grants (CDBG). Assistant City Administrator Singh also added we are in the process of applying for CDBG funds for the next phase of streetscape.

Mayor Pro Haire asked, "What do improved areas mean?"

Assistant City Administrator Singh stated, "The Ordinance defines the slum and blight and a future Resolution will define an area."

City Administrator Yow stated, "It can mean public areas that were improved seventy-five (75) years ago."

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the First Reading of an Ordinance defining Slum and Blighted areas within the corporate limits. This motion was unanimously approved.

A motion by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the authorization for City Administrator Yow to accept a Community Development Block Grant in the amount of \$400,000 for the Boswell Street Revitalization Project.

There were no utility matters brought before council.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



CITY COUNCIL MINUTES
January 19, 2010

2027

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 19, 2010, at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Councilmember Keitt addressed Council. She stated, "We are here tonight to talk about the Haitian earthquake that has been so devastating. I have talked to the Mayor and Mayor Pro Tem Haire and we would like to do something that would help Haiti. The Mayor said we can look at it and see what could be done" Councilmember Keitt asked for a moment of silence for the Haitian community. "She states, "The Mayor will give us the logistics of what we would be doing."

Mayor Miller stated, "I think we need to do something. What I would suggest is that we have a boot drive like we did when we had the tragedy in Charleston. We collected \$18,000.00 and we delivered a check to Mayor Riley. We could start a boot drive as early as Thursday and have it publicized and channel that money where 100% of the funds will go to Haiti. I would like to thank Councilmember Keitt for calling me on this and I hope we can do something for these citizens and hopefully we can make it a worthwhile contribution."

Mayor Pro Tem Haire asked, "If someone wanted to write a check, where would the check be made payable?"

Mayor Miller stated, "If we write it to the City, we can then write one check to an agency."

Councilmember Jernigan asked, "Should we delay it because some relief is ongoing now, is the urgency now?"

Mayor Miller replied, "We need to do it now while the iron is hot." Council agreed.

A motion was made Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the January 5, 2010, Minutes as distributed. This was a 6-0-1 vote as Councilmember Knotts abstained as she was not present at the January 5th meeting.

Mr. Fred Boatwright, DPU Manager and Mr. Mike Sells presented Mr. James B. Brant a Retiree Resolution and a gold watch for his thirty-three years of service to the Department of Public Utilities.

Mr. Phil LaRoche from the U.S. Census addressed Council. He stated, "The Census is "easy, safe, and important. I want to thank Council for their past support in issuing a Proclamation and the Census is six weeks away. The Census form is ten questions and should only take ten minutes. In 2000, the form was intrusive and South Carolina came in 49th nationwide in the Census. There is a Census Rally on January 28th at Claflin University from 9:00 a.m. until 10:00 a.m. The Census has jobs available and the pay will be between \$10--\$15 an hour working full or part-time in March and April, 2010. The Census website is www.census.gov."

2028

Page 2

Mayor Miller stated, "This is so important because we have to live with this number for ten years. I feel like that there are so many people without jobs right now that this could be a great stimulus."

Mayor Pro Tem Haire asked, "Will there be opportunities for employees to go out as teams in different areas?"

Mr. LaRoche replied, "Yes, we have identified areas that employees can go out in pairs."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance defining slum and blighted areas within the corporate limits of the City. This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Haire, to appoint Lt. Paul Leedecke, Department of Public Safety, to serve as alternate for the City Grievance Committee filling an unexpired term ending June 4, 2011. This motion was unanimously approved..

City Administrator Yow advised Council on upcoming vacancies on several Boards and Commissions and any recommendations should be given to him by January 28th before the next Council packet preparation for the February 2, 2010, City Council meeting.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve a Resolution to adopt health insurance benefits for the employees of the City of Orangeburg and repealing any conflicting Resolution or Ordinance. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to approve the Health Insurance Benefits for Calendar Year 2010. This motion was unanimously approved.

There were no utility matters brought before Council.

Mayor Pro Tem Haire addressed Council. "I have been told that we have had another encounter with Norfolk Southern. I have asked the Department of Public Safety for information on accidents with Norfolk Southern. From 1996 until February 2000, there were six collisions. On December 4, 2000, Norfolk Southern increased the speed of the trains from 15 to 30 mph and in that month alone there were two collisions. On February 2, 2001, Norfolk Southern increased the speed to 49 mph and since that time, there have been 24 collisions with four fatalities. In October, 2009, there were seven people injured. On January 13th, we had our latest collision. I want us to get back on track. There has to be something that can be done. I have been in contact with our junior senator as it relates to sponsoring legislation on this matter. I would hope that this Council would once again affirm the belief that speed does kill just as in vehicular traffic. There is no difference in Norfolk Southern's speed. Sometimes, I believe they travel much more than 49 mph. I would like to have the speed decreased in the City and also call both Senators and impress upon them the need to decrease the speed of the train. The accident on January 13th resulted in injury but could have been a fatality. I hope Council would reaffirm that desire to decrease the speed."

Mayor Miller stated he would write a letter to the Senators on behalf of Council on the train speed.

City Administrator Yow stated, "I think there are some public safety circumstances on regulating the train speed, I am going to defer that to City Attorney Walsh."

Mayor Pro Tem Haire stated, "I am going to look it up because I think there was some Legislation that was passed according to universities where that may happen."

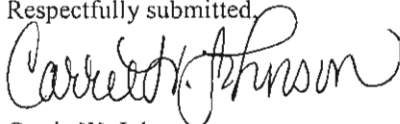
Councilmember Keitt addressed Council in regards to Project Life Positeen. She stated, "We had a press conference on January 13th where we are expanding our program. This program, " Yes, I Can" is for students who have been suspended so that they will have somewhere to go starting tomorrow. We are trying to keep young people off the street. We have expanded our hours. When students are not in a constructed setting, they do more harm than good. The location is at 349 Summers Avenue. Those are the kinds of things we are doing and thanks for helping with these programs. We invite you to come to read to a child or let them read to you. It makes a difference."

Councilmember Barnwell asked everyone to read the article in the Parks & Recreation magazine about a soldier helping other soldiers.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to adjourn. This motion as unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

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CITY COUNCIL MINUTES

February 2, 2010

2030

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 2, 2010, at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Knotts, seconded by Councilmember Keitt, to approve the January 19, 2010, City Council Minutes as distributed.

An appearance from Mr. Carl Jones, Executive Director for Student Success and Retention from SC State University NCAA Certification, was postponed to a later meeting date.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the Third Reading of an Ordinance defining slum and blighted areas within the corporate limits of the City. This motion was unanimously approved.

A motion as made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the reappointment of G. W. Berry and Louis Boone to the Construction Board of Adjustments and Appeals as well as the reappointment of Rommie Williams as an alternate on this Board. These appointments are for four (4) years. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the reappointment of Ben Davis and L. Hugh Smith and the appointment of George I. Buck and James Caldwell to the Board of Zoning Appeals. These appointments are for four (4) years. This motion was unanimously approved.

A motion as made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the reappointments of Randy Snell and Bill Barrett and the appointments of Guy Best and Bill Sandifer to the Planning Commission. These appointments are for four (4) years. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Knotts, to approve the reappointments of Reese Earley, A. J. Hutto and Kevin Bell to the Aviation Commission. These appointments are for four (4) years. This motion was unanimously approved.

Mr. Don Tribble, Director of Community of Character, accepted the February 2010 Character Trait Proclamation, "Respect".

A motion as made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve a Resolution concerning slum and blighted areas in the corporate limits of the City. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to enter into an Executive Session for: (1) Legal and contractual matter concerning the Department of Public Utilities, (2) Legal and contractual matter concerning Municipal Court, and (3) Legal matter concerning All vs. City of Orangeburg. A personnel matter concerning the City Grievance Committee's recommendations was postponed to a later date as the Committee's recommendations were not complete as of meeting date.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



CITY COUNCIL MINUTES

February 16, 2010

2032

Orangeburg City Council held a Public Hearing on Tuesday, February 16, 2010, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. The purpose of the Public Hearing was to consider a Zoning Change from A-2 Multi-Family Residential District and B-1, General Business District to O-1, Office-Institutional Residential District property belonging to South Carolina State University.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Assistant City Administrator Singh addressed Council. He stated, "There were a variety of zoning classifications at South Carolina State University and South Carolina State University Alumni Association agreed to this zoning change and it will be the same as Claflin University is now, O-I, Office Institutional."

Hearing no public comments or questions, the Public Hearing was closed.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the February 2, 2010, Minutes as distributed. This motion was unanimously approved.

Mr. Carl Jones, South Carolina State University Executive Director for Student Success and Retention addressed Council on NCAA Certification. He gave Council information on the efforts being taken by SCSU to obtain NCAA recertification. He presented a list of goals to become recertified.

Mr. Michael Horger addressed Council. He stated, "I have good news, I have a business on Centre Street and have had some parking problems. I would just like to say I called and spoke with Mr. Yow, the City Administrator, and the problem was rectified very efficiently, the Service Department was very responsive."

Mr. Calvin Wright, Executive Director of OCAB addressed Council. He stated, "I am here to request the waiving of a permitting fee which you should be familiar with on homes that we intend to weatherize in the city limits. We intend to weatherize 112 homes in the County, I do not know how many homes we will do in the City. I am requesting the permit fees be waived for those homes selected in the city. They will be both owner occupied and tenant occupied. The weatherization crew is ready to go, it is a high tech investment and we are in the process of securing other funds to continue the process."

Mayor Pro Tem Haire asked, "Has a request gone out to other municipalities or other governments?"

Mr. Wright replied, "Yes, requests have been made."

Mayor Pro Tem Haire asked, "What about other areas?"

Mr. Wright replied, "Orangeburg County collects the fee for other areas. I should know tomorrow about the County. I anticipate that they will waive the fees."

Mayor Pro Tem Haire made a motion to take this under advisement, which was seconded by Councilmember Barnwell.

Page 2

Councilmember Keitt stated, "We are talking about the costs of the permits, there are a number of homes that the elderly need these repairs soon. The repairs would be used for weatherization and I don't think we need to wait."

Mr. Wright replied, "The clock is ticking, please let me know what your intentions are, we operate a low income, energy program with target money for the stimulus money to be spent. We have paid DPU \$463,010.10 and we have seen light bills as much as \$1,100.00. I would hope that you not take this under advisement."

Mayor Miller asked, "I think it would be good to have some idea how many homes you are talking about so we can see how much of an impact this would be? Also, are we supposed to waive everyone else's building permits, such as Habitat for Humanity?"

Councilmember Jernigan asked, "Out of the 112 homes in the County, is the City included in the 112 or is that separate?"

Mr. Wright replied, "No, it is 112 homes total and the City is included in that figure. Can you give me some sort of timeline?"

Mayor Miller replied, "We should know by the next meeting which is in March."

Councilmember Keitt asked, "What kind of timeline do you have?"

Mr. Wright replied, "We have one year."

The vote was 6-1, Councilmember Keitt opposed.

Parks and Recreation Director Smith addressed Council in regards to the requests for the Accommodations Tax monies. He stated that there were six (6) requests and we were able to fund four of those requests, which are as follows:

Orangeburg Festival of Roses (promotions)	\$2,000
Orangeburg County Chamber of Commerce (Visitor Guides, Public Relations and Tourisms)	\$5,400
Orangeburg County Fine Arts Center (billboards)	\$1,800
Downtown Revitalization Association (brochures)	\$1,800

Mayor pro Tem Haire asked, "Who were the other two agencies?"

Mr. Smith replied, "One was from the Fair to upgrade electrical and the other was from City Parks and Recreation for rack cards."

A motion as made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the funding of the above requests from the Accommodations Tax monies. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Haire, to give authorization to City Administrator Yow to accept a South Carolina Forestry Commission Grant in the amount of \$13,000. This motion was unanimously approved.

A motion as made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg and the Zoning Map of the City of Orangeburg, South Carolina. This was a 6-0 vote as Mayor Pro Tem Haire recused himself from discussion and voting.

Page 3

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

A motion was made by Councilmember Jernigan, seconded by Councilmember Keitt, to return to Open Session. This motion was unanimously approved.

Councilmember Barnwell made a motion to uphold the Grievance Committee's findings on January 29, 2010, regarding City employee. This motion was seconded by Councilmember Jernigan and unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



CITY COUNCIL MINUTES
March 2, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 2, 2010, at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the February 16, 2010, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Miller stated, "We had a request for a waiver of a building permit fees from OCAB from the last meeting. It is on the agenda tonight for anyone to address the request."

Councilmember Keitt stated, "I think we should work out some plan on the permit fee for OCAB."

Councilmember Barnwell stated, "With the Budget the way it is and the economy, if we do this, as we have experienced in the past, every other non-profit will want the same thing and we will be opening Pandora's Box."

Councilmember Stroman asked, "Do we know how many houses this would entail in the City?"

Mr. Wright replied, "There is no way to know, we will be doing 112 houses in the County. We have no way of knowing, until the applications come in"

Councilmember Stroman asked, "Who will be doing the work?"

Mr. Wright replied, "Tri-Star Builders from Orangeburg."

Councilmember Stroman asked, "You don't think the contractor will pay for it?"

Mr. Wright replied, "We will have to pay for the fee. All the other municipalities and counties are not charging."

Councilmember Barnwell asked, "In the grant application, was the fee included?"

Mr. Wright replied, "No."

Councilmember Keitt made a motion to waive the fee for OCAB for approximately \$35.00 per house.

There was no second, the matter will die for a lack of a second, Mayor Miller stated.

Mayor Miller stated, "I personally was not in favor, but won't mind helping pay the fees for a few or assisting with a fundraiser to assist in taking care of the fees. If you are so inclined, you can get with me and I can assist you with that."

Councilmember Stroman stated, "I will pay for two permits."

Mr. Wright stated, "I am surprised Mayor because you initially said you would vote for it."

Mayor Miller replied, "No, I didn't say I'd vote for it."

Mr. Wright stated, "Yes, you did, you said all I'd have to do is get Liz Keitt, Bernard Haire and Sandra Knotts and that would be the four that would go for it. That is what you told me."

Mayor Miller stated, "No sir, I did not."

Mr. Wright replied, "I beg to differ, you said that along with some other things, but we won't talk about that right now."

Mayor Miller stated, "I said what I said at the last meeting. I might not pay for any, if you have that attitude and call me a liar. We aren't going to go any further with it."

A motion was made by Councilmember Knotts, seconded by Councilmember Jernigan, to approve the Second Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg and the Zoning Map of the City of Orangeburg, South Carolina. This was a 6-0-1 vote as Mayor Pro Tem Haire recused himself from discussion and voting.

Mr. Don Tribble, Director of Community of Character, accepted the Community Character Trait "Honesty" for the month of March 2010.

DPS Director Davis addressed Council in regards to the bids received for a Ferrera Quint Fire Truck that was budgeted in Budget Year, FY 2009-10. He showed some highlight slides and pictures of the proposed truck.

Councilmember Jernigan asked, "Is this a new truck?"

Director Davis replied, "Yes, it is a new truck, it will be built to our specifications."

Mayor Pro Tem Haire asked, "The warranties are for twenty years for the aerial?"

Director Davis replied, "Yes."

City Administrator Yow asked, "Does that mean that when the truck is recertified annually, if it does not pass certification that they will have to get it up to inspection?"

Director Davis replied, "Yes."

City Administrator Yow stated, "Our aerials have to be inspected every year and it costly and it can be quite costly if it doesn't pass."

Mayor Pro Tem Haire asked about the life expectancy. Director Davis stated, "We would like to get twenty years out of the truck. Our old ladder truck, which is now out of operation, Ladder 8, is thirty years old."

Councilmember Keitt asked, "Is the warranty for one year, bumper to bumper, do you expect any problems?"

Page 3

Director Davis replied, "I do not expect any problems with the truck or service."

Mayor Pro Tem Haire asked, "How long have the Quints been in existence?"

Director Davis replied, "They have been in existence since the 30's. We can use this as an aerial and a pumper and this will assist us in Downtown and with our ISO rating."

Mayor Miller replied, "I am concerned with only one respondent."

Director Davis stated, "We had more than one respondent, but there were no bids."

Councilmember Jernigan asked, "Since the other ladder is not serviceable, what is its future?"

Director Davis replied, "A sale."

A motion as made by Councilmember Jernigan, seconded by Councilmember Stroman, to approve the bid for a Ferrera Quint Fire Apparatus in the amount of \$549,986.29 allowing City Administrator Yow to purchase. This motion was unanimously approved.

Ms. Anne Ross from J.W. Hunt addressed Council in regards to the FY 2009-10 Audit. She stated, "I audited the City's part. The Audit is a clean and unqualified opinion which is what you want. There are a lot of financial statements in this document, I would like to hit some high spots and then answer any questions. The fund balance sheet is on page 14, this is the governmental balance sheet and you have a healthy balance sheet, you added \$168,982 to your general fund balance. We read your minutes and reviewed your budget adjustments and all of you do a good job in managing the Budget in a very tight budget year. The other areas of interest are the Airport, Pro Shop and Golf Course which are on page 66. The Airport lost \$172,000, but if you add back the depreciation and amortization of \$707,000 and subtract out the grant, you are close to breaking even on the Airport. The Pro Shop made \$65,000 which was transferred to the Golf Course and if you take the loss at the Golf Course of about \$49,000 and add back the depreciation, you actually had a profit of \$89,000."

Mr. Johnny Creech, of J.W. Hunt, addressed Council in regards to the DPU Audit. He stated, "I would like to thank the staff for helping us with the audit. Like the City, DPU had a clean opinion. On page 10-11, are the balance sheets and the statement of net assets which you are in very good shape. You added \$4,957,000 to its net assets. There is a lot of information in here; I can answer any questions you may have."

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to accept the City of Orangeburg and Department of Public Utilities Audits as information. This motion as unanimously approved.

City Administrator Yow addressed Council and stated that Mr. Marion Black, a member of the Construction Board of Appeals and Adjustments had passed away and a new alternate is needed to replace him. Mayor Miller had a nominee of Mr. Lanny Wolfe of Lenaire F. Wolfe & Company and stated he met the requirements for this Board.

Councilmember Barnwell made a motion to accept Mr. Lanny Wolfe as an alternate to the Construction Board of Appeals and Adjustments which was seconded by Councilmember Jernigan. This is a four year term expiring January 1, 2014. This motion was unanimously approved.

2038

Page 4

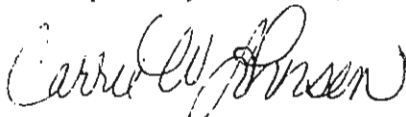
A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance repealing the existing Chapter XXIII, titled "Utilities" of the Code of Ordinances for the City of Orangeburg and adopting in lieu thereof a new Chapter XXIII, titled "Utilities" of the Code of Ordinances for the City of Orangeburg. This motion was unanimously approved.

A motion as made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to appoint Linda Blanks, Administrative Division, Wade Holmes, Electric Division, Anthony Simpson, Wastewater Division as members and Beverly Thomas, Electric Division as an alternate to the Department of Public Utilities Grievance Committee. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

CWJ/pfb





A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE, AND ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the governing body of the City of Orangeburg (the "Lessee"), at a duly called meeting of the governing body held on the 16th day of March 2010, the following resolution was introduced and adopted:

RESOLVED, whereas the governing body of Lessee has determined that a true and very real need exists for the acquisition of Various Equipment as described in the Request for Proposal, (Exhibit "A"), in the amount of \$ 773,500.00 at 2.3% APR for four (4) years, by entering into an Lease Purchase Agreement with South Carolina Bank and Trust (SCBT) as Lessor and the City of Orangeburg as Lessee, (the "Agreement"), according to the terms set forth in the Bid Proposal from SCBT, (Exhibit "B"), the equipment will be used by the Lessee for the following purpose: To provide new and cost efficient equipment for the operation of City government.

RESOLVED, whereas the governing body of Lessee has taken the necessary steps including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

RESOLVED, whereas the governing body hereby directs its legal counsel to review the Agreement and negotiate appropriate modifications to said Agreement so as to assure compliance with state law and local statutory law, prior to execution of the Agreement by those persons so authorized by the governing body for such purpose.

BE IT RESOLVED, by the governing body of the lessee that:

The terms of said Agreement are in the best interests of Lessee for the acquisition of such equipment and the governing body of Lessee designates and confirms the following person(s) to execute and deliver, and to witness (or attest), respectively, the Agreement and any related documents necessary to the consummation of the transactions contemplated by the Agreement.

Name and Title of Person(s) to Execute Agreement:

John H. Yow, City Administrator

RESOLVED, the Lessee covenants that it will perform all acts within its power which are or may be necessary to insure that the interest portion of the Rental Payments coming due under the Agreement will at all times remain exempt from federal income taxation under the laws and regulations of the United States of America as presently enacted and construed or as hereafter amended. The Lessee hereby certifies that it has not issued or effected the issuance of, and reasonably anticipates that it shall not issue or effect the issuance of more than ten million dollars (10,000,000.00) of tax-exempt obligations during the calendar year, and hereby designates the Agreement as a "qualified tax exempt obligation", as defined by Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Agreement is the same as presented at said meeting of the governing body of Lessee.

Passed by the City Council of the City of Orangeburg, South Carolina this 16th day of March, 2010.



ATTEST:

Carroll Johnson
City Clerk

Paul A. Miller
Paul A. Miller, Mayor

James H. Hane
Sandra L. Rouse
Charles B. Brouillette
L. Zimmerman Keith
Richard F. Starna
Chris Dyer

CITY COUNCIL MINUTES
March 16, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 16, 2010, at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the March 2, 2010, City Council Minutes as distributed. This motion was unanimously approved.

Councilmember Keitt addressed Council in regards to Project Life Positeen and the "Yes I Can Expansion". Mr. McGee from Columbia with Project GO-(Gang Out) and Ms. Farlow from Nix School were also in attendance. Councilmember Keitt stated, "There are seven students enrolled in the "Yes I Can" Program from Orangeburg-Wilkinson, Clark and Edisto Schools who have been expelled for the remainder of the year. We have them from 8:30 A.M. until 3:00 P.M. Lunch is served by School District Five and courses are taken online through the APEC Program and these students can be promoted to the next level. Project Life Positeen is a partner with Project GO, which is to get out or prevent gang membership. Mr. McGee has expanded this program to Orangeburg which has students from 6:00 P.M. until 8:00 P.M. each night."

Mr. McGee addressed Council. He stated, "We have seven sites throughout the state, we are non-profit and our monies come from grants and donations. We have a mentor at Nix School." A student in the program was introduced. Mayor Miller thanked them for their presentation.

A motion was made by Councilmember Keitt, 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 of the City of Orangeburg and the Zoning Map of the City of Orangeburg, South Carolina. This was a 6-0-1 vote as Mayor Pro Tem Haire recused himself from discussion and voting.

A motion was made by Councilmember Jernigan, seconded by Councilmember Keitt, to approve the First Reading of an Ordinance amending Chapter XIII of the Code of Ordinances for the City of Orangeburg, SC, for the purpose of implementing the inspection duties of the City's Building Official. This was a 6-0-1 vote as Mayor Pro Tem Haire abstained.

Assistant Administrator Singh explained five (5) bids were received for the Master Lease Agreement with the low bid being South Carolina Bank and Trust at 2.3% on \$773,500 for various equipment.

A motion was made by Councilmember Knotts, seconded by Mayor Pro Tem Haire, to approve a Resolution authorizing the execution and delivery of a Master Lease Agreement, Equipment Schedule and Escrow Agreement and related instruments and determining other matters in connection therewith. This motion was unanimously approved.

2040

Page 2

A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to approve the reappointment of Ms. Edna Fischer (Cultural Sector) and Gary Patel (Lodging Sector) and Ms. Victoria Johnson's appointment (Lodging Sector) to the Accommodations Tax Advisory Committee. This is a four year term expiring March 15, 2014. This motion was unanimously approved.

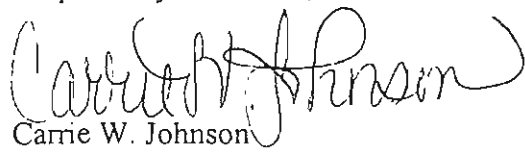
A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Second Reading of an Ordinance repealing the existing Chapter XXIII, titled, "Utilities" of the Code of Ordinances for the City of Orangeburg and adopting in lieu thereof a new Chapter XXIII, titled "Utilities" of the Code of Ordinances for the City of Orangeburg. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for a contractual matter concerning Dental/Vision Insurance Contract by Guardian. This motion was unanimously approved.

Council did not return to Open Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

CWJ/pfb



**A RESOLUTION TO ACCEPT A GIFT OF PROPERTY FROM KEITH ALLEN HEWITT
AND RUSSELL NEIL HEWITT LOCATED AT THE INTERSECTION OF BROUGHTON
STREET AND AMELIA STREET IN THE CITY OF ORANGEBURG, STATE OF
SOUTH CAROLINA**

WHEREAS, Keith Allen Hewitt and Russell Neil Hewitt have offered to gift the below described property to the City of Orangeburg, and

WHEREAS, the City finds that it is in its best interest and that of its citizens to accept said gift.

**NOW THEREFORE BE IT RESOLVED BY CITY COUNCIL DULY
ASSEMBLED** this 6th day of April, 2010 that the City of Orangeburg does hereby accept the offer of Keith Allen Hewitt and Russell Neil Hewitt to convey the below described property to the City as a gift and donation.

Description of property:

All that certain piece, parcel or tract of land with any improvements thereon situate, lying and being in the City of Orangeburg, Consolidated School District 5, County of Orangeburg, State of South Carolina containing 15,151 square feet and set forth and shown on a plat prepared for Fred M. Hewitt, et. ux. by Nivens Engineering, Inc., approved by Kirk N. Nivens, Jr. R.L.S. and recorded in the Office of the Register of Deeds for the County of Orangeburg, State of South Carolina in Plat Book 685 at page 755 and having the following boundaries and measurements: Northwest by property of Edison A. Fairey, III et. al. 82.80 feet and property of Allen Powers, Jr., Trustee 66.93 feet; Northeast by property of Allen Powers, Jr., Trustee 57.97 feet and the right-of-way of Broughton Street 67.68 feet; East by the intersection of Broughton Street and Amelia Street 9.29 feet; Southeast by the right-of-way of Amelia Street 139.67 feet; and Southwest by property of Mazyck Smith Estate 127.21 feet.

AND IT IS SO RESOLVED.



Mayor

Paul G. Miller
Le Zimmerman Keith
Chad Dugan
Richard F. Struman
Charles B. Bramwell
Sam Haire

Members of Council

ATTEST:
City Clerk

Carrie H. Johnson



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,

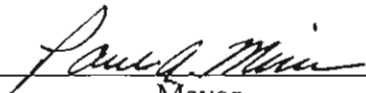
WHEREAS, the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and,

WHEREAS, April is recognized nationally as Fair Housing Month.

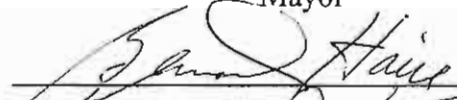
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council, in Council assembled, do officially recognize April as Fair Housing Month in the City of Orangeburg.

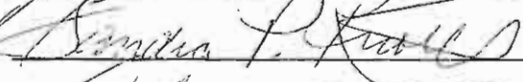
Passed By the City Council of the City of Orangeburg, State of South Carolina, this 20th day of April 2010.








Mayor

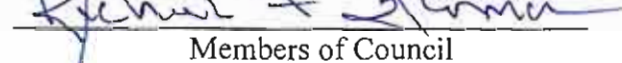












Members of Council

ATTEST:



City Clerk

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE
SOUTH CAROLINA AERONAUTICS COMMISSION IN THE AMOUNT OF \$23,977.00**

WHEREAS, the City of Orangeburg ("City") has received a grant in the amount of \$911,126.00 from the United States Federal Aviation Administration, and

WHEREAS, an additional grant in the amount of \$23,977.00 has been received by the City from the South Carolina Aeronautics Commission, and

WHEREAS, the City has agreed to contribute matching funds in the amount of \$35,377.00, and

WHEREAS, the grant funds and matching funds will be used for "Phase II Apron Expansion" at the City's Municipal Airport.

**NOW THEREFORE, BE IT RESOLVED BY CITY COUNCIL DULY
ASSEMBLED** that the grant from the South Carolina Aeronautics Commission for Phase II of the apron expansion of the City's Municipal Airport in the amount of \$23,977.00 is accepted and the City Administrator, John H. Yow, is hereby directed and authorized to accept said grant and to sign the Grant Agreement dated March 18, 2010 and any and all other documents necessary for the within described purpose.

**DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH
CAROLINA THIS 20 DAY OF APRIL, 2010.**



Mayor

Paul G. Min
Ben Haine
Donna H. Harts
Charles B. Bannister
L. Zimmerman
Chris Sugar
Richard A. Stroman
Members of Council

ATTEST:
City Clerk

Carrie L. Johnson

RESOLUTION

A RESOLUTION ESTABLISHING AND AGREEING TO PARTICIPATE IN THE LOWER SAVANNAH REGIONAL HOME CONSORTIUM

- WHEREAS,** the Congress of the United States has enacted the Cranston-Gonzales National Affordable Housing Act of 1990 (hereinafter the "Act") which created the HOME Investment Partnerships Program (hereinafter the "HOME Program") to provide funds to states and local governments for affordable housing assistance with the flexibility to decide what kind of housing assistance or mix of housing assistance is most appropriate for local needs; and,
- WHEREAS,** the U.S. Department of Housing and Urban Development (hereinafter "HUD") subsequently issued regulations set forth in 24 CFR Part 92 allowing units of general local government to enter into mutual cooperation agreements to form consortia for the purpose of obtaining funding from the HOME Program; and,
- WHEREAS,** THE CITY OF ORANGEBURG has affordable housing needs; and,
- WHEREAS,** THE CITY OF ORANGEBURG desires to increase affordable housing opportunities for its present and future residents, particularly for very low-income persons; and,
- WHEREAS,** THE CITY OF ORANGEBURG desires to enter into affordable housing development activities which are directed toward the above general purposes, and for those reasons, wishes to seek such federal funding as may be available to it pursuant to the Act; and,
- WHEREAS,** THE CITY OF ORANGEBURG desires to enter into the affordable housing activities and has determined that joint action with other units of local governments that choose to participate in accordance with the "Inter-Governmental Agreement Establishing the Lower Savannah Regional HOME Consortium FY 2011-2013" the terms of which are incorporated by reference and such relevant HUD regulations and requirements as may now or hereafter be in effect would benefit THE CITY OF ORANGEBURG.

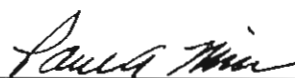
BE IT FURTHER RESOLVED, that the Mayor and City Council, in Council duly assembled, authorize John H. Yow, City Administrator of the City of Orangeburg to sign the "Inter-Governmental Agreement Establishing the Lower Savannah Regional Home Consortium FY "2011-2013", on behalf of the City of Orangeburg, as well as all other documents necessary to form the Consortium and to carry out and fulfill its purposes.

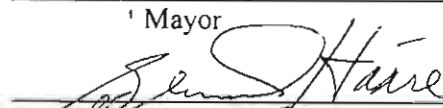
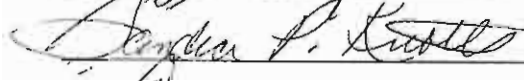

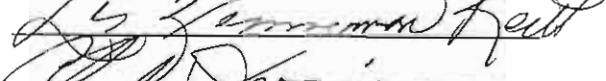

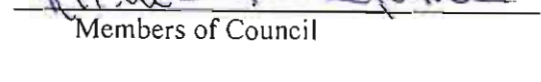
Passed By the City Council of the City of Orangeburg, State of South Carolina, this 4th day of May 2010.



ATTEST:


City Clerk


Mayor







Members of Council

CITY COUNCIL MINUTES
April 6, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 16, 2010, at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Richard F. Stroman

ABSENT:

Sandra P. Knotts

Mr. Lee Harter's journalism class from Claflin University was introduced.

A Public Hearing was held on annexing into the City of Orangeburg, property belonging to Samuel and Mary Thompson, Tax Map #0173-15-06-008. The Planning commission voted unanimously to approve annexation as A-2.

Hearing no comments, the Public Hearing was closed.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the March 16, 2010 minutes as distributed. This motion was unanimously approved.

Ms. Latrina Yarbrough addressed Council in regards to a Fellowship Carnival that her church is sponsoring on June 19, 2010 at 184 Fax Drive in St. Matthews. She stated that there would be mini-screenings spearheaded from her church, Church of God in Christ. She stated, "We are asking each councilmember for \$50.00 to go towards feeding the children and packing backpacks. Information was given to you of where to send the check or contribution. This is the second annual event that we have done for preventive care and maintenance."

Mr. Greg Robinson of the Orangeburg County Economic Development Commission gave Council an update on the economic development of the County and the Industrial Parks. He overviewed what the global logistics triangle was all about and who has been visiting the area.

Councilmember Keitt asked, "Can you explain the decrease in 2008 compared to 2009, is it because of the price of gas?"

Mr. Robinson explained, "I feel it is the inventory we have."

Councilmember Barnwell asked, "Of the 115 visits who has committed?"

Mr. Robinson stated, "The latest one was Triumph II in Building II in the Regional Park."

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Second Reading of an Ordinance amending Chapter XIII of the Code of Ordinances for the City of Orangeburg, SC, for the purpose of implementing the inspection duties of the City's Building Official. This motion was unanimously approved.

2042

Page 2

Chief Wendell Davis accepted the Proclamation Character Trait for April 2010, "Self-Control".

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to approve the First Reading of an Ordinance to annex property belonging to Samuel and Mary Thompson, Tax Map # 0173-15-06-008, property located at 193 Clarendon Street into the City of Orangeburg, SC with A-2 Zoning as zoning designation. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the First Reading of an Ordinance to amend the Municipal District Map dated November 6, 2001, for the purpose of adding newly annexed City property, Tax Map #0173-15-06-008. The Ordinance calls for this property to be added to District #4. This motion was unanimously approved.

The Fiscal Year 2010-2011 Budget Calendar for the City of Orangeburg was distributed, for information only, and Council was asked to report back to City Administrator Yow if changes need to be made.

DPU Manager Fred Boatwright noted that the only change in the Third Reading of an Ordinance repealing the existing Chapter XXII, Titled, "Utilities" of the Code of Ordinances for the City of Orangeburg and adopting in lieu thereof a new Chapter XXIII, titled "Utilities" of the Code of Ordinances for the City of Orangeburg was in Section 23-58.1 as to the wording on the advice of the City Attorney.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Third Reading of the Ordinance repealing the existing Chapter XXII, Titled, "Utilities" of the Code of Ordinances for the City of Orangeburg and adopting in lieu thereof a new Chapter XXIII, titled "Utilities" of the Code of Ordinances for the City of Orangeburg with the change stated above. This motion was unanimously approved.

A motion as made by Councilmember Keitt, seconded by Councilmember Stroman, to enter into an Executive Session for a contractual matter concerning Spec Building City/County Industrial Park, and a contractual matters involving conveyance of real property.

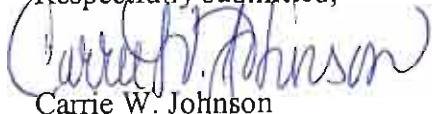
A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to return to Open Session. This motion as unanimously approved.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to approve a Resolution for acceptance of real property at the intersection of Broughton and Amelia Streets owned by Keith Allen Hewitt and Russell Neil Hewitt. This motion was unanimously approved

A motion was made by Councilmember Jernigan, seconded by Councilmember Keitt, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk



CITY COUNCIL MINUTES

April 20, 2010

2043

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 20, 2010, at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the April 6, 2010 Minutes as distributed. This was a 6-0-1 vote as Councilmember Knotts abstained as she was not present at the meeting.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the adoption of the City of Orangeburg's Budget Calendar for Fiscal Year 2010-2011. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Second Reading of an Ordinance amending Chapter XIII of the Code of Ordinances for the City of Orangeburg, SC, for the purpose of implementing the inspection duties of the City's Building Official. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the Second Reading of an Ordinance to annex property belonging to Samuel and Mary Thompson, Tax Map # 0173-15-06-008, property located at 193 Clarendon Street into the City of Orangeburg, SC with A-2 Zoning as zoning designation. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance to amend the Municipal District Map dated November 6, 2001, for the purpose of adding newly annexed City property, Tax Map #0173-15-06-008. The Ordinance calls for this property to be added to District #4. This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Haire, to approve a Resolution recognizing April, 2010 as Fair Housing Month in the City of Orangeburg. This motion was unanimously approved.

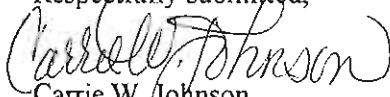
A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve a Resolution authorizing the acceptance of a grant from the South Carolina Aeronautics Commission in the amount of \$23,977.00. This motion was unanimously approved.

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

A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to enter into an Executive Session for a legal matter concerning the City Election Commission. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk



**A RESOLUTION TO ACCEPT A GIFT OF PROPERTY FROM ALEC H. CHAPLIN LOCATED AT THE
INTERSECTION OF JOHN C. CALHOUN DRIVE, RIVERSIDE AVENUE AND GLOVER STREET IN THE
CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA**

WHEREAS, Alec H. Chaplin has offered to gift the below described property to the City of Orangeburg, and

WHEREAS, the City finds that it is in its best interest and that of its citizens to accept said gift.

NOW THEREFORE BE IT RESOLVED BY CITY COUNCIL DULY ASSEMBLED this ____ day of June, 2010 that the City of Orangeburg does hereby accept the offer of Alec H. Chaplin to convey the below described property to the City as a gift and donation.

Description of property:

All that certain piece, parcel or tract of land, together with all and improvements thereon, situate, lying and being in the City and County of Orangeburg, State of South Carolina, and shown as "TRACT B (0.96 acres)" on a plat prepared by Edisto Surveyors, Inc. entitled "A PLAT OF 2.20 ACRES STATE OF SOUTH CAROLINA COUNTY OF ORANGEBURG CITY OF ORANGEBURG SURVEYED FOR RETAIL PROPERTIES", dated April 9, 1996, and recorded July 2, 1996, in Plat Book 72L at page 126 in the RMC Office for Orangeburg County, South Carolina, which said plat is made a part hereof and incorporated herein by reference. Said tract of land having such size, shape, dimensions, buttings and boundings, more or less, as will by reference to said plat more fully and at large appear.

All that certain piece, parcel or tract of land, together with all improvements thereon, situate, lying and being in the City and County of Orangeburg, State of South Carolina, and shown as "12.17 ACRES" on a plat prepared by Edisto Surveyors, Inc. entitled "A PLAT OF 12.17 ACRES STATE OF SOUTH CAROLINA COUNTY OF ORANGEBURG CITY OF ORANGEBURG SURVEYED FOR ALEC H. CHAPLIN", dated June 28, 1996, and recorded July 2, 1996, in Plat Book 72L at page 126 in the RMC Office for Orangeburg County, South Carolina, which said plat is made a part hereof and incorporated herein by reference. Said tract of land having such size, shape, dimensions, buttings and boundings, more or less, as will be reference to said plat more fully and at large appear.

Also, that certain non-exclusive easement reserved by the Grantor in that certain deed of Grantor to Spiritual Birth Ministries by deed dated October 14, 2005 and recorded in the Office of the Register of Deeds for the County of Orangeburg, State of South Carolina in Deed Book 1118 at page 126.

Less and excepting, 3.34 acres conveyed to Spiritual Birth Ministries by deed of Grantor dated October 14, 2005 and recorded in said Office of the Register of Deeds in Deed Book 1118 at page 126, 1.02 acre conveyed to CPM Federal Credit Union by deed dated February 4, 1997 and recorded in said Office of the Register of Deeds in Deed Book 639 at page 953 and 1.26 acres conveyed to Hughes Commercial Properties, Inc., by deed dated February 18, 2000 and recorded in said Office of the Register of Deeds in Deed Book 798 at page 97.

AND IT IS SO RESOLVED.



Mayor

Paul M. ...
L. Zimmerman Keitt

Candice L. Keitt

John Hair

Carl ...

Charles B. ...

Richard A. ...

Members of Council

ATTEST:
City Clerk

Carroll ...

CITY COUNCIL MINUTES

May 4, 2010

2044

Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 4, 2010, at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor

Charles B. Barnwell

Bernard Haire

Charles W. Jernmigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the April 20, 2010 Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to approve the Third Reading of an Ordinance to annex property belonging to Samuel O. and Mary Thompson. Tax Map # 0173-15-06-008, property located at 193 Clarendon Street into the City of Orangeburg, SC with A-2 Zoning as zoning designation. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance to amend the Municipal District Map dated November 6, 2001, for the purpose of adding newly annexed City property, Tax Map #0173-15-06-008 to Municipal Council District #4. This motion was unanimously approved.

Mr. Don Tribble, Director of Community of Character, accepted the Character Trait Proclamation for the month of May 2010, "Cleanliness".

City Administrator Yow presented Council with a Resolution establishing and agreeing to participate in the Lower Savannah Regional Home Consortium. City Administrator Yow stated, "I would like to point out that if this Resolution is passed it gives me the authority to sign or not to sign the actual agreement due to finding out what contributions the City would have to match as noted in the memorandum from Ms. Nora Sanders, Lower Savannah Council of Governments. In this case, I would need to come back and let you know if there is some funding we would have to match it in an upcoming budget"

Councilmember Jernigan asked, "Which budget year would the match be in?"

City Administrator Yow replied, "I do not expect it to be before next year."

Mayor Pro Tem Haire asked. "What can the monies be used for and is Allendale in Lower Savannah?"

City Administrator Yow replied, "Each year the local government must propose projects to the Board for approval under the guidelines of the HOME program. Some may take more than one year. It is up to the Board to approve them. I am not sure if Allendale is in Lower Savannah or not, we will have to check."

City Administrator Yow stated, "I do know that this will give us more flexibility and as you know we had a prior project that was pulled. We will sign up for three years. I would suggest you pass the Resolution with the understanding that I may or may not sign depending on the funding formula."

2045

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the Resolution establishing and agreeing to participate in the Lower Savannah Regional Home consortium (with the noted exception).

Discussion was held clarifying what assistance the County provides in municipal elections. Generally, it is understood the City will retain its current practices and policies and the County will provide services as it currently does. A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to approve the First Reading of an Ordinance providing for the transfer of authority for conducting Municipal Elections for the City of Orangeburg, SC, to the Orangeburg County Voter Registration and Election Commission. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to enter into an Executive Session for a contractual matter concerning DPU-Wastewater Division and DPU-Electric Division and a personnel matter concerning a Department of Public Safety Employee Grievance. This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Councilmember Knotts, for Council to return Open Session. This motion was unanimously approved.

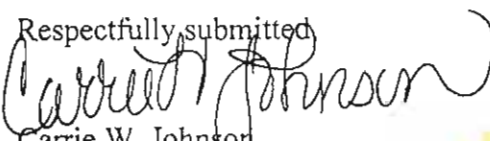
Council returned to Open Session.

Councilmember Barnwell made a motion that the Employee Grievance be continued until Council can obtain additional information. This Motion was seconded by Councilmember Keitt and unanimously approved.

A motion was made by Councilmember Knotts, seconded by Mayor Pro Tem Haire, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted


Carrie W. Johnson
City Clerk



Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 18, 2010 at 7:00 P.M., with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Mayor Miller recognized Ms. Leigh Ann Tewksbury from Senator Lindsay Graham's Office.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the May 4, 2010, City Council Minutes as distributed. This motion was unanimously approved.

Ms. Jackie Ellison, representing Old Mt. Zion Baptist Church, addressed Council. She stated, "I am here because we have concerns about the proposed intersection due to the Transportation Center at South Carolina State University. It is proposed that when you leave Maxcy Street that you won't be able to turn left. If you go out the other end of Maxcy and turn right to go downtown on Whitman, you cannot turn left or go straight, you can only turn right. If there is a funeral and you have to go out on Cannon Bridge Road, what can you do, if you turn right out of Maxcy and go down any side street like Clarendon, Dickson or Lovell, those streets are full of students and cars are parked sometimes on both sides of the street and you can barely get by with one car. If you turn right out of Maxcy, you can't even cut through on Buckley because South Carolina State has that road blocked also, you have to go all the way to Chestnut and turn left and go back up just to get to downtown, when all you had to do was to turn left out of Maxcy and head downtown. There are two churches on Maxcy Street and this will cause problems for funerals."

Councilmember Keitt stated, "I have talked to South Carolina State about this and they do not know when this will be built."

Mayor Miller stated, "Let us take this under advisement. The Highway Department made this proposal for the master plan for the Clyburn Transportation Center, if you can give us time to try to find out what is going on."

Councilmember Jernigan stated, "I think the problem is the raised island, it seems to me that would be an easy fix."

City Administrator Yow replied, "We can see if we can obtain more information for you for your June 12th planning meeting."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance providing for the transfer of authority for conducting Municipal Elections for the City of Orangeburg, South Carolina, to the Orangeburg County Voter Registration and Election Commission. This motion was unanimously approved. City Attorney Walsh stated that the only change was in the last paragraph which states the City will pay for any costs.

Mayor Miller recognized a Proclamation for National Transportation Week May 17 through 21, 2010. Assistant City Administrator Singh will deliver to the Cross County Connection Office in Orangeburg and also notified Lower Savannah of this Proclamation.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to repeal Ordinance No. 2010-6 and amend the Municipal District Map dated November 6, 2001, for the purpose of correcting newly annexed City property from Municipal Council District Four to Municipal Council District Five. This motion was unanimously approved.

There were no matters concerning the Department of Public Utilities.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to enter into an Executive Session for a personnel matter concerning the Department of Public Safety, a contractual matter concerning conveyance of real property and legal and contractual matters concerning the County Capital Project Sales Tax.

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to return to Open Session. This motion was unanimously approved.

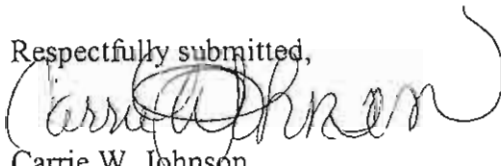
Councilmember Barnwell made a motion to reverse the findings of the Grievance Committee and restore DPS Employee's two days with pay and this incident be deleted from her personnel file, seconded by Councilmember Jernigan. This was a 4-3 vote with Mayor Miller, Mayor Pro Tem Haire and Councilmember Stroman opposing.

Mayor Pro Tem Haire made a motion to appoint Councilmember Keitt and City Administrator Yow to the County Capital Project Sales Tax Commission. This motion was seconded by Councilmember Stroman and unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



2048

CITY COUNCIL MINUTES

June 1, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, June 1, 2010 at 7:00 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller

Charles B. Barnwell

Bernard Haire

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

A Public Hearing was held on a zoning change from A-2, Multi-Family Residential District, to O-I, Office-Institutional Residential District, property belonging to Claflin University, Tax Map #0173-11-01-019.

Assistant City Administrator John Singh overviewed that the property was owned by Claflin University and was going to be used for temporary offices for professors and was going to be a zoning change from A-2 to O-I.

Mayor Pro Tem Haire asked, "Aren't there properties of A-2 bordering this?"

Assistant City Administrator Singh replied, "Claflin has a few others with A-2 designations, they wanted to go ahead and move on this project and requested this be changed."

Mayor Pro Tem Haire asked, "Is this spot zoning?"

Assistant City Administrator Singh replied, "No."

Hearing no other comments, the Public Hearing was closed.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the May 18, 2010, City Council minutes as distributed. This motion was unanimously approved.

DPU Manager Fred Boatwright along with Mike Sells, presented a Retiree Resolution and DPU watch to Ms. Joan E. Hutto from the Administrative Division.

DPU Manager Fred Boatwright, along with Eric Odom, presented a Retiree Resolution and DPU watch to J. Michael Edwards from the Water Division.

Ms. Natalie Benjamin addressed Council. She stated, "I live at 140 Simpson Street in Cordova. I am coming to you to dispute a bill I received from the Department of Public Utilities. In February of this year, I contacted DPU to find out why my bill was \$526.00 for that month. I asked the Customer Service Representative if I could get on a payment plan. I was told I could not, based on the fact that I did not pay accurate payments for a period of one year. The information was surprising because I paid the bill that was sent. I asked for clarification on why I could not be on one. She transferred me over to her supervisor, Mrs. Blanks, who I left a voice message for and she finally returned my call. She told me she would look into the matter, but I could not be put on a payment plan, which was on March 25th, nearly a month later. Again, I explained that I paid the bills I

was sent. She informed me I was ineligible for the payment arrangements because I was inconsistent in paying in the last twelve months. She agreed to do further research and said that I had not paid correctly in the last twelve months, she didn't tell me why. She did tell me that they calculated an average that I needed to pay, which was the sum of \$2,948.00 for 2009, for one year. She informed me that I would need to pay and it would be adjusted into my payment. Upon failure to reach a resolution, she agreed to meet with me, which I did the same day. Before I got to her office, I asked about a letter of dispute. She told me it was no need because she would be the decision maker on the dispute. When meeting with her, I found out I was paying \$6 a month for electricity plus the water bill, so my payments were \$30. She also told me that I was expected to call them to find out why my bill was so low. I told her, I did call them in December, 2008, because I believe my bill was high and I had the meter checked. A representative was sent out and the meter was checked and I thought the issue was resolved because I was being billed for exactly what was due. Mrs. Blanks informed me that I should have received notification that the meter was good. I also explained to Mrs. Banks that I did not receive anything on that. At the close of that meeting, I can either pay \$500.00 a month for 12 months or either have \$247.00 added to my monthly bill."

Mayor Miller asked, "Where does the \$500 come from?"

"Ms. Benjamin replied, "That was my two options. I can either pay \$500.00 per month or have \$247.00 added to my monthly bill to resolve this issue. Ms. Banks also referred to the general terms and conditions concerning the undercharging of a customer basically stating I'd still have to pay. She didn't tell me what kind of error it was. After I failed to reach a compromise, I asked to speak to someone else. I then spoke to Mr. Mike Sells, who was a greater disappointment who was insulting and rude. He asked me how old I was and he implied that I lacked common sense. He told me that anyone who had common sense would have called to find out why their bill was so low. He also said that he could go out on the street and find twenty three people who would have common sense to call in this situation. I was very offended about this and with no resolution and I asked to speak to someone else and I explained the situation to Mr. Boatwright who asked me to write a letter of dispute. In May, I had a meeting with Mr. Boatwright who asked me to come to Council concerning this dispute because he could not excuse the bill. I feel the fault lies with DPU. I feel this bill should be removed from my account and if not deleted completely, I could attempt to make partial payment."

Mayor Pro Tem Haire asked, "You are saying that your bill was low for what period?"

Ms. Benjamin replied, "I believe it was from February, 2009, through January, 2010. I called on it."

Mayor Pro Tem Haire asked, "DPU is not trying to make any type of accommodations for this that would assist you in getting this matter straight and you are contesting the payment arrangements?"

Ms. Benjamin replied, "I am contesting the whole bill."

Mayor Pro Tem Haire asked, "Is it your feeling that you do not owe additional monies, what is your position?"

Ms. Benjamin stated, "I do not feel I owe additional monies, but I can pay some and I see where he is coming from because of machine or human error. I owe, but not the whole bill."

Mayor Pro Tem Haire asked, "Prior to February, 2009, your bills were what?"

Ms. Benjamin replied, "They were \$200, \$193, \$270, \$166, \$316, \$135, and \$168."

2050

Page 3

Mayor Pro Tem Haire asked, "After February, 2009, you began getting bills that were \$30 in total cost?"

Ms. Benjamin replied, "The first one was \$41 and that was after they checked the meter."

Mayor Pro Tem Haire asked, "Do you have electric or what?"

Ms. Benjamin stated, "I have electric and water."

Councilmember Keitt asked, "Where does this \$2,928 bill come from and is that a total from February, 2009, through January, 2010?"

Ms. Benjamin stated, "It is a bill for the average cost from that time period. They took previous years and averaged them out from 2007 and 2008."

Councilmember Keitt asked, "When did the \$30 start?"

Ms. Benjamin replied, "After I called in, after December 2008, in January, 2009."

Councilmember Keitt asked, "Did you pay that on time?"

Ms. Benjamin replied, "Yes."

Councilmember Keitt stated, "How did they go back to the \$2,928, then your bill started at \$41.00?"

Ms. Benjamin stated, "They went back and averaged the bill for 2009 because I was not paying correctly because the \$41.00 I was paying was only water and general electric. The average per month was done by averaging of the past two Februarys was what I owed for February, 2009."

Councilmember Jernigan asked, "What was your utility bill last month?"

Ms. Benjamin replied, "\$122.00"

Councilmember Barnwell asked, "Is that correct?"

Ms. Benjamin stated, "I don't know, I then got a bill for \$2,928.00 that was due by May 10th."

Mayor Miller asked, "You have lived at this location for a number of years and you were accustomed to paying \$200.00 per month or thereabouts and then all of a sudden you started getting bills for \$30.00 a month and you didn't think anything was wrong about that?"

Ms. Benjamin replied, "After the meter was checked, no, I thought everything was good."

Mayor Miller asked, "Do you heat with electricity?"

Ms. Benjamin replied, "Yes."

Councilmember Barnwell asked, "Did you call DPU and ask why your bill was \$40.00?"

Ms. Benjamin replied, "No, I called as why it was \$526.00, after it jumped from what I was paying."

Councilmember Barnwell asked, "Did you ask them why?"

Ms. Benjamin replied, "They said that is my monthly payment."

Councilmember Jernigan asked, "They didn't come back and check the meter again after you got the \$500.00 bill?"

Councilmember Barnwell asked, "Do you have any idea what the error was?"

Ms. Benjamin replied, "They haven't told me."

DPU Manager Boatwright addressed Council, "I can answer that if you'd like. We certainly admit we made an error. There was an electric meter that was not working. We checked it and it looked as if it was working when in fact it was not. The wheel was turning and the assumption was made that it was working; however, the numbers were not. We did not go back and check it until twelve months had elapsed and we then checked it because our computer gave us a message to check this zero consumption meter when in fact it was not working. We did make an error. In our General Terms and Conditions, it is quite clear that we back bill the customer for the amount if the amount can be determined, which in this case, the meter was not working so it could not be determined. In the General Terms and Conditions, it states to get an average. Having looked at the prior year's average, it looked high, so we then went back and took an average over three years to try to get a more accurate number for 2009 for \$2,927.48, so that is a three year average. We sent a bill for that amount and withdrew it until this matter could be resolved. We would bill the regular monthly bill."

Councilmember Barnwell asked, "Did your meter reader read the meter every month?"

DPU Manager Boatwright stated, "Yes, the meter reader reads the meter every month and reported the same reading that was there the previous month for eleven consecutive months. The meter reader does not know the previous reading because we are constantly being accused of estimating, which we do not do, they cannot possibly estimate the reading. They have hand-held computers where they input the readings so that it cannot be estimated. There are a series of checks, all of which did not work in this case, to make sure it is not estimated."

Mayor Pro Tem Haire asked, "For a year there were no alarm bells that went off at DPU as it relates to the inaccuracy of her bill?"

DPU Manager Boatwright replied, "Initially it was, there was a re-read of the meter generated and they saw the wheel turning and they said it was operational."

Councilmember Keitt asked, "Did I hear you say that you are going to delete the \$2,948.00 bill?"

DPU Manager Boatwright replied, "No, I did not. I cannot, I do not have the authority to do that, only you can."

Councilmember Jernigan asked, "Has the meter been changed?"

DPU Manager Boatwright replied, "Yes, it has."

Ms. Benjamin replied, "They didn't tell me about an error on the bill. I called them to find out why the bill was so high, they still didn't know there was an error."

2052

Page 5

Councilmember Keitt asked, "Can we discuss this some other time in some other area?"

Mayor Miller stated, "Let us receive this as information and let us review it and digest what you have told us."

DPU Manager Boatwright stated, "Remember her original request is that her bill be levelized, so that is where the \$500 per month came in."

Mayor Pro Tem Haire asked, "Once she called DPU, they came out and read the meter and according to what I am hearing. The bill still was low, so I don't think it was generated once she called and they still didn't correct the problem because they thought it was working properly."

Councilmember Jernigan asked, "How did you arrive at 12 months to pay off this amount of money?"

DPU Manager Boatwright stated, "It is in the General Terms & Conditions that if the number of months the billing was done incorrectly, it is the same number of months to pay the bill up to twelve months. If it was for six months, it would be six months."

Councilmember Barnwell asked, "What I am hearing, if it is an error, you are not at fault?"

DPU Manager Boatwright stated, "It is in the General Terms and Conditions, if we do make an error, we can collect it up to twelve months."

Councilmember Barnwell asked, "Does your bill show electricity, water, wastewater, etc?"

Ms. Benjamin replied, "Yes."

Councilmember Stroman asked, "Do you feel like you owe the \$2,900.00?"

Ms. Benjamin replied, "Truthfully, I don't, but I could pay something or a percentage."

Councilmember Stroman asked, "How much do you feel you owe?"

Ms. Benjamin stated, "About 15%."

Mayor Miller asked, "You do admit you used the electricity?"

Ms. Benjamin stated, "At times, sometimes no one was in the house."

Mayor Miller asked, "How long have you lived there?"

Ms. Benjamin replied, "Since 2005."

Councilmember Jernigan stated, "Anything we do will go against the policies and procedures of DPU. That would be one of our decisions. If we do anything, is it possible to extend the number of months from twelve to twenty four? "

DPU Manager Boatwright replied, "Yes, and I would certainly recommend it. It is undoubtedly a hardship."

Page 6

Mayor Miller replied, "We will take this under advisement and digest this information and we will get back to you."

Ms. Margaret Johnson of 1930 Cherrywoods Street addressed Council. She stated, "I would like to thank you for the opportunity to appear. I stand before you to seek assistance for the flooding situation that has caused damage to my property. This flooding occurred between October and November 2009 because of heavy downpours. A retention pond on the property being developed by G.W. Berry Builders overflowed discharging water into my yard on the back and left side of my home. I have spoken with Mr. Berry several times and with help from members of this Council, especially Mr. Barnwell, he has agreed to provide help. However, the offer seems minimal and he will not correct the direction of the water flow from the retention pond. I would like for the water to be channeled away from the property. My concerns are that he plans to install a swale on my property to divert water down the side of my yard to the ditch in front of my house. This would have the water run along the edge of my property to the ditch. It has been described to me. It appears to be a change in my property. This would continue to use my property for overflow from the retention pond. There is also the possibility of standing water which may become stagnant and this may become a problem. There has to be some indication that it may be fine at first, but over time debris may hinder the water flow. Then, there are the repairs to the damage that has already been done in the yard. Mr. Berry has agreed to fill in some indentations and add some grass. I need some clarification on what type of grass, I prefer sod, not seed. I only want centipede or zoysia, which is what is in my yard. I discovered through a termite inspection on Monday, May 24th, that the insulation has been destroyed under my house due to the saturation of water that has occurred from this flood. This insulation has to be replaced to avoid further damage to my property because it can affect my floors and joists. I would like for Mr. Berry to include the cost of the replacement of the insulation or at least share in the cost. He indicated that it is not his responsibility. I feel we have not had a meeting of the minds. I have only been on this property for nine years, but I have heard from my neighbors that this has not happened before or any flooding on my property. I feel the problem has come from the retention pond that has overflowed. I only want to be treated fairly and I have told Mr. Berry that. I want greater assurance that the overflowing will not go into my property. I have already installed a french drain to try to keep any more water from trying to get into my house. I feel like I do not need to incur any more expense. I think we just need to come to an agreement or a meeting of the minds and I need some support and help to help get this worked out. That is where I stand and I appreciate you hearing my concerns."

Councilmember Barnwell stated, "Let me enlighten Council. Mr. Jernigan and I went by there and someone wanted me to see Mrs. Johnson's house. It was flooded. We went down Hillsboro and went to the retention pond and Mr. Berry has two drainages and it was no where close to being overflowing. I am not a civil engineer, but it is a leak in the retention pond and that is what is causing the water in her yard. It is a poorly designed retention pond and she should be reimbursed and Mr. Berry should be required to correct the problem."

Pictures were then shown of Mrs. Johnson's yard, the back and sides. These pictures were taken in January, 2010.

Mayor Miller asked, "Is it still flooding?"

Mrs. Johnson replied, "No, it is not."

Mayor Miller asked, "You have said that you and Mr. Berry have talked and he is willing to try to work through this issue with you. From a practical point of view, I think you and Mr. Berry should try to work this out. I would think this is a civil matter and not something that Council should refer on."

City Attorney Walsh replied, "We need to make sure that Mr. Berry has complied with our Ordinance and she has a civil matter on the damages."

City Administrator Yow stated, "There is also a DHEC inspection."

Public Works Director Bowden stated, "DHEC stated that it has been inspected. Didn't the Highway Department work in front of your house?"

Mrs. Johnson replied, "They did work in the ditch in front."

Councilmember Barnwell stated, "If DHEC could find a leak in the retention pond that would help. You cannot change the sculpture of the land and dump water on someone else. I think our Ordinance refers to that in common spaces in woodland and wetlands and natural water flow."

City Administrator Yow stated, "There is another section in the Ordinance that refers to the capacity or velocity of the water after development. That we need to look at also."

Mayor Miller stated, "Let us take a look at what needs to be done and hopefully you and Mr. Berry can work this out if he feels some responsibility in this matter so that you and he are happy."

Mrs. Johnson stated, "I don't know what is best for the property, I don't know if a swale is good or bad. Once it is in there, it is too late. I just know that this never occurred prior to this building project. I don't understand how much water was coming on there before compared to now. Please help me understand so that I can be appreciative of what he is offering and it is to my best interest."

Mayor Miller stated, "Let's hope this gets worked out."

Mayor Pro Tem Haire stated, "You are saying he is willing to help, I have a problem with that. Something seems to be created by the developer on his part; he should be willing to correct. I'd hope that would be the issue."

Mayor Miller asked, "Durwood, what is the first thing we need to do?"

Public Works Director Bowden replied, "We need to check with DHEC on what they have verified. Richard and I were both out there yesterday and the pond was functioning. There was water coming down the street. She has a low yard and it seems there were gutters before. She needs to try to divert the water from her house. There is a great deal of water coming from Wells. We have had a wet winter, but we will look at all of those things."

Councilmember Jernigan stated, "It appeared that water was coming from under the retention pond and water was running under the silt fence and water was running down into the ditch at the corner of her backyard."

Gary Berry addressed Council. "I just came to observe, but I wanted to clarify a few things. I have had engineers and surveyors observe the pond and it is working. We have had a very wet and cold winter. Water is standing in the yard because it couldn't get out. There are spots low in the yard. Everyone in Orangeburg has had water problems. As

you can see from these pictures, even if it fell straight down from the sky it would be in the yard. Since that time, the ditch has been cleaned out. According to DHEC requirements, you have to release water at a slower rate in its natural flow. Basically, that's what has been done according to the engineers. By the way, the pond has never overflowed. The pond is engineered and approved by DHEC. You actually get less than during a normal rain. It is less water than where it was going before. It was a very wet season. It could do that again in a ten year rain. We are not dumping any more in her yard than what was done before. What I have proposed to Mrs. Johnson since she believes we have done this that I have spent a lot of money in this subdivision and if I can spend a little bit more money, I plan to do it. If I can put a swale in her property, it will take the water all the way out to the ditch. Water from Wells will still end up on her property."

Councilmember Barnwell asked, "Can you explain to me how water from your pond is ending up on her property? I have looked at it and the water is no where near the drainages."

Mr. Berry replied, "Out of the banks. Anywhere in Orangeburg at that time was saturated."

Councilmember Barnwell stated, "Out of the banks, like Edisto River, is what we saw and the neighbors have not had this problem prior to that."

Mr. Berry stated, "When it rains just like yesterday, the water seeps into the ground. If it rains everyday, the ground is saturated and the water has no where to go. We have had calls and every termite company has had more calls due to the extreme wet winter."

Councilmember Barnwell stated, "Where is the water coming from?"

Mr. Berry stated, "Maybe from the pond since it is muddy."

Councilmember Barnwell asked, "Why can't you pipe it?"

Mr. Berry replied, "There is nothing to pipe. The question is what the problem is now. The dispersion rate is lesser now than it was before. The water was soaked into the yard before we had all the rains."

Councilmember Barnwell asked, "You mean to tell me we haven't had as much rain before as we had this year?"

Mr. Berry replied, "Not in about ten years."

Councilmember Barnwell asked, "How can you tell if your pond is working?"

Mr. Berry replied, "We have checked it and once the pond is full, we look."

Councilmember Barnwell asked, "Do you put dye in it?"

Mr. Berry stated, "No."

Councilmember Barnwell asked, "When is the last time DHEC checked it?"

Mr. Berry replied, "They inspect it periodically, about two weeks ago."

Councilmember Jernigan asked, "Do you think the swale will fix the problem?"

Mr. Berry replied, "Yes, I do. The water that runs on her property could run down the side and go to the ditch. There is not a lot of water on her property now. Her yard has a lot of depressions in it that caused water to lay up on it. I don't blame her a bit for thinking it was our fault."

Councilmember Jernigan asked, "Can you describe what the swale will look like in her yard?"

Mr. Berry stated, "At the back of her yard there is a building coming down the edge of the driveway with a shallow ditch so that the water could come into the back and go down the swale to the ditch. Once it gets to the yard, it has no where else to go. It is like a small ditch channeling the water out."

Councilmember Stroman stated, "I would let him do that. He is an outstanding person."

City Administrator Yow replied, "We want to be careful that we apply the Ordinance and we need to see the DHEC inspections and we don't make any technical recommendations in her yard. The City is not supposed to go into individual's yards; we are to protect the public infrastructure and apply our Ordinance. We need to encourage them to work it out; we are not supposed to get into any civil issues matter."

Mr. Berry stated, "I am willing to do what is necessary and until I hear from her, I am waiting on what to do, it is in her court."

Mayor Miller asked, "We will let you and Mrs. Johnson see what you can work out and we will see what is needed as far as to our Ordinances."

City Administrator Yow asked, "What did the engineers say about your pond? Were the calculations done on the release of water?"

Mr. Berry stated, "I am not sure on that. Yes, they have and there has been no evidence beyond that."

A motion was made by Councilmember Jernigan, seconded by Councilmember Stroman, to approve the Third Reading of an Ordinance providing for the transfer of authority for conducting Municipal Elections for the City of Orangeburg, SC, to the Orangeburg County Voter Registration and Election Commission. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance to repeal Ordinance No. 2010-6 and amend the Municipal District Map dated November 6, 2001, for the purpose of correcting newly annexed City property from Municipal Council District Four to Municipal Council District Five. This motion was unanimously approved.

Mr. Don Tribble, Community of Character Director, accepted the Character Trait Proclamation for June, 2010, "Courtesy".

A motion was made by Councilmember Keitt, seconded by Councilmember Jernigan, to approve the First Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg and the Zoning Map of the City of Orangeburg, South Carolina.

Mayor Pro Tem Haire stated, "I still have concerns on reducing the occupancy of homes in the City and we are not growing and adding family dwellings."

This was a 5-1-1 vote as Councilmember Knotts recused herself and Mayor Pro Tem Haire opposed.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts, to approve a Resolution to accept a gift of property from Mr. Alec H. Chaplin, located at the intersection of John C. Calhoun Drive, Riverside Avenue and Glover Street in the City of Orangeburg, SC. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Haire, to enter into an Executive Session for a legal matter concerning appointment to the Capital Project Sales Tax Commission. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to return to Open Session. This motion was unanimously approved.

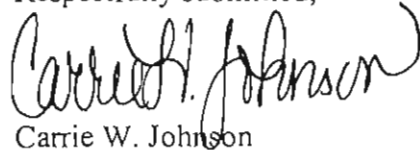
City Attorney Walsh stated, "At the last meeting, we appointed two members to the County Capital Sales Tax Commission, Councilmember Keitt and City Administrator Yow. Since that time the County has advised that members of City Council could not serve due to an Attorney General's opinion. Therefore, we need to appoint someone to replace Mrs. Keitt."

Councilmember Keitt made a motion to appoint Assistant City Administrator John Singh to this Commission, seconded by Councilmember Stroman and unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb





**RESOLUTION
CITY OF ORANGEBURG
SOUTH CAROLINA**

WHEREAS, the City of Orangeburg, South Carolina desires to increase economic competitiveness and stimulate private investment by revitalizing the downtown area of Orangeburg; and,


WHEREAS, the City of Orangeburg, South Carolina is applying for a Community Development Block Grant for Streetscape Improvements in the Downtown area of Orangeburg; and,

WHEREAS, the City of Orangeburg, South Carolina must supply 10% matching funds for a \$500,000 Community Development Block Grant application.

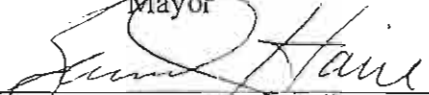
NOW THEREFORE, BE IT RESOLVED, that City of Orangeburg, South Carolina is committing the required 10% matching funds.


Adopted this 22nd day of June, 2010, by the City of Orangeburg.



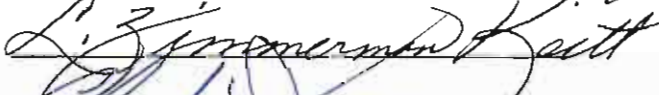


Mayor













Attest:


City Clerk

CITY COUNCIL MINUTES

June 15, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, June 15, 2010, at 7:00 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller

Charles B. Barnwell

Bernard Haire

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the June 1, 2010, City Council Minutes as distributed. 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 repeal Ordinance No. 2010-6 and amend the Municipal District Map dated November 6, 2001, for the purpose of correcting newly annexed City property from Municipal Council District Four to Municipal Council District Five. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg and the Zoning Map of the City of Orangeburg, South Carolina. This was a 5-0-1-1 vote as Mayor Pro Tem Haire abstained and Councilmember Knotts recused herself from discussion and voting.

A motion was made by Mayor Pro Tem Haire to accept the recommendations of the City Administrator to reappoint Jacque Fogle from the Parks and Recreation Department and Leandrae Felder from the Service Department to the City Grievance Committee for another three (3) year term. This motion was seconded by Councilmember Stroman and unanimously approved.

Appointments to the Construction Board of Adjustments and Appeals were postponed until a later date.

There were no utility matters brought before Council.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Haire, to approve a Special City Council Meeting on Tuesday, June 22, 2010, at 12:00 Noon in the Council Chambers Building. This motion was unanimously approved.

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

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to return to Open Session. This motion was unanimously approved.

Page 2

Council returned to Open Session.

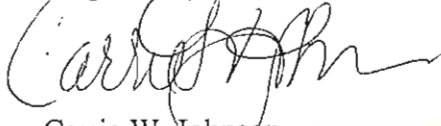
DPU Manger Boatwright recommended to Council that due to the Department making numerous errors in Mrs. Benjamin's bill that the bill be reduced to \$878.40 and she will have up to twenty-four (24) months to pay the balance.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the recommendations of DPU Manger Boatwright concerning Mrs. Benjamin's bill. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to adjourn.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



City Council Minutes
August 3, 2010

2063

Orangeburg City Council held its regularly scheduled meeting on Tuesday, August 3, 2010 at 7:00 P.M., in the Council Chambers with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Mayor Miller stated that tonight is National Night-Out. He asks Chief Davis to comment on this.

Chief Davis stated, "We had open house today from 10:00 AM to 3:00 PM this afternoon. We had hot dogs and drinks and asked that every put on their porch light tonight to bring attention to the fact that it is National Night-Out. There are several events going on over at Edgewood Apartments and Orangeburg Manor. "

Mayor Miller asked if Ms. Sizemore had anything going on tonight and Chief Davis stated she joined them at Headquarters today. Chief Davis stated that Ms. Geraldine Zimmerman had been the catalyst in getting things going over on Treadwell Street. Last year they had a Pre-National Night-Out on Monday at the Zimmerman Center. This year she, since she is such a large supporter and a resident of Jolly Acres Convalescent Home, they went over there for a National Night-Out celebration with her.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the June 22, 2010 Special City Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the July 20, 2010 Budget Workshop Minutes as distributed. This motion was unanimously approved.

Mayor Miller asked Spencer Irick and family, DPU Manager Boatwright and John Bagwell to come forward. Mayor Miller thanked Mr. Irick for his service and dedication to DPU and the City of Orangeburg. Mr. Boatwright stated that Spencer had been a loyal servant for DPU through all sorts of situations. He has been able to handle most any situation and calm the seas with any citizens. Mr. Boatwright presented him with a Resolution and a gold watch for his years of service. Mr. Bagwell also thanked Mr. Irick so much for his service and dedication. Mr. Irick stated, "It has been an honor and privilege to work for the City, DPU and Council. I had some hard decisions to make while in the field and as long as I made the right decision for the customer, I was doing what was right."

Mayor Miller introduced Kevin Gantt and Bradley Reynolds from SCDOT and Amanda Severs from Lower Savannah Council of Governments. Mr. Gantt began the presentation with presenting a Power Point about the project involving Hwy 301 South and Hwy 33, also known as Russell Street/John C. Calhoun Drive. This project should be beneficial for the citizens of Orangeburg and the City of Orangeburg. The project update which comes from the Lower Savannah Council was identified for safety reasons, so they wanted to make the improvements. There is about \$1,000,000 set for the project that will be done in three (3) phases which are preliminary/engineering phase, right- of- way phase and then to construction. With Council's approval tonight, they will move forward and go back to Lower Savannah with the design. They estimate a completion date of spring of 2012. The intersection improvement was identified

2064
due to the number of rear-end accidents. They are planning on taking the merge lane from Russell onto 301 South toward Bamberg and make it a 90 degree turn and bring it to a stop sign. This should lessen the accidents. They are also going to lengthen the storage lane from 301 South coming onto Russell Street which will allow two lanes of traffic to move into Orangeburg. The new design will also remove the two entrances into the park and create one large drive into the park area. The design has been reviewed with City Administrator John Yow and with the SC Department of Transportation. The new stop sign and turning lane off of Russell onto 301 South will be a right turn lane only.

Mr. Gantt and Mayor Miller asked for questions.

Councilmember Keitt stated, "I like the new idea and think that it will be much safer."

Mr. Gantt stated that they have spent a lot of time on this and that they just wanted to make it safer and hopes this is satisfactory.

Councilmember Barnwell asked if the new wider turn coming from Bamberg, if it would be a right turn only into the Park. Mr. Gantt stated that it would be a right or left turn because it would be a wider turn and you would be able to turn across the medium. Mr. Gantt also stated if you are leaving the Park you will be able to turn left or right.

City Administrator Yow asked if there were any traffic lights at this site. Mr. Gantt stated no.

City Administrator Yow stated he just wanted Council to know that this was being designed in a manner that if at some point a signal light was needed, it would not be a problem to allow for this. Mr. Gantt stated that the traffic engineer has done this so that the light could be added if needed.

Mayor Miller asked if Mr. Gantt was seeking a motion on approval of the design to move forward. Mr. Gantt stated that if Council approves, SCDOT would get the plans to the Lower Savannah Council so that they could move forward.

Mayor Pro Haire asked that if coming from Bamberg, down 301, making the left onto Hwy 33/Russell Street, it looked rather steep. He also asked what the degree of the turn was. Mr. Gantt stated it would be determined by a manual and the engineer would be giving the correct degree to them. The turn was designed for a WB60 – a large truck or bus to be able to make the turn. It may look restrictive, but it was designed to meet all the criteria to make the turn.

Mayor Miller asked for a motion that we authorize the SCDOT to move forward with the intersection improvement. A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire. This motion was unanimously approved.

City Administrator Yow stated we have two (2) appointment considerations for the Board of Construction of Adjustment and Appeals. Mr. West Summers and Mr. William Hubbard, who are long serving members of the Board, have agreed to continue to serve, if approved by the Council. This will be a four (4) year term expiring June 2014.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to reappoint Mr. Summers and Mr. Hubbard for another four year term on this Board. This motion was unanimously approved.

Mayor Miller asked Mr. Don Tribble to come forward to accept the Proclamation for Community of Character Trait for the month of August 2010, which is "Cooperation".

City Administrator stated, "We are here for reading of an Ordinance to amend the current year budget and an Ordinance to adopt a new fiscal year budget. I want to thank my staff, who put a lot of effort into working on the budget and I also want to thank Council for the Saturday time that they put in and the special meetings for the budget and workshop sessions. They were all productive meetings. The current practice is to amend the current budget that we are in before we adopt a new budget for the next year. As you may know, from the workshop meetings, we adopted a budget slightly over 17 million dollars and we are projecting a budget just under 16 million dollars, which is at \$15,906,000 in revenue and \$15,929,000 in expenditures, which as you know, means that we will have to use around \$20,000 of our fund balance. The good news, as Council knows, as in many years, we budgeted close to \$400,000 in fund balance. That has turned out good and as you know from the prior year audit, which was presented a few months ago, we added \$168,000 to the fund balance from the prior budget year. We continue to be strong on our balance sheet, but we are experiencing challenges as all cities are as revenues are down. This really summarizes the current year budget. We have not obviously met the \$15,900,000 yet, but we still have several months and we may have to hustle some to meet the revenue projection. We are keeping in practice, as in the last 20 years, having an Ordinance to amend the current year budget." City Administrator Yow asks if there were any questions.

There were no questions from Council.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance to amend the Budget for the City of Orangeburg, SC for the FY beginning October 1, 2009 and ending September 30, 2010. This motion was unanimously approved.

City Administrator Yow passed out a summary for Council from the work that was done at the workshop. He stated, "The recommended budget for FY 2010-2011 General Fund is \$16,857,661. If Council will recall, the recommended budget last year was slightly over \$17 million and we have an amended budget for less than that. The Airport Fund has a projected revenue fund of \$564,090, the Pro Shop Fund at the golf course is \$135,890 and as Council knows, we operate that as an Enterprise Fund. The Golf Course is separated out from the Pro Shop and the Golf Course revenue funds are projected at \$565,175. Briefly, going over the summary, as I said the total is \$16,857,661 and as required by law, we are to balance the budget. There are no property tax increases, which we are currently at 87 mills. There are no business license rates increases, no fire contract rate increase. The interest income revenue is down several hundred thousand dollars from prior years. We are projecting using \$500,000 cash reserve. As mentioned earlier, there was \$400,000 budgeted last year and in each year we strive not to spend that money but it is there if needed to be spent. No change in the DPU transfer to the General Fund. Council knows that we have seen a reduction in local government funding from the state. The Accommodations/Hospitality, which is a separate fund and does transfer some revenue to the General Fund, has remained steady. In the past years, it has grown some but has remained steady. Business license revenue is down some, which is primarily from business license fees from insurance companies. The others have leveled off some. There are no increases in commercial sanitation rates, which I give thanks to the County for not increasing the tipping fee. There is a \$1 per month increase in residential sanitation rates from \$10 to \$11. We have one large capital request for yard debris, a grapple unit purchase at \$150,000. There are several grants in the budget; we like to capture the revenue and the expenditure side of the grants in the General Fund. Some we know we will have, some if we don't get them, we will take out the revenue and expenditure side of the grant. Building permits are down. In past years we have budgeted \$100,000 and this year we have budgeted \$60,000. This is one area we have had a decrease in revenue. We are going to revisit the Stevenson Auditorium rental rates, which would be a small increase in revenue of about \$5,000. At this time there are no storm water management fees. On the expenditure side, Council has opted to continue to offer all the current services including residential recycling service. It has been said in the past that we make money on the recycling, but we do not. We

2066
do it to try to be a green community. We will continue with the commercial sanitation services. As stated, many cities have gotten out of the business and let the businesses buy from the private market. There is a 1% cost-of-living allowance. There was none last year. We do not have any layoffs or furloughs planned for this next year. We are budgeting a 7% increase for medical insurance. We do not have that final number yet, since we do not have but six months with the new carrier. This is a ballpark figure and we are going to try for lower. The City will absorb the employee increase in health insurance but any dependent of family coverage that is elected will be passed on to the employee. A bright point is that fuel cost have stabilized from a few years ago and actually gone down some which has helped us to recover some. All other insurance cost seems to be stable. We have currently \$1,026,000 for lease purchase/capital items purchase. The major items are a fire truck at \$500,000 and the residential grapple unit at \$150,000. We do have several other pieces of fire equipment listed, which will bring that total to about \$800,000 for fire service. There are also some police vehicles and several other pieces of equipment that are needed throughout the city departments. That's the summary and I will be happy to take questions or any comments."

Mayor Miller asked for questions.

Councilmember Barnwell asked, "Basically there is no tax increase?"

City Administrator Yow stated, "This is correct, for two years in row."

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the First Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC, for the FY beginning October 1, 2010 and ending September 30, 2011. This motion was unanimously approved.

DPU Manager Boatwright had no utility matters to bring before Council.

Mayor Miller asked for a motion to enter in an Executive Session to discuss a legal matter with AT & T and a personnel matter concerning DPU. A motion was made by Councilmember Stroman, seconded by Councilmember Kielt, to enter into an Executive session. This motion was unanimously approved.

A motion was made by Councilmember Kielt, seconded by Councilmember Barnwell to Return to Open Session. This motion was unanimously approved.

City Administrator Yow stated, "There is a Resolution authorizing the consent to the provision of video services by BellSouth Telecommunication's dba AT&T South Carolina within the corporate limits of the City of Orangeburg. The process of franchise changed several years ago and they have to apply to the Secretary of State and then we have to do a Resolution to consent and send this Resolution back to the Secretary of State, if we do in fact consent. We have sixty-five (65) days to do that and we are still in the time frame, which should be the 11th or 12th of this August. City Administrator Yow introduced Ms. Henrietta Baskins with AT&T to answer any questions."

Mayor Miller asked for questions.

Councilmember Barnwell asked, "If this was non-exclusive."

City Administrator Yow stated, "Yes, in fact the reason is that it will increase competition for these services inside the City."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve a Resolution for approval of an AT&T Consent Agreement. This motion was unanimously approved.

Mayor Miller asked Mr. Boatwright to come before Council concerning the personnel matter with DPU.

Mr. Boatwright stated, "It is with mixed emotions that I announce my decision to retire with the City of Orangeburg Department of Public Utilities effective November 30, 2010. I would like to express my gratitude to Council, present and past, to whom I have had the privilege to serve for the opportunities you have given me, for the trust you have invested in me and the support you have given me so generously over the past thirty-nine (39) years of which I have been fortunate to work here. I would also like to express my sincere appreciation to the citizens of the City of Orangeburg, to the customers of DPU, to my staff and all the members of the DPU family and to the City Administrator and his staff for all the support I received over the years."

Mayor Miller stated they accepted the retirement, but wished he would stay.

Councilmember Keitt stated, "I appreciate all the dedication you showed the customers and all the citizens in Orangeburg."

Councilmember Barnwell stated, "Fred, you did a great job."

Mr. Yow stated, "I want to express my appreciation of working with Mr. Boatwright over the past nineteen (19) years. Fred has always been a gentleman and professional."

Mayor Miller stated, "I want to make a motion to appoint a Search Committee to name an interim manager for DPU and to also search for a permanent replacement for Mr. Boatwright. I would like to appoint Mr. Haire, Ms. Knotts, Mr. Jernigan, myself and Mr. Boatwright." This motion was second by Councilmember Keitt and unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Duane Tarrant
Assistant City Clerk

/pfb



A RESOLUTION RATIFYING THE ACCEPTANCE OF 7.48 ACRES TO BE CONVEYED
TO THE CITY OF ORANGEBURG BY ALEC H. CHAPLIN AND AUTHORIZING THE
CITY ADMINISTRATOR TO ACKNOWLEDGE THE RESERVATION OF ALEC H.
CHAPLIN TO UTILIZE AND MAINTAIN THE EXISTING DRAINING SYSTEM LOCATED
ON SAID PROPERTY

WHEREAS, by Resolution dated June 1, 2010, the City of Orangeburg agreed to accept the offer of Alec H. Chaplin to convey the below described property to the City as a gift and donation, and

WHEREAS, subsequent to said acceptance it was discovered that a drainage system was located on the below described property and is being utilized by the said Alec H. Chaplin for the benefit of adjoining properties, and

WHEREAS, Alec H. Chaplin desires that the City acknowledge his right to continue to utilize and maintain said drainage system.

NOW THEREFORE BE IT RESOLVED BY CITY COUNCIL DULY ASSEMBLED that the acceptance of the below described property is hereby ratified and affirmed and John H. Yow, City Administrator is directed and authorized to join in the execution of the Title To Real Estate for the purpose of acknowledging the reservation of Alec H. Chaplin to utilize and maintain the existing drainage system located on the below described property.

Description of property:

All that certain piece, parcel or tract of land, together with all improvements thereon, if any, situate, lying and being in the City of Orangeburg, State of South Carolina, the same being shown and delineated as "7.48 Acres" on a plat by Edisto Engineers & Surveyors, Inc. entitled "A PLAT OF 7.48 ACRES STATE OF SOUTH CAROLINA COUNTY OF ORANGEBURG CITY OF ORANGEBURG" survey for Alec H. Chaplin dated February 12, 1997, revised May 23, 2005 and recorded in the Office of the Register of Deeds for Orangeburg County, South Carolina in Plat Book/Cabinet C-33, at page 6 (the "Plat"). Reference is craved to said plat for a more complete and accurate metes and bounds description of said 7.48 Acre Parcel (the "Property").

AND IT IS SO RESOLVED.



[Signature]
Mayor
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Members of Council

ATTEST:
City Clerk

[Signature]

CITY COUNCIL MINUTES
SPECIAL SESSION - AUGUST 10, 2010

Orangeburg City Council held a Special Session Meeting on Tuesday, August 10, 2010, 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. 2069

PRESENT: Paul A. Miller, Mayor
Bernard Haire, Mayor Pro Tem
Charles B. Barnwell
Charles W. Jernigan
Sandra P. Knotts
Richard F. Stroman
L. Zimmerman Keitt

Mayor Miller opened the meeting by stating the first order of business was to go into Executive Session to discuss a legal contractual matter concerning Alec A. Chaplin Property. The Mayor asked for a motion. A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt to go into Executive Session. This motion was unanimously approved.

Mayor Miller stated that Council was not going to move forward with Item #4 on the agenda and that Council would go back into Open Session to discuss the DPU Budget presentation.

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

Summary of Budget Presentation &
Proposed Water and Wastewater Rate Changes
Fred Boatwright to Mayor and Council

Manager Boatwright expressed a "thank you" to Mayor and Council for their time and then added that we at DPU appreciated their coming here this afternoon to let us make our budget presentation. Manager Boatwright then presented the proposed budget for the City of Orangeburg's Department of Public Utilities for Fiscal Year 2010-2011. He stated that this is a proposed budget of \$100,000,000 and said that this seemed incredible and when you add all of the total income that the Department will be anticipating; \$100-million dollars, with expenses of \$87,905,590 and a retained earnings of \$12,127,564 that this will represent a 5.5% return on equity for the citizens of Orangeburg who own this business.

The proposed budget reflects changes in the costs of purchased power per our purchase agreement with South Carolina Electric & Gas Company and it also predicts the cost of natural gas that is purchased "off the market" and the increased costs of providing water and wastewater services. He explained that for some years the Department has been purchasing its natural gas "off the market" and the Gas Division has been doing a very good job with that and we think that gas prices will be relatively stable in the upcoming year. The Department has seen decreased sales in all four of its utility services and it is anticipated that some of that will continue in the upcoming fiscal year. Growth is static at best or negative in some respects, which means that decreased sales mean decreased revenues particularly in the Water and Wastewater utilities.

Manager Boatwright stated these budget numbers reflect anticipated changes as follows:

Electric Division – The Electric Division anticipates an approximate 8% increase in sales. This is sales, not units, but dollars. This is because our contractual cost are 3% higher than they were last year and budgeted fuel costs which we are estimating to be approximately \$36/mega watt hour. This is up from the present \$32/mega watt hour in the current year. He reminded everyone that the Department cannot control fuel cost. The fuel cost that we incur from our supplier, South Carolina Electric & Gas Company, are a direct pass-through to our customers. The net effect to our bottom line is zero, however, it has a significant impact on our price to our customers. He stated he does not anticipate a change in any of the electric rates in the upcoming year.

Gas Division – In natural gas the Department is anticipating a slight negative growth in natural gas sale volumes, but we are anticipating the income will remain stable for a number of reasons. We think that the price of gas will remain stable and due to last

year's rate increase in the Department's natural gas rates that this has helped this utility to remain stable through this current fiscal year and we anticipate again next year. The Department is now purchasing all its natural gas requirements off the open market. We believe that we have achieved substantial savings for our customers by diligent purchase and load control measures. No natural gas rates are anticipated at this time.

Water Division – Again the Department is predicting a negative growth in the Water Division due mainly to the loss of sales in all categories but primarily in the industrial sector. The cost of operating and maintaining our water system continues to rise. The rapidly increasing costs are primarily due to the increases we are having to pay for energy, fuel, metals, depreciation and regulatory changes. Included in this budget this year is a request for an increase in water rates for inside and outside the city customers.

Wastewater Division – The Wastewater Division is anticipating an approximate 4% negative growth spread across all customer categories, but the primary loss in sales is industrial. The cost of operations continues to rise; we think 2% higher than inflation. This higher than normal increase is largely due to a number of factors, aging infrastructure at the Wastewater Treatment Plant. He reminded Council that last year they allowed to the Department to borrow money last year from the State Revolving Fund that was extremely below interests rates because of the Stimulus Package and that work of remodeling and revamping the Wastewater Treatment Plant is under way and hope that it will be completed soon. Included in this budget is a request to for a wastewater rate increase for both the inside and outside the city customers.

Manager Boatwright stated in summary, the proposed budget for the Capital Projects for Fiscal Year 2010-2011 is going to be 1.5% less than last year. Manager Boatwright stated there are three (3) new capital projects anticipated for the Electric and there is one (1) carry over project each for the Administrative, Water and Wastewater Divisions (which you have already approved) and no capital project for the Natural Gas Division.

Manager Boatwright stated this is a sound and responsible budget proposal that does anticipate some rate increases; a 1% cost of living for all our employees, significant savings from past years, not the immediate past year, from our health coverage, but we do however anticipate of 7-8% increase in our health coverage costs, and a 1.5% reduction in capital spending, but which will provide the Department with the resources necessary to continue to meet our obligations of:

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

Proposed Water & Wastewater Rate Increases

Water Rate Increase

Manager Boatwright stated that in this budget the Department was proposing an increase in the water rates sufficient to generate \$636,000 for the Water Division. This increase would mean approximately \$1.15/month for the average residential customer in the City using 6,000 gallons per month and the outside rates being exactly doubled which would mean an increase \$2.30/month for the average household outside the City. The projections are that the Water Division will be operating in the negative if we do not have some changes in the way we are presently operating. Manager Boatwright then provided Council with a graph showing how the operating costs are continuing to raise, but the operating revenue has begun to decrease. He stated the Department's water rates are amongst the lowest in the State, if not the lowest. This is based on information we receive from the Municipal Association and their poll of water systems throughout the State. The State average for 802 cubic feet per month or 6,000 gallons is about \$19.91/month. Our present rate is about \$11.61. The proposed rate will be \$12.31 that is inside the City. Outside the City means doubling the inside rate. Again from the Municipal Association is \$30.09 on the average statewide. Our current rate is \$22.32. The proposed rate would increase it to \$24.55/month.

Wastewater Rate

The Municipal Association numbers for 802 cubic feet or 6,000 gallons per month are using \$1.65/month inside and double that rate for the outside rate which amounts

\$3.30/month. The proposed wastewater rates are still below the State average, but the proposed rates are getting close for the outside the city customers. The wastewater rates for inside the city is still significantly below the state average.

Questions & Statements from Mayor and Councilmembers

Councilmember Jernigan: "I have a problem with the rate increase – I realize what you are saying and it is kind of between a rock and a hard place and it's just that the citizens of Orangeburg, I am not sure that they can even afford that little bit of a rate increase. I had someone tell me about a lady that lives down on Sunnyside and this lady has a window air conditioner in her house, but she cannot afford to pay her utility bill when it runs, so she has to sit in the heat because she cannot afford to pay her utility bill and when we start talking about a rate increase and increasing that lady's utility bill, that she cannot afford to pay now, is to me going to be extremely hard on the citizens of Orangeburg. I want to be in favor of the budget, I want to vote positive for the budget, but I can't go with the rate increase. I do not know exactly how to go about it and I don't know if anybody else feels the same way I do about it or not. I don't know if I am out of order or not, but I make a motion that we do not have the rate increase in this budget on water and wastewater".

Councilmember Barnwell: "Second".

Mayor Miller: "We have a motion and a second. Is there any discussion"?

Councilmember Stroman: "What would happen if we did not raise the rates on the water. How would it be in 6 months or 12 months"?

Manager Boatwright replied: "If we don't raise the rates those two utilities are going to operate in a deficient".

Councilmember Stroman: "How much will they lose this year"?

Manager Boatwright replied: "This is projected – ok. Total for the Water Division, about \$600,000".

Councilmember Stroman: "That will be what we lose"?

Manager Boatwright: "Yes Sir the total for the Wastewater Division about \$400,000".

Councilmember Stroman: "That is what we will lose. What would we lose this year anyway"?

Manager Boatwright: "We are going to be operating a little bit in the red this year, but we will be really close. We are right on the line".

Councilmember Stroman: "This is if we don't do anything. Why would there be that much more if we don't do anything?"

Manager Boatwright: "Because the costs continue to go up and the sales continue to decrease. That is the main reason".

Councilmember Barnwell: "Fred we discussed this and I have major heartburn with the rate increase due to the economy. I feel for our taxpayers, our citizens and I feel for DPU. I just don't know if the average citizen can stand anymore. I am not watering my lawn because of the cost. People that can't pay now, how are they going to pay a rate increase"?

Councilmember Jernigan: "Another thing, raising the water rates is that going to create that much more income if people say, well if they raise the rates, I will just cut back on the amount of water I use"

Manager Boatwright: "There will come a point where that more likely will happen, but I think some people have cut back, just like Mr. Barnwell said he is not going to irrigate his lawn".

Councilmember Jernigan: "I think that the people that have cut back are the people that cannot afford the utility bill to begin with and they are trying their best to make enough money to pay that utility bill. I realize that we have got the best rates in the State and that is only because of the good job DPU, you and your staff have done over the years and the money that we have made in DPU and it may be just the time and it is time for us to "suck it up a little bit" and give them another chance to pull out of this thing and maybe get some employment coming in in a year's time and maybe get a little bit more income coming in instead of putting another tax burden, we may as well look at it as a tax, a burden on the citizens"

Councilmember Barnwell: "Fred when I met with you, you told us basically that the reason the rates needed to be increased was number one, less meters were being sold, and you said generally that in 2007, we sold like 6,000".

Manager Boatwright: "No Sir, not 6,000. Our new taps in 2007 averaged about 300 per year, now we are down to about 80".

Councilmember Barnwell: "And also with the new appliances".

Manager Boatwright: "Yes Sir, with the new water saving appliances".

Councilmember Barnwell: "Explain this to me. If people are using less water, why don't we produce less water?"

Manager Boatwright: "We are producing less water, but the cost of what we do produce continues to rise. We are producing much less water, we are producing what we are selling with some exceptions because we do have leaks and we do have flushing and that kind of stuff, especially this time of the year, but we are producing less water, but the cost of producing that water continues to rise. The more we produce and sell the less we can charge per unit and still pay our expenses".

Councilmember Barnwell: "During your opening presentation, you said the majority of this is due to industrial".

Manager Boatwright: "The majority of the reduced usage is industrial and commercial, we have also had some significant decreases in residential and I hope we are beginning to see the losses in residential taper off the decrease sales".

Councilmember Keitt: "If we would not go up this year, what kind of price would we be looking at next year, would it double, triple"?

Manager Boatwright: "Several years ago, in 2008, we had a study done by Black & Veatch and they recommended in that study that we increase the water rates, they anticipated this coming, at least the cost part, and they recommended in that study that we have a 10% increase per year in our water rates. Last year, if you will remember, I came to you and asked for 5.5% because I really thought that 10% was too much. I was wrong; we should have done 10%. If we don't do 10% now, next year we will be facing an even worse situation".

Councilmember Stroman: "Did you raise the rates last year"?

Manager Boatwright: "Yes Sir - 5.5%".

Councilmember Jernigan: "And that is provided we don't get more usage"?

Manager Boatwright: "Correct"

Councilmember Jernigan: "Now if next year we get more usage and more taps"?

Manager Boatwright: "If the economy turns around, I see this situation getting better, even though, because costs continue to rise so much, according to that study, somebody is going to be standing here next year saying we need a rate increase".

Councilmember Jernigan: "Maybe it won't be as much".

Councilmember Stroman: "You said if we don't raise the rates, we could lose how much money in the water"?

Manager Boatwright: "\$600,000 in round figures".

Councilmember Stroman: "And wastewater"?

Manager Boatwright: "About \$400,000".

Councilmember Stroman: "And you are not going to lose any this year"?

Manager Boatwright: "I hope that we are going to come close to breaking even in water, but we are going to lose money in wastewater. Our figures show that we are going to make in the Water Division about \$60,000 - \$70,000 – that is right on the line – in the current fiscal year. Our goal in the Water Division has always been to make \$1-million dollars. Our goal in the Wastewater Division has always been to make \$500,000. We are not going to achieve any of those and it is because of the hard economic times. I promise you ladies and gentlemen, I hate rate increases as much as you do and I promise you if I did not feel that it was absolutely necessary I would not be standing here asking for it, but you employee me to run a business and to make the decisions that I think I should recommend to you to make and I think that it would be wrong for me, even though I am short term to ignore this situation and let bad things happen and that is why I am here asking you to do it. And I know that it is hard for you to and I fully understand, and it is hard for me I promise you, but you have to look at the people, I understand that".

Councilmember Jernigan: "When you say let bad things happen, what are you referring to"?

Manager Boatwright: "Bad things happen would be to operate in the deficit , to me that is a bad thing, because our Bonding Ordinance, if you remember, says that we can't do that"

Councilmember Jernigan: "Doesn't our Bonding Ordinance only affect us if we are borrowing money"?

Manager Boatwright: "We have already borrowed money. We have Bonding Ordinances in place".

Councilmember Jernigan: "And that would affect the rate of the money we have already borrowed"?

Manager Boatwright: "No".

Councilmember Jernigan: "Just on new money"?

Manager Boatwright: "Correct. I would tell our potential lenders that we are not as good as our word, because we said that we would not allow this to happen".

Councilmember Stroman: "I have to look after my people. I represent everybody, about 1,300 people and again I have to look out for this end, but they don't want to see this end. I went by a business the other day and I asked him if I could see his water bill. His water and sewer was \$300. This man operates business, so that means about \$30 increase on this business and it would hurt this guy. He said he could raise his rates".

Mayor Miller: "Where is this business located Richard"?

Councilmember Stroman: "It is outside the City. So his would be doubled".

Mayor Miller: "How close is he to the City"?

Councilmember Stroman: "He is right next door".

Mayor Miller: "So he could come in and save him money"?

Councilmember Stroman: "I know we have heard a lot of negatives and you have heard us not raising the rates, but I would like to congratulate the Water Department for having award winning water for the year and I visited to Water Plant and it is a first class operation. I think that the reason you won the award, you have people that are positive thinking people down there, and you have good employees"

Manager Boatwright: "Absolutely, we have the best".

Councilmember Stroman: "They work good together as a team, and I think that is one of the reasons you won to award. I just want to congratulate you for having the best water".

Manager Boatwright: "I think you are absolutely right about that Mr. Councilman, but I also want to remind you".

Councilmember Stroman: "I think they are dedicated to their job".

Manager Boatwright: "And I whole heartedly agree, the employees, but the Lord has blessed us with a wonderful source of water".

Councilmember Stroman: "I have been on less than a year, and I have noticed that the DPU employees are dedicated and also the rest of the City employees. I don't want to come in next year and see \$400,000 lost as as a business. You still don't have any way to pull a rabbit out the hat"?

Manager Boatwright: "No Sir".

Councilmember Stroman: "None of ya'll"?

Mayor Miller: "Ms. Knotts has been very patient".

Councilmember Knotts: "Mr. Boatwright – What measures, what do we have in place in Customer Service to assist those people who cannot afford to pay their bills as Mr. Jernigan mentioned"?

Manager Boatwright: "We have a number of things available. First of all we have, we always recommend certain charities and one is Project Good Neighbor, which is administered by CCMO and other agencies that help with that. When even that does not work we do allow customers a certain number of times a year to pay only half of the bill and let them pay along and along. In these very hard times of very hard and very hot weather, for instance, Mr. Sells came to me not long ago and said our customers are running out of those options which they are only allowed to do three or four times a year – can we extend it? I said yes, and we are doing that now. Those are the major things that we can do because unfortunately, as you know, utility bills are

seasonal and sometimes it helps customers if we can move them along through the really high months and in the Electric Division and in the Gas Division in the wintertime we are able to do that by sliding the costs along – eventually they have to pay, but we have a cost recovery model which we can retard at certain times to allow them to get over that hump, but then what we call the shoulder months (the Spring and the Fall) when the bills are not nearly as high as they normally would be, then they have to catch it up. ²⁰⁷⁴ Those are the major things. We have the best customer service people there are and they really have been working with our customers to help them because we understand that it is difficult".

Councilmember Knotts: "So as customers come in and present their particular situation it is handled on a case by case"?

Manager Boatwright: "Oh, yes, absolutely".

Councilmember Knotts: "Mr. Jernigan that individual person that you were referring to could contact customer service."

Manager Boatwright: "It is a possibility she has already been here".

Councilmember Jernigan: "Yes, it is a possibility, I don't know, but I will certainly look into that side of it".

Councilmember Knotts: "My concern is there maybe numerous people who are out there who may not be aware that Customer Service offers this kind of service to them and if we don't inform them, because I know a lady at my church volunteers at CCMO and she says that they run out of funds very quickly and they refer people to other agencies, but because of the economic hard times, everybody even those depending on other folk to substantiate what they would normally have, they too are hurting. My position or thought is if we could somehow or another when we hear about these situations or these people who are in distressed times, there are some people that are not going to tell you, but those that we may hear about, refer those individuals and let them know what is available to them. Sometimes they may not even know what is available"

Manager Boatwright: "Thank you".

Councilmember Jernigan: "Mike, did you want to make a comment"?

Mike Sells: "I was just going to add that we have actually since the recession began, we have actually cut-off less customers rather than more customers, but we have considerable more arrangements, so in the past we were more defined, now we have become more case by case doing everything we can to help people. So, we are actually cutting off less people".

Mayor Miller: "Anymore discussion"?

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Councilmember Stroman: "I am asking if we could cut it to 5% instead of 10%. We did 5% last year".

Manager Boatwright: "We had 5% last year, but as it turned out it was insufficient".

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Manager Boatwright: "Mr. Mayor, may I point out that you have not heard all the budget yet".

Mayor Miller: "I understand that".

Manager Boatwright: "If you would allow us to present the capital projects for the upcoming year I would appreciate that and now we will start with Mr. Sells".

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

Administrative Division..... Michael G. Sells, Director
 Electric Division..... John B. Bagwell, Director
 Gas Division O. Thomas Miller, Director
 Water Division..... D. Eric Odom, Director
 Wastewater Division Richard M. Labrador, Director

2075

ADMINISTRATION DIVISION PROJECT

Project #1 - Administrative Communications Improvements

Total Project Cost:	\$ 350,000
Expenditures to Date:	\$ 75,000
Estimated 2010-2011 Cost:	\$ 275,000

Administrative Division Director Michael G. Sells presented the continuation of an approved/ongoing project. He stated the bids previously received for this project were deemed to be too high. The scope of the main portion of this project is being changed and rebids are expected this fall. The purpose of this project is to improve the Department's existing network and telephone system for enhanced custom service and redundant protection. The Department's present telephone system is over ten years old and while functional it has two serious deficiencies. First, it lacks call center monitoring which would allow us to better serve customer calls in a timely manner and monitoring of calls to protect our personnel and our customers. Secondly, the system has no redundant protection. If the Department was to lose the telephone system or the main office to a catastrophic event, all facilities of the Department could be without telephones for weeks. The plan is to procure a new digital telephone system designed to provide 21-century benefits and would allow the placement of redundant protection at the operating center. The total cost of this project is \$350,000. We have spent \$75,000 on improving the network and we have \$275,000 remaining for the telephone system expecting to be spent this year.

ELECTRIC DIVISION PROJECTS

Project #1 - New Substation #25

Total Project Cost:	\$2,614,000
Expenditures to Date:	\$ NONE
Estimated 2010-2011 Cost:	\$ 250,000

Electric Division Director John B. Bagwell presented Project #1 (New Substation #25), a new proposed project for the Electric Division. He stated the purpose of this project is to provide the City of Orangeburg and adjoining area with electrical capacity which will improve electric service reliability and add future capacity for commercial and industrial development. The new substation will be a part of the Department's 115,000 volt transmission system and will replace two existing substations (Whaley Street and Sprinkle Avenue Substations). These substations supply power to Sprinkle, Boulevard, Whaley and South Broughton Street areas and are presently at 95% capacity during the hot summer months. These two stations serve approximately 1,500 electric accounts or approximately 4,500 citizens. Any growth in this area will put this portion of the electric system at high risk for overloading. The plan is to complete this project over a three year period. The site location for Substation #25 will be located at the DPU Operations and Maintenance Facility property which was purchased by the Department several years ago, therefore there will no need for site procurement. During Fiscal Year 2010-2011 the design and engineering of the substation will be our main priority. Substation specifications, material specifications and material purchases are planned for the Fiscal Year 2011-2012, while in the 2012-2013 Fiscal Year the job will dedicated to construction and commissioning of the substation.

Project #2 - North Road Substation Transformer Upgrade

Total Project Cost:	\$1,250,000
Expenditures to Date:	\$ NONE
Estimated 2010-2011 Cost:	\$ 225,000

Director John B. Bagwell presented Project #2 (North Road Substation Transformer Upgrade), a new proposed project for the Electric Division. He stated the purpose of this project is to upgrade the North Road Substation transformer from an existing 28 MVA to a 75 MVA and use the existing packup for Substation 16 (North Road Substation) and Substation #15 (301 North). We presently do not have a spare for those two substation. We use SCE&G to back us up. The existing transformer at the North Road Substation is an extremely important substation for the Department, as it provides capacity for the Department's older 46,000 volt transmission system.

commonly referred to as the "town system" The "town system" is made up of Berry Street, Caw Caw, Bull Street, Goff Avenue and Glover Street Substations which serve approximately 36,000 citizens in and around the City. Currently the transformer is at capacity and the need to upgrade is imminent. This project will allow the Department to become less reliant on the SCE&G 46,000 volt transmission system and allow the Department greater flexibility in future power purchases.

2076
Mayor Pro Tem Haire asked if this was a back-up we use SCE&G's substation as a back-up? Is there a tremendous cost associated with that and how often do we have to utilize that or do we utilize that?

John Bagwell answered that there is no cost for utilizing the station other than the cost of the kilowatt hours we use to use that station. How often we use it, we use it periodically for maintenance and in emergency situations.

Project #3 - Medium Voltage Recloser Replacement

Total Project Cost:	\$ 460,000
Expenditures to Date:	\$ NONE
Estimated 2010-2011 Cost:	\$ 460,000

Director John B. Bagwell presented Project #3 (Medium Voltage Recloser Replacement), a new proposed project for the Electric Division. He stated the purpose of this project is to improve the Electric Division's substation and distribution plant by upgrading our existing substations with new vacuum reclosers. In the 1970's and 1980's the Department's Electric Division saw a large expansion in electricity usage in the greater Orangeburg area. During this period a number of new substations were built. They include Cameron Road Substation, South Carolina State University Substation, Albemarle Substation, Highway 601 Substation and 301 North Substation. These stations were at that time equipped with the latest technology. The technology in the reclosers at this time included petroleum (oil) based products to suppress the electrical arc caused when a switch is opened. Today these devices are not environmentally friendly, and are causing the Department to build expensive oil spill prevention containment areas. They are also near end of operations life and maintenance costs are beginning to add up. Today, due to advances in technology many companies have developed a vacuum bottle capable of withstanding and suppressing the electrical arc. These bottles are both environmentally friendly and require little scheduled maintenance. The Electric Division plans to replace all oil filled reclosers in the substations mentioned above. The Electric Division will write specifications and bid documents in house to eliminate the use of outside consultants. The Electric Division will also use our personnel for removing and installing new and old equipment. DPU will schedule the installation over a 12-month period.

GAS DIVISION PROJECTS

Gas Division Director O. Thomas Miller (Tommy) informed Council that the Gas Division did not have any capital projects for Fiscal Year 2010-2011. He asked if he could take a few minutes and up-date them on gas cost and weather concerns. He displayed a graph showing that. During the summer months of 2008, gas went for \$13 a dekatherm and of course it took the entire summer and winter for it to come down to the \$3-\$4 range. We see gas prices remaining relatively stable, but the hurricanes can change everything.

Tommy explained the gas cost from the summer on 2008 to present. He also discussed the future projected gas cost until 2012.

He explained even with the gas rate increase in 2009, the Department's rates were still the second lowest in the Carolinas.

The hurricane activity for 2010 had been reduced somewhat from the early predictions back in May 2010, however a very active hurricane season is still predicted. This could mean a higher gas cost in the Gulf of Mexico.

A graph was shown where the Department's overall gas cost in storage had been greatly reduced for 2010. He indicated that this gas would be used to blend with more expensive winter gas to reduce the overall gas cost to the gas customers.

Councilmember Jernigan asked if Department anticipates the off-shore oil spill effecting gas if they limit off-shore drilling?

Tommy Miller replied that if they limit off-shore drilling he felt that it would. He stated that so far that it had not effected the cost of natural gas. He explained that the great majority of our domestic gas comes from the Gulf of Mexico. Most of our imported gas comes from Canada but the majority of that is used in the northeast and the northern states where the heating load is so much greater than it is here.

Councilmember Jernigan: "So if they did limit the off-shore drilling in the Gulf it could very easily effect us"?

Tommy Miller: "Unless we could increase LNG Transports, which is foreign gas that is brought in on ships and brought into the importation terminals, unless we can get that at a reasonable price, yes I think you will see gas prices go up".

Manager Boatwright reminded Council that they were informed last year that Tommy had been elected to serve as the National Chairperson for the American Public Gas Association. Over the past year he has been serving in that capacity and recently his term was over – in July and at that time he attended the conference which was in San Diego and he was presented a plaque for his service. We are very proud of the fact that Mr. Miller was the National Chairman of the American Public Gas Association and brought a lot of credit to the City of Orangeburg and Tommy we thank you. Tommy then thanked Council for allowing him the opportunity and the privilege to represent the City of Orangeburg on a national level. It was truly an honor and privilege and of course without your support and Mr. Boatwright and the Department of Public Utilities support it would not have been possible. He then thanked Council again for allowing him the opportunity to serve.

Mayor Miller stated that on behalf of the City we commend you for that honor that you had and just as a matter of information, APGA has over 700 members in 36 states so that speaks highly of what the different members think of the City of Orangeburg and the work that you have done in your career. Thank you and well deserved

WATER DIVISION PROJECTS

Project #1 - Relocation and Upgrade Highway 4/400 Booster Pump Station

Total Project Cost:	\$ 950,000
Expenditures to Date:	\$ 28,487
Estimated 2010-2011 Cost:	\$ 921,513

Water Division Director Eric Odom presented Project #1 (Relocation and Upgrade Highway 4/400 Booster Pump Station). This is the continuation of an approved/ongoing project. The cost of this project is approximately \$950,000. To date the Department has spent \$28,487 which includes acquiring the property and approximately 50% of the engineering work. The total remaining cost of this project is \$921,513, which we may or may not spend in the upcoming fiscal year.

WASTEWATER DIVISION PROJECTS

Project #1 - Whitford Stage Creek Pump Station Upgrade

Project Cost:	\$1,125,000
Expenditures to Date:	\$ 87,830
Estimated 2010-2011 Cost:	\$1,037,170

Wastewater Division Director Richard M. Labrador presented Project #1 (Whitford Stage Creek Pump Station Upgrade). This is the continuation of an approved/ongoing project. He explained this project consists of approximately 2-miles of 16-inch force main and some pump station modifications necessary to accommodate the flows associated with the expansion and growth of the Whitford Stage Creek Pump Station drainage area, which includes Saddle Club Road, Highway 601 Commercial Corridor (O-C Tech, TRMC, Orangeburg-Wilkinson, Cook Road and Highway 33 and also the Bellville area which has such subdivisions (Bonneville, Brookdale, Eastwood Acres, Parlerdale and Wrenn Village. The total project cost is approximately \$1,125,000 of which \$88,000 has been spent primarily on engineering and easement acquisition which really tends to extend the project time line. The total cost remaining is \$1,037,000 all of which maybe spent during the upcoming fiscal year.

This Completed the Presentation of Proposed Projects and Rate Changes

Mayor Miller presided over the First Reading of Ordinance No. 2010-12 to Adopt a Budget for the Operation of the Department of Public Utilities for the City of Orangeburg for Fiscal Year October 1, 2010 through September 30, 2011 Including the Adoption of New Rates for the Department of Public Utilities for the City of Orangeburg Effective on the Dates Indicated on the Rate Schedule Pertaining to Water and Wastewater.

Councilman Barnwell expressed his concern to Manager Boatwright. He stated "I am concerned, as well as I know you are, with the economy the way it is and I know that we have got to keep DPU advanced but how is this rate increase on all three utilities going to affect our customers". Manager Boatwright replied, "any rate increase always affects our customers, we have tried to keep the rate increases as low as we possibly can and I am certainly concerned about that too, as all of you are. Again anytime is a bad time for me for rate increases especially this time with the economic situations in our

community and throughout the country as they are now, but again my responsibility is to present to you what I think is appropriate, and the prudent thing to do. It is my opinion that if we don't have these rate increases, the Wastewater Division will actually be operating in the red by about \$200,000. We will make absolutely nothing in the Water Division, of which we are not making much now, and in the Natural Gas Division which is a significant portion of the earnings that the citizens of Orangeburg enjoy from their utility to be used for various other things. Again it is my recommendation that we do this Mr. Barnwell. That is the best answer I can give you.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts. The motion was approved unanimously.

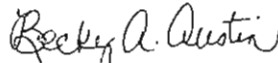
Manager Boatwright expressed that this was his last time to appear before Council to make a budget presentation and he said he enjoyed working with them. He said it was such a pleasure to work with a group of people who are dedicated to the interest of the citizens and he appreciated it and he hoped that they did. He said he knew that it was difficult and he appreciated the support of the Department and himself.

Mayor Miller stated he and Council truly appreciated all his work.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire to adjourn. The motion was unanimous.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Becky A. Austin
Secretary to Manager
Department of Public Utilities

CITY COUNCIL MINUTES
August 17, 2010

Mayor Miller asked if there were any objections to the Amended Agenda. Hearing none, he proceeded with the Agenda.

Orangeburg City Council held two (2) Public Hearings on Tuesday, August 17, 2010, at 7:00 P.M., in Council Chambers with Mayor Miller presiding. The purpose of the Public Hearings were (1) To raise revenue and adopt a Budget for the City of Orangeburg, SC for the FY beginning October 1, 2010 and ending September 30, 2011 and (2) Proposed Department of Public Utilities Budget for the FY October 1, 2010 to September 30, 2011 including the adoption of Proposed Water and Wastewater Rates for the Department of Public Utilities.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Richard F. Stroman

ABSENT:

Sandra P. Knotts

City Administrator John Yow overviewed the City's Budget for FY 2010-11. He stated, "The Budget was balanced with revenues and expenditures totaling \$16,857,661. This is a slight decrease from the prior year's budget. The budget was covered in detail at the two previous Council meetings. There will be an increase of \$1.00 a month in residential sanitation fees and an increase in Stevenson Auditorium rental rates. Hearing no comments, the Public Hearing was closed.

DPU Manager Boatwright overviewed the DPU Budget for FY 2010-11. He stated, "We are showing \$100 million in income and \$12,127,564 in retained earnings before a transfer to the City of \$4.2 million with 5.5% return on equity. There is a proposed 10% increase in water and wastewater for the City and double this for outside the City." Hearing no comments, the Public Hearing was closed.

Hearing no comments on the two (2) Public Hearings, Council entered into the regular scheduled City Council Meeting.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the August 3, 2010, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Stroman to adopt the August 10, 2010, Special City Council Minutes with the following amendment, page 5, paragraph #8, from 30% to \$30. This motion was seconded by Councilmember Jernigan and unanimously approved, as amended.

DPU Manager, Fred Boatwright, John Bagwell and Mayor Miller presented to Thomas E. Keitt, Jr., a gold watch along with a Retiree Resolution for his thirty-one years, three months and three days of service with the Department of Public Utilities.

2080

August 17, 2010

Page 2

Mayor Miller presented the Edisto Award to Coach Emeritus of South Carolina State University, Mr. Willie E. Jeffries. This is the highest award given by the City of Orangeburg. Mr. Jeffries graciously accepted the award.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to amend the Budget for the City of Orangeburg, SC, for the FY beginning October 1, 2009 and ending September 30, 2010. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the Second Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC for the FY beginning October 1, 2010 and ending September 30, 2011. This motion was unanimously approved.

Mayor Miller made a motion to reschedule the September 7, 2010, Council Meeting from 7:00 P.M. to 5:30 P.M. so that Council can attend a Football Kickoff Rally on the Square. This motion was seconded by Councilmember Keitt and unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities for Fiscal Year October 1, 2010 through September 30, 2011, including the adoption of proposed water and wastewater rates for the Department of Public Utilities effective October 1, 2010. Councilmember Barnwell stated, "We are in a tight budget situation and I have said before, it is unfair for the taxpayers to bear the 10% increase; however, I understand we cannot operate in the negative. I will vote in favor, but I am opposed to the rate increase." The motion was unanimously approved.

A motion as made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for a legal matter concerning the Alec Chaplin property and personnel matters concerning, Administration, Municipal Court, Department of Public Utilities and Executive Department. This motion was unanimously approved.

Council returned to Open Session.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve a Resolution ratifying the acceptance of 7.48 acres to be conveyed to the City of Orangeburg by Alec H. Chaplin and authorizing the City Administrator to acknowledge the reservation of Alec H. Chaplin to utilize and maintain the existing drainage system located on said property. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

/pfb





**RESOLUTION TO ACCEPT A FEDERAL AVIATION
ADMINISTRATION GRANT IN THE AMOUNT OF \$111,458.00
AWARDED TO THE CITY OF ORANGEBURG.**

WHEREAS, Orangeburg City Council understands the value to the City for a strong and viable municipal airport; and,

WHEREAS, City Staff recommends that the City accept a FAA grant in the amount of \$111,458.00 and further recommends that the City apply for a supplemental Grant from the South Carolina Division of Aeronautics not exceeding \$15,000.00.

NOW, THEREFORE, BE IT RESOLVED, by City Council, duly assembled, that John H. Yow, City Administrator is hereby directed to accept the Federal Aviation Administration ("FAA") Grant in the amount of \$111,458.00 for Project No. 3-45-0045-017-2010 and to execute all documents required and related to the said Grant.


BE IT FURTHER RESOLVED that John H. Yow, City Administrator is directed to apply for a supplemental grant from the South Carolina Division of Aeronautics in an amount not to exceed \$15,000.00 for said Project, to accept any awarded grant for said purpose and to execute all documents required and related to any awarded Grant.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 7th day of September 2010.





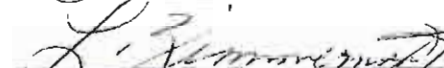
Mayor



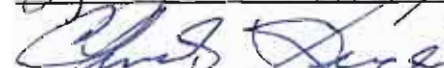
Council Member



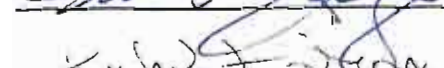
Council Member



Council Member



Council Member



Council Member

Members of Council

ATTEST:



City Clerk

**A RESOLUTION AUTHORIZING THE PAYMENT OF THE OUTSTANDING
PRINCIPAL OF THAT CERTAIN LOAN TO THE ORANGEBURG COUNTY
CHAMBER OF COMMERCE BY SOUTH CAROLINA BANK AND TRUST IN THE
AMOUNT OF \$119,001.00**

WHEREAS, the City Of Orangeburg by Ordinance Number 2005-1 authorized a mortgage on the Orangeburg Chamber of Commerce building owned by the City for the purpose of securing the above described debt; and

WHEREAS, the Orangeburg County Chamber of Commerce (hereinafter referred to as "Chamber") has requested that the City of Orangeburg satisfy the outstanding principal balance of said loan in the amount of \$119,001.00; and

WHEREAS, the Chamber has agreed to pay the accrued interest on said loan which combined with the principal payment of the City will satisfy said loan in its entirety; and

WHEREAS, the City of Orangeburg finds it is in its best interest and that of the Chamber to retire and satisfy said debt.

NOW THEREFORE BE IT RESOLVED BY CITY COUNCIL DULY ASSEMBLED that John H. Yow, City Administrator is hereby directed and authorized with City funds in the amount of \$119,001.00 to join with the Orangeburg County Chamber of Commerce in the payment of the outstanding principal and accrued interest of that certain loan of South Carolina Bank and Trust Company to the Orangeburg County Chamber of Commerce, Loan Number 11377561, for the purpose of retiring all existing debt as evidenced by said loan in full.

AND IT IS SO RESOLVED.



Mayor

Laura M. Miller
Blair H. Haire
Sandra P. Harts
Charles B. Bandolph
L. Zimmerman Keith
Richard F. Sturman

Members of Council

ATTEST:

City Clerk

Carrie Johnson

City Council Minutes September 7, 2010

2081

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 7, 2010 at 5:30 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve the August 17, 2010, City Council Minutes as distributed. This was a 4-0-1 vote as Councilmember Knotts abstained, and Councilmembers Keitt and Barnwell were not present at the time of the voting.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to amend the Budget for the City of Orangeburg, SC, for the FY beginning October 1, 2009 and ending September 30, 2010. This motion was unanimously approved.

A motion as made by Councilmember Jernigan, seconded by Councilmember Keitt, to approve the Third Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC for the FY beginning October 1, 2010 and ending September 30, 2011. This motion was unanimously approved.

Chief Wendell Davis, Director of Public Safety, accepted the September 2010 Character Trait, "Citizenship".

Councilmember Haire made a motion, seconded by Councilmember Barnwell, to authorize City Administrator Yow to accept a P.A.R.D. Grant in the amount of \$28,390.57. This motion was unanimously approved.

Assistant City Administrator John Singh presented the Resolution authorizing the City Administrator to accept a Federal Aviation Administration (FAA) Grant in the amount of \$111,458.00.

Councilmember Stroman asked, "Can this money be used to make capital improvements?"

Assistant City Administrator Singh referred to Director Bowden, "No, it can only be used for what is detailed in the Grant, which is for engineering and surveys to the Master Airport Layout Plan."

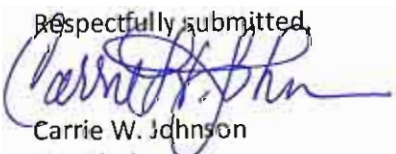
A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve a Resolution authorizing City Administrator Yow to accept a FAA Grant in the amount of \$111,458.00. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance to adopt a Budget for the operation of the of the Department of Public Utilities for Fiscal Year October 1, 2010 through September 30, 2011 including the adoption of proposed water and wastewater rates for the Department of Public Utilities effective October 1, 2010. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to adjourn.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk
/pfb

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 21, 2010, at 6:45 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

ABSENT:

Charles W. Jernigan

A christening of the new Ferrara fire truck was held in front of Council Chambers at 6:45 P.M. Councilmembers, Chief Davis and City Administrator Yow threw buckets of water on the truck.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the September 7, 2010, City Council Minutes as distributed. This motion was unanimously approved.

Ms. Terry Seabrook, Census Partnership Specialist, updated Council on the U.S. Census and an update for Orangeburg. She stated, "The State of South Carolina was above average at 73% participation rate where the national average was 72%. The City of Orangeburg response was 66%, which was an improvement over last Census. South Carolina moved from 49th in the 2000 Census to 23rd in the 2010 Census." She thanked Council for their assistance and presented a plaque to the City of Orangeburg.

There was Council discussion in reference to the new intersection design at Maxcy Street and proposed entrance to SC State University Campus. Mayor Pro Tem Haire stated, "This is an established community, not in wealth, but with human beings. I grew up on Maxcy Street and the neighbors helped me and I am proud of that and that community. I am opposed to changing the street patterns where it prohibits egresses leading toward downtown or from the bypass turning left onto Maxcy. This is an inconvenience to residents and those who worship there." Mayor Pro Tem Haire made the following motion, "I would recommend that Council oppose this and ask the SC Department of Transportation to restudy this and come up with something different." This motion was seconded by Councilmember Barnwell.

Councilmember Keitt stated, "I am in agreement with Mayor Pro Tem Haire that it is an inconvenience to citizens to turn left, and I suggest we talk with SCDOT and SCSU to make sure this is not done. I don't agree with inconveniencing our senior citizens." The vote was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to authorize City Administrator John H. Yow to accept a SC Department of Public Safety Criminal Domestic Violence Investigations Grant in the amount of \$49,000, with a local match of \$16,333. This motion was unanimously approved.

Buster Smith, Director of Parks and Recreation presented information to Mayor and Council on the donated sculpture from Dr. Kod Igwe of Claflin College in honor of the many accomplishments of Council over the years in making our City a better place.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, for acceptance of the donated sculpture and approval of placement of this sculpture to the City of Orangeburg. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Stroman, to enter into an Executive Session for a contractual matter concerning the Orangeburg County Chamber Building debt and a legal matter concerning property reversion at the corner of Chestnut Street and Goff Avenue. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, for Council to return to Open session.

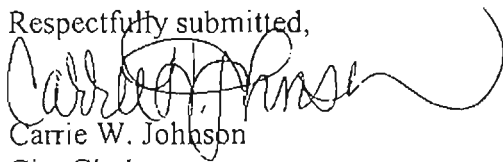
Council returned to Open Session.

A motion as made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve a Resolution authorizing payment of the principal loan balance of the Orangeburg County Chamber Building in the amount of \$119,001.00. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to adjourn.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk
/pfb



2084

City Council Minutes October 5, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 5, 2010, at 7:00 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Visitors from Claflin University and Orangeburg Wilkinson High School were introduced.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to approve the September 21, 2010, City Council Minutes as amended. This was a 6-0-1 vote as Councilmember Jernigan was not present at the meeting.

Mr. Ladson Beach from DORA addressed Council. He invited everyone to attend the DORA fundraiser this Sunday, October 10, 2010, at the Downtown Square for the "Taste of Orangeburg" and thanked Council for their continued support.

Mayor Paul Miller, DPU Manager Fred Boatwright and Mike Sells presented Ms. Jerlene Myers with a Retiree Resolution and a gold watch for her twenty years and thirteen days of service to the City of Orangeburg, Department of Public Utilities.

Mr. Don Tribble, Director of the Community of Character, accepted the October, 2010 Character Trait Proclamation, "Patriotism".

Department of Public Safety Director Wendell Davis addressed Council in regards to the acceptance of a SC Department of Public Safety Grant in the amount of \$122,238. He stated, "This is a 100% grant (no local match) for funding of the DUI Special Enforcement Team for salaries and fringes, vehicle mileage and supplies."

Mayor Pro Tem Haire asked, "Officers can only be used for DUI enforcement?"

Director Davis stated, "They are mainly used for DUI and traffic enforcement; however, they do augment calls for service, their main focus is on DUI detection."

Councilmember Stroman asked, "Were DUI arrests lower a year ago?"

Director Davis replied, "They are higher now due to the enforcement and we are seeing a reduction in wrecks and injuries."

Councilmember Jernigan asked, "Is education a part of this grant?"

Director Davis replied, "They are required to do a number of presentations per year to schools and civic groups."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Stroman, to approve acceptance of a SC Department of Public Safety Grant in the amount of \$122,238 authorizing City Administrator Yow to accept this grant. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to enter into an Executive Session for personnel matters concerning the Department of Public Utilities Manager Search and Municipal Court and a legal matter concerning Corrective Deeds on YMCA property.

This motion was unanimously approved.

A motion as made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to return to Open Session. This motion was unanimously approved.

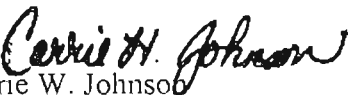
Council returned to Open Session.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to authorize City Administrator Yow to sign corrective deeds on the YMCA property. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to adjourn.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk
/psb





RESOLUTION

WHEREAS, Jerlene Myers, faithfully served the Department of Public Utilities of the City of Orangeburg for twenty years and thirteen days with a retirement date of September 30, 2010; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially recognize the faithful service rendered to the Department of Public Utilities in the capacities in which she served the Department and we take pride in commending her for a job well done.

BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for her devotion of duty to the Department of Public Utilities, be placed in the Minute Book of the City and a copy furnished to Mrs. Myers in recognition of her services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 5th day of October 2010.



Paul G. Miller

Mayor

L. Zimmerman Keitt

Charles V. Jones

Donald L. Smith

Benjamin Haise

Richard T. Thomas

Charles E. Canady

Members of Council

ATTEST:

Carroll H. Johnson

City Clerk

City Council Minutes
October 19, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 19, 2010, at 7:00 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

DPS Director Davis informed Council that the City would be observing Halloween on Saturday night, October 30th, from 5:00 P.M. to 7:00 P.M. He also informed them of the Annual Awards and Inspection on Thursday, October 28, 2010, at 6:00 P.M., at the Cinema in the Prince of Orange Mall.

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to approve the October 5, 2010, City Council Minutes as amended. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to approve a Resolution to appoint Mr. Frank Quattlebaum as a part time Municipal Judge.

Mayor Pro Tem Haire asked, "Was the directive in sending letter carried out?" City Administrator Yow replied, "Yes, and the budget will be changed in projections to amend the budget if necessary to cover the part time judge costs." This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve a special City Council meeting on Tuesday, October 26, 2010, at 5:30 P.M., in the DPU Conference Room for the purpose of an electrical purchase agreement and disinfectant for water system. This motion was unanimously approved.

Concerning appointment of an Interim Manager for the Department of Public Utilities, Mayor Miller made a motion to appoint Mr. Osborne Thomas Miller, Jr., as DPU's Interim Manager from December 1, 2010, upon the retirement of Mr. Fred Boatwright, and serve until a permanent replacement is found. This motion was seconded by Mayor Pro Tem Haire and unanimously approved.

Councilmember Jernigan addressed Council. He stated, "I came across the TRAC Commission Report and I think it is something that Council needs to know about. They are proposing to let the State collect our hospitality tax, take our money and give us back what they think we need. It is a proposal and we should to oppose it. MASC is opposing it and the State is looking to take our money and let us find a way to get our money somewhere else. I would like to make a motion that we authorize City Administrator Yow to propose a Resolution to oppose this and deliver it to the Legislative Delegation and the TRAC Commission."

Mayor Haire stated, "If these Resolutions pass to no avail, we should sue the state."

City Administrator Yow stated, "If Council approves the motion, we can draft a Resolution and ask also that the local Chamber of Commerce oppose this as well."

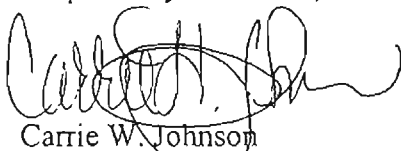
Councilmember Barnwell stated, "The State Chamber is in favor of this."

Councilmember Barnwell seconded the motion to authorize City Administrator Yow to draft a Resolution opposing the State keeping a portion of cities hospitality and accommodations taxes and to ask the Orangeburg County Chamber of Commerce to oppose the same. This motion was unanimously approved.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

/pfb





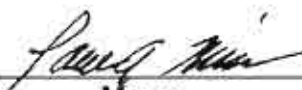
RESOLUTION TO APPOINT PART TIME MUNICIPAL JUDGE

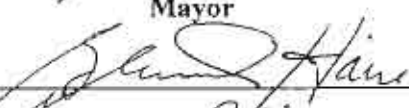
WHEREAS, during temporary absences of the Municipal Judge, it is still necessary to hold Municipal Court on scheduled dates; and,

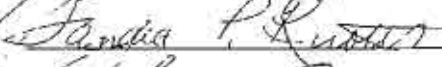
WHEREAS, Mr. Frank Quattlebaum has agreed to serve in said capacity and is duly qualified,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of City Council this nineteenth day of October 2010, in Orangeburg, South Carolina that Mr. Frank Quattlebaum is appointed as part time municipal judge for the City of Orangeburg, South Carolina.

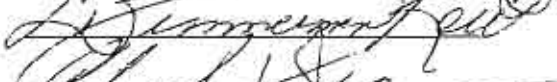





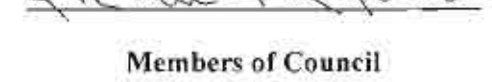
Mayor












Members of Council

ATTEST:



City Clerk

CITY COUNCIL MINUTES
SPECIAL SESSION – OCTOBER 26, 2010

2089

Orangeburg City Council held a Special Session Meeting on Tuesday, October 26, 2010, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Paul A. Miller presiding.

PRESENT: Paul A. Miller, Mayor
Bernard Haire, Mayor Pro Tem
Charles B. Barnwell
Charles W. Jernigan
Richard F. Stroman
ABSENT: L. Zimmerman Keitt
Sandra P. Knotts

Mayor Miller opened the meeting by stating the first order of business was to go into Executive Session to discuss a Contractual Matter – Manager of Department of Public Utilities and a Contractual Matter – Electric Division. The Mayor asked for a motion. A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan to go into Executive Session. This motion was unanimously approved.

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

Presentation Summary
Regulatory Issues for the Water Division

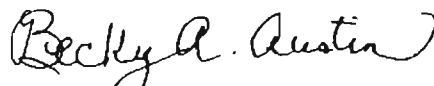
Fred Boatwright to Mayor and Council

Manager Boatwright presented a detailed presentation to Mayor and Council explaining the upcoming Drinking Water Regulations being passed down by the United States Environmental Protection Agency referred to as the "Stage II Disinfectants and Disinfection By-products Rule". He explained this is a future regulation that builds on the public health protection provided by the Stage I – Disinfectants and Disinfection By-Products Rule established in 1998. The Stage II Rule Disinfectants and Disinfection By-products Rule will begin October 2012.

The Mayor asked for a motion to adjourn. A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell to adjourn. The motion was unanimous.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Becky A. Austin
Secretary to Manager
Department of Public Utilities

A RESOLUTION APPOINTING INTERIM MANAGER OF THE DEPARTMENT OF
PUBLIC UTILITIES

WHEREAS, Fred Boatwright has given and City Council has accepted his resignation effective November 30, 2010, and

WHEREAS, City Council appointed a search committee for the purpose of providing qualified candidates for said position to City Council for consideration and appointment, and

WHEREAS, the search committee and City Council will not complete its appointment of a permanent manager prior to the effective resignation date of the existing manager of the Department of Public Utilities, and

WHEREAS, it is necessary that an interim manager be appointed until such time as a permanent manager is appointed by City Council.

NOW THEREFORE BE IT RESOLVED BY CITY COUNCIL DULY ASSEMBLED that Osborne Thomas Miller, Jr. is appointed interim manager of the Department of Public Utilities of the City of Orangeburg effective December 1, 2010 and will serve in said capacity without additional compensation or benefits until a permanent manager is appointed.

AND IT IS SO RESOLVED.



Mayor

Paul G. Miller
Charles B. Brunwell

Sandra L. Kuttis

Bernard Haue

L. Zimmerman

Charles J. Sugar

Richard F. Sturmen

Members of Council

ATTEST:

City Clerk

Carrie W. Johnson

2090

City Council Minutes November 2, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 2, 2010, at 7:00 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Hairc
Charles W. Jernigan
Sandra P. Knotts
Richard F. Stroman

ABSENT:

L. Zimmerman Keitt

A motion was made by Councilmember Jernigan, seconded by Councilmember Stroman, to approve the October 19, 2010, Minutes as distributed. This motion was unanimously approved. Councilmembers Knotts and Barnwell were not present at the time of voting.

A motion was made by Mayor Pro Tem Hairc, seconded by Councilmember Jernigan, to approve the October 26, 2010, Special City Council Minutes as distributed. This motion was unanimously approved. Councilmembers Knotts and Barnwell were not present at the time of voting, but were present for the remainder of the meeting.

Chief Wendell Davis presented to Mayor and Council and Claflin University the 2010 August Vollmer Excellence in Forensic Science Award. This award was presented to the Department of Public Safety at the 117th Annual International Association of Chiefs of Police. Director Davis further detailed Claflin's collaboration in the forensic lab. He stated, "This is allowing a free standing DNA lab and also we will be able to analyze fingerprints on our AFIS machine and analyze drugs." The Executive Vice President of Claflin stated, "We are very proud of this and this is just an example of what can be accomplished through collaboration. This just enhances the quality of life for the citizens of Orangeburg. We look forward to working with the City on this." Director Davis thanked the City and US Representative Clyburn and Senator Graham for this funding."

City Administrator Yow stated that the excessive speed and traffic on Middleton Street has been discussed in the past. He stated, "We have taken some measures and talked to SCDOT. SCDOT stated that in order to install traffic calming devices, we must have letters from the public and have Council's approval. There are residents from Middleton Street in the audience tonight that would like to speak and their letters are in your packet. I have an additional letter that was not included in your packet. After these residents speak, I would like to wrap it up with a recommendation to Council"

Chad McCutcheon of 1975 Middleton Street addressed Council. He stated, "I have lived on Middleton Street since 2004. I wrote my first letter in 2007 concerning the traffic and speed. I wrote another letter in 2009. I thank you for the four-way stop sign. This may have reduced the quantity of vehicles, but not the speed. This is still an issue. I fear if something more isn't done, we could lose a life of a child. It is now a short-cut and the residential nature should be kept. I've almost been struck coming out of my driveway. I'd appreciate some traffic calming devices. I would like for additional steps to be taken to reduce the speed limit. I'd appreciate that consideration."

Dr. Salley of 2230 Middleton Street addressed Council. "I just came in from Columbia off of Broughton Street. There is a speed limit sign there at 30 miles per hour and there isn't another one until Park Street where there is a 25 miles per hour sign. Once you go past Broughton to the four way stop, there isn't a speed limit sign after that. I think that was put there to better control the traffic. Once you cross Park, there are four speed limit signs from there to here. I am too old to have children to go to the Park, but I do have a

Page 2

great grandchild that goes to the Park and we go there sometimes. I would like to see something done to slow down the traffic. If you do, I may be the first one caught. When you leave Broughton Street onto Middleton, you are leaving a 45 mph then 35 to 30 and the four way stop should have helped some. I appreciate any consideration to prevent what could be a serious problem. The City put up fencing on the Middleton Street side which could help some kid from darting in the street. We certainly do not want that to happen."

Mr. Macky Green of 2172 Middleton Street stated, "I have lived there for twenty one years. I have raised three children there and now have a grandchild. When our children wanted to go to the Park, we would not allow them to go on Middleton Street, we would have them take Moss Street. Moss Street wasn't as busy and has several stop signs. Middleton Street runs from City Hall, down from the Post Office to Columbia Road and crosses Broughton out to Riverside and Lake Edisto and the Country Club. It is a very traveled road. I have seen Public Safety set up near my house and you would be surprised at the speed on that street from the tickets written. As Dr. Salley said, people come off of Broughton onto Middleton and they accelerate. As I come here tonight, I pulled out of my driveway and saw a car pull onto Middleton off of Broughton, before I got to the stop sign, they were already moving to the left lane to try to pass me. They tailgated me all the way to the Post Office where they turned in. The Park is a great attraction. People come over from all over the County. The City does a beautiful job in keeping it up. The biggest fear I have is that someone is going to run through that neighborhood and some child is going to be walking across the street and run from Mom and Dad in the park and get run over. I know we can't stop that completely, but if we could do something to deter the speed, it would be greatly appreciated and we could end up saving a life."

Mr. Shane Burroughs of 1911 Middleton Street addressed Council. He stated, "I am not going to rehash everything everyone said here tonight. I did write a letter January 11, 2010, and I do think we need speed bumps. Kids are attracted to the park. A child was hit several years ago. It could have been more tragic. People are using Middleton Street as a thoroughfare. We appreciate what the City has done in putting up a four way stop. It has maybe deterred people some from the street. While people are stopping at the stop sign, they are speeding up because they have lost time. I think the addition of speed bumps would be beneficial and we would have a safer place to live and a better environment for our children. I think that is what this Council is about and the City of Orangeburg. I have lived here since 2002 and lived on Middleton since 2004 and I have seen what the City has done to make it a better place to live. I think we may have a major tragedy if we don't deter this traffic with speed bumps. I haven't lived here long enough, but I know there has been a number of letters that have been sent to the City. I see the Community Character Trait for this month is "Courage" and I would respectfully request that you have the courage and do what SCDOT has not done and install these speed bumps."

City Administrator Yow thanked the residents for coming tonight.

City Administrator Yow stated, "For the record, the City has done several things. requested a four-way stop sign, installed a flashing LED sign, installed fencing on the east side around the Park, installed playground signs, and have had special patrols in the area. I am also a resident of Middleton Street and cars come through there way too fast.

Page 3

SCDOT wanted from us a letter that the traffic bumps would not impede Public Safety and Director Davis has a letter on file for that. My recommendation is that City Council install calming devices that I have included in your packet, that we could put somewhere in the vicinity of the park."

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to put traffic calming devices on Middleton Street. This motion was unanimously approved.

Councilmember Stroman asked if we could lower the speed limit. Mayor Miller asked for additional signs to be installed.

City Administrator Yow overviewed for Council a Resolution that he was asked to prepare opposing TRAC recommendations. Councilmember Jernigan stated, "Everything looks good and you have added some things."

Mayor Miller stated, "The last paragraph sums it up."

A motion as made by Mayor Pro Tem Haire, seconded by Councilmember Jernigan, to approve a Resolution opposing TRAC recommendations. This motion was unanimously approved.

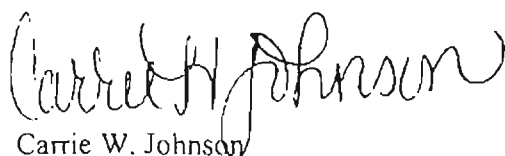
Ms. Peggy Doremus accepted the November Character Trait Proclamation, "Courage".

There were no utility matters brought before Council.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb





RESOLUTION

- WHEREAS,** the existing State Accommodations Tax Law works well and balances the needs of local jurisdictions with the citizens and visitors they serve, providing much-needed improvement for tourism promotion, tourism-related services, tourism-related capital improvement projects and various arts and cultural activities that enhance the quality of life for residents and visitors alike; and,
- WHEREAS,** the City of Orangeburg collects and employs the existing State Accommodations Tax system to provide resources to promote its tourism industry; and,
- WHEREAS,** the Local Accommodations and Hospitality Tax Subcommittee proposes the collection and disbursement of Accommodations Taxes to local governments by the South Carolina State Government; and,
- WHEREAS,** if the State Accommodations Tax disbursement method is altered as proposed, the City of Orangeburg and other jurisdictions would be compelled to cut services and projects that specifically benefit visitors or raise taxes, especially on businesses, to make up the funding shortfall; and,
- WHEREAS,** the ability of local governments to raise taxes to cover this shortfall is legislatively limited; and,
- WHEREAS,** if enacted, the proposed change to the State Accommodations Tax distribution formula would create an unnecessary and expensive layer of state bureaucracy, apparently for the expressed purpose of redistributing money from local jurisdictions to state and regional coffers; and,
- WHEREAS,** if the Local Accommodations and Hospitality Tax Subcommittee would like to make the state more competitive in tourism, the state should generate their own revenues instead of the continued pillaging of local government funds; and,
- WHEREAS,** there is no justification, whatsoever, for the South Carolina Department of Revenue to collect locally levied fees and taxes that properly belong to local governments or for the state to claim a fee from those revenues for providing such an unneeded and unwanted service or for the state to provide spending oversight on local governments' funding decisions from these revenue sources; and,

IT IS HEREBY RESOLVED, that the City of Orangeburg fervently opposes the proposed changes to the State Accommodations Tax distribution formula under consideration by the Tax Realignment Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of City Council this Second day of November, 2010, in Orangeburg, South Carolina.



ATTEST:

Carrie H. Johnson
City Clerk

James H. Haire
Mayor
James Haire
Josiea R. Haire
Charles B. Bannock
Charles H. Haire
Richard F. Haire

Members of Council

City Council Minutes November 16, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 16, 2010, at 7:00 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Mayor Miller introduced students from South Carolina State University.

A motion was made by Councilmember Knotts, seconded by Councilmember Barnwell, to approve the November 2, 2010, Minutes as distributed. This was a 6-0-1 vote as Councilmember Keitt abstained as she was not present at the last meeting.

Dr. Eddie Glenn Bryant of the Greater Orangeburg Mayor's Committee on Employment of People with Disabilities addressed Council. She gave information on a proposal of a "Hallo and Wall of Fame" and the criteria for being nominated. She also gave information on a gala to recognize those who have made contributions in the City and the County who have helped students with disabilities who want to further their education.

Item #3 on the Agenda, Appointment to Airport Commission, was postponed until a later meeting.

DPU Manager, Fred Boatwright, presented Orangeburg City Council with service pins. He stated, "I would like to do something special tonight. One of the pleasant duties as manager of DPU is to hand out service pins and I've neglected that duty in presenting those to Council." Mr. Bernard Haire with twenty-two years of service received a twenty year pin, Sandra Knotts with seventeen years of service and Mayor Paul Miller received fifteen year pins, L. Zimmerman Keitt with fourteen years of service and Charlie Jernigan received ten year pins and Charles "Buddy" Barnwell with nine years of service received a five year pin. Former Councilmember Joyce Rheney received a pin earlier in the year.

A motion was made by Mayor Pro Tem Bernard Haire, seconded by Councilmember Barnwell, to enter into an Executive Session for a personnel matter regarding the DPU Manager and a contractual matter concerning medical, dental and vision insurance. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

/pfb

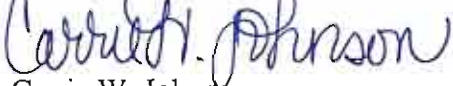


Page 2

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



2094

City Council Minutes
December 7, 2010

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 7, 2010, at 6:00 P.M., in the Council Chambers Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to approve the November 16, 2010, Minutes as distributed. This motion was unanimously approved.

Mr. Don Tribble, Community of Character Director, accepted the Character Trait Proclamation for December 2010, "Fairness".

Assistant John Singh addressed Council. He overviewed the lease/purchase bid process and that the payment amounts were within the budget. The interest rate of 1.60% A.P.R. from SCBT was the low bid.

Mayor Pro Tem Haire asked, "How do we send out the bids?"

Assistant City Administrator Singh stated, "A request for proposal is posted on our website and we also submit these requests to local banks and anyone who wants to be included in the bid requests."

Mayor Pro Tem Haire made a motion, seconded by Councilmember Barnwell, to approve the Resolution authorizing the City Administrator the execution and delivery of a Master Lease Agreement, Equipment and Schedule and Escrow Agreement and related instruments and determining other matters in connection therewith. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to enter into an Executive Session for a legal and contractual matter concerning (1) Department of Public Utilities contract and (2) contractual matter concerning health, dental and vision insurance. This motion was unanimously approved.

Council returned to Open Session.

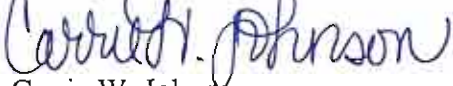
A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve a Resolution to adopt health insurance benefits for the employees of the City of Orangeburg and repealing any conflicting Resolution or Ordinance. This motion was unanimously approved.

Page 2

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb





A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE, AND ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the governing body of the City of Orangeburg (the "Lessee"), at a duly called meeting of the governing body held on the 7th day of December 2010, the following resolution was introduced and adopted:

RESOLVED, whereas the governing body of Lessee has determined that a true and very real need exists for the acquisition of Various Equipment as described in the Request for Proposal and Exhibit "A" attached hereto, in the amount of \$1,026,084 at 1.60% APR for four (4) years, by entering into an Lease Purchase Agreement with South Carolina Bank and Trust (SCBT) as Lessor and the City of Orangeburg as Lessee (the "Agreement") according to the terms set forth in the Bid Proposal from South Carolina Bank and Trust (Exhibit "B") the Equipment will be used by the Lessee for the following purpose: To provide new and cost efficient equipment for the operation of City government.

RESOLVED, whereas the governing body of Lessee has taken the necessary steps including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

RESOLVED, whereas the governing body hereby directs its legal counsel to review the Agreement and negotiate appropriate modifications to said Agreement so as to assure compliance with state law and local statutory law, prior to execution of the Agreement by those persons so authorized by the governing body for such purpose.

BE IT RESOLVED, by the governing body of the lessee that:

The terms of said Agreement are in the best interests of Lessee for the acquisition of such equipment and the governing body of Lessee designates and confirms the following person(s) to execute and deliver, and to witness (or attest), respectively, the Agreement and any related documents necessary to the consummation of the transactions contemplated by the Agreement.

Name and Title of Person(s) to Execute Agreement:

John H. Yow, City Administrator

RESOLVED, the Lessee covenants that it will perform all acts within its power which are or may be necessary to insure that the interest portion of the Rental Payments coming due under the Agreement will at all times remain exempt from federal income taxation under the laws and regulations of the United States of America as presently enacted and construed or as hereafter amended. The Lessee hereby certifies that it has not issued or effected the issuance of, and reasonably anticipates that it shall not issue or effect the issuance of more than ten million dollars (10,000,000.00) of tax-exempt obligations during the calendar year, and hereby designates the Agreement as a "qualified tax exempt obligation", as defined by Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Passed by the City Council of the City of Orangeburg, South Carolina this 7th day of December 2010.



ATTEST:

Carol M. Johnson
City Clerk

Paul A. Miller
Paul A. Miller, Mayor

Richard J. Strawn
R. Zimmerman
Randall R. Scott
Debra H. Haire
Charles B. Burt

RESOLUTION

A RESOLUTION TO ADOPT HEALTH INSURANCE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ORANGEBURG EFFECTIVE JANUARY 1, 2011 AND REPEALING ANY CONFLICTING RESOLUTION OR ORDINANCE

WHEREAS, by Resolution of Orangeburg City Council dated January 19, 2010, certain retirement and health insurance benefits of City employees were adopted; and

WHEREAS, the City by said Resolution retained and reserved the right to review, amend or change said benefits, with or without cause; and

WHEREAS, City Council has reviewed its present benefits and finds that for financial reasons it is now necessary to amend and change the present health insurance benefits provided its employees and retirees.

NOW THEREFORE BE IT RESOLVED, by City Council duly assembled this 7th day of December 2010, that subject to the City's right in its discretion to amend, change, discontinue or abolish in whole or in part, the conditions, qualifications and requirements of all past, present and future employees of the City of Orangeburg, including retired and disabled employees of said City (hereinafter referred to as "employees") as of January 1, 2011 to obtain health insurance benefits from the City are set forth and shown on "Exhibit A" attached hereto and made a part hereof by reference. Said health insurance benefits shall be continuously reviewed and may be amended, changed, discontinued or abolished after each review.

BE IT FURTHER RESOLVED, that regardless of any prior review the health insurance benefits of employees shall be reviewed, established and defined annually by budget adoption during the adoption of the annual budgets of the City of Orangeburg and its Department of Public Utilities.

BE IT FURTHER RESOLVED, that any amendment, change, discontinuation or abolishment shall be effective upon adoption by City Council and notice of same after adoption shall be provided to employees within forty-five (45) days after adoption.

The City of Orangeburg is committed to reviewing its personnel policies and procedures and its health insurance benefits as needed. Accordingly, the policies and benefits of employees are subject to review, amendment, change or abolishment at any time, at the discretion of City Council; thus benefits may be increased, decreased or abolished at any time, with or without cause.

Any term, condition or limitation contained in any existing ordinance or resolution in conflict with this Resolution is repealed in its entirety.

RESOLVED BY City Council duly assembled this 7th of December, 2010.



Paul G. Miller
MAYOR
L. Zimmerman Keitt
Charles B. Danvers
Richard A. Stone
Charles B. Danvers
Sandra R. Krotts
Benjamin Haire
MEMBERS OF COUNCIL

ATTEST:
Carroll W. Johnson
CITY CLERK

THIS IS NOT A CONTRACT

**HEALTH INSURANCE BENEFITS
CALENDAR YEAR 2011
Exhibit A**

The within benefits may be increased, decreased or abolished at any time, with or without cause.

Definitions:

"Dental, Vision and Term Life", collectively and individually, is defined as the insurance benefits provided and administered by The Guardian Life Insurance Company of America.

"Employees" are defined as all City of Orangeburg employees, including employees of the Department of Public Utilities.

"Health Insurance Benefits" are defined as medical, hospitalization and prescription drug benefits available to active full-time employees of the City and provided by insurance providers under contract with the City.

"1500 HSA" plan is the 2011 Preferred Blue Plan-HDHP administered by BlueCross BlueShield of South Carolina.

"500 PPO" plan is the 2011 Preferred Blue Plan administered by BlueCross BlueShield of South Carolina.

"TERI" is defined as the Teacher and Employee Incentive Program administered by the South Carolina Retirement System.

Active Employees

Active Full Time Employees

The City of Orangeburg (hereinafter referred to as "City") will provide medical, hospitalization, prescription drug, dental and vision insurance and (\$15,000) term life insurance to active full-time employees with 100% of the premiums paid by the City. The insurance is offered through providers chosen by the City. New employees are eligible to be covered at the beginning of the month following 30 days of continuous employment. Terminated employees are covered through the end of the month of which employment ended. Councilmembers and the City Attorney are considered active full-time employees for purposes of qualifying for health insurance benefits.

Dependents of Active Full Time Employees

Dependents, as defined by the insurance providers, are eligible for dependent Health Insurance Benefits, with the City contributing the following dollar amounts towards the premium costs and the employee paying all additional costs and premiums, including any future increases:

\$278.65 per month for spouse coverage for the BlueCross BlueShield 500 PPO plan

\$241.99 per month for spouse coverage for the BlueCross BlueShield 1500 HSA plan

\$192.96 per month for children coverage for the BlueCross BlueShield 500 PPO plan

\$167.57 per month for children coverage for the BlueCross BlueShield 1500 HSA plan

\$385.31 per month for family coverage for the BlueCross BlueShield 500 PPO plan

\$334.62 per month for family coverage for the BlueCross BlueShield 1500 HSA plan

The above City contributions are capped as of January 1, 2010.

Dependent Dental, Vision and Term Life insurance may be obtained with the employee paying 100% of the premium cost. Dependents of new employees are eligible to be covered at the beginning of the month following 30 days of continuous employment of the employee. Dependents of terminated employees are covered through the end of the month of which employment ended.

Dependents of current active full-time employees are eligible to be added or dropped during the City's annual enrollment period or as defined by law. All dependent coverage will be subject to the then terms and conditions of the City's benefit package being offered to dependents and the terms and conditions of the insurance policy or policies of the then insurance provider.

Employees who select medical coverage under the BlueCross BlueShield 1500 HSA plan will forfeit all other benefits referred to herein, but will receive the following amounts deposited quarterly into their Health Saving Account (hereinafter referred to as "HSA" account).

\$145 per month for active full-time employee coverage only

\$175 per month for active full-time employee and spouse coverage

\$170 per month for active full-time employee and children coverage

\$180 per month for active full-time employee and family coverage

Spouses of active full-time employees who are eligible for Health Insurance Benefits and/or Dental, Vision and Term Life with their employer(s), regardless of coverage limits or conditions, must select and obtain coverage under their employer's plan or plans before they can become eligible for coverage under any City plan which, if selected, will be secondary insurance.

Eligibility for Post Employment Benefits

Present Active Full-time Employees hired prior to June 1, 1993

These employees may be eligible for the continuation of Health Insurance Benefits and Dental and Vision insurance coverage if they meet one of the following:

- a. The employee has 15 years continuous employment with the City and is over age 65.
- b. The employee has 20 years continuous employment with the City and is over age 60.
- c. The employee has 25 years continuous employment with the City.
- d. The employee has 25 years continuous employment with the City Department of Public Safety.
- e. The employee has 28 years of service under the SC Retirement System; with at least 15 years of continuous employment with the City.
- f. The employee has 25 years of service under the SC Police Retirement System; with at least 15 years of continuous employment with the City.

Present Active Employees hired on or after June 1, 1993 and before January 1, 2010

These employees may retire with the City and be eligible for continuation of Health Insurance Benefits and Dental and Vision if an employee meets one of the following conditions.

- a. The employee works 25 years for the City.
- b. The employee works 25 years for the City Department of Public Safety.

If eligible, the City will pay 100% of the premiums for Health Insurance Benefits for the employee. If elected, the employee must pay 100% of the premiums for Dental and Vision

State of South Carolina TERI Retirement Program

Years of employment with the City while participating in the TERI program are included in employee tenure calculation for Post Employment Benefits eligibility.

Active Full-time Employees Retired under the SC Retirement System or SC Police Retirement System

Years of employment of an active full-time employee who has retired under either the SC Retirement System or the SC Police Retirement System are included in employee tenure calculation for Post Employment Benefits eligibility.

Retirees with Post Employment Benefits

Retiree Insurance

The City will pay the entire cost of a retired employee's Health Insurance Benefits being provided active full-time employees of the City once the retired employee reaches the age of 60 and until the employee reaches the age of 65. Prior to reaching the age of 60, the employee must pay the full premium and cost of his or her Health Insurance Benefits being provided an active full-time employee of the City. Retirees of the City will be allowed to participate in Dental and Vision insurance of the City if permitted by the insurance provider and provided the retired employee pays the full premium and cost of coverage.

Retirees over the age of 65 and/or their spouses over the age of 65 are eligible to receive any enhanced medicare or medicare supplemental plan being provided by the City. The City will pay \$100 per month towards the cost of coverage for the Retiree. The Retiree shall pay the balance of their premium and the full premium and cost of coverage for a retiree's spouse. In addition, the City will reimburse out of pocket prescription costs exceeding \$2000 up to a total benefit of \$840. In lieu of receiving coverage provided by the City, the Retiree may receive a \$100 per month reimbursement towards the coverage of their choice. The above City contributions are capped as of January 1, 2011.

The Retirees under the age of 65 are also eligible for the continuation of Health Insurance Benefits and Dental and Vision for dependents. The retiree will be responsible for the entire cost of the Health Insurance Benefits dependent coverage and the entire cost of the Dental and Vision dependent coverage.

A Retiree must elect coverage at the time of retirement. Failure to make an election for available retiree, spouse or dependent coverage upon retirement shall constitute a waiver and forfeiture of all retiree Health Insurance Benefits, including Dental and Vision insurance provided by the City.

Spouses of Deceased Retirees

Spouses of deceased retirees who are receiving any Health Insurance Benefits from the City at the death of a retiree may continue the insurance coverage then in existence and shall continue to pay the then required premium and cost of coverage.

Retirees Returning to City Employment

The City will pay 50% of the medical, dental, and vision benefits for the retirees, eligible for post employment benefits at the time of retirement, who return to full time employment with the City. The City will not contribute any portion towards dependent coverage for retirees. Any retiree who does not elect dependent coverage when they return to work cannot add dependent coverage at a later time.

Retirees with No Post Employments Benefits

Employees hired on or after January 1, 2010

These employees upon retirement or termination will not be provided and may not continue any benefits referred to herein, including without limitation, Health Insurance Benefits and Dental, Vision and Term Life.

Election to HSA Plans

Current active full-time employees who elect to be covered under a City's HSA medical insurance coverage waive any future rights to be eligible for any benefits referred to herein, including without limitation, Health Insurance Benefits and Dental, Vision and Term Life upon termination of or retirement from employment. However, an employee may return to coverage under the standard 500 PPO plan; however all post employment benefits remain forfeited and shall not be reinstated.

Spouse and Dependents over 65 of Active Full-Time Employees Who Would Qualify as a Dependent

Spouse and Dependents over the age of 65 of active full-time employees are eligible for the standard dependent 500 PPO insurance plan or the Medicare Advantage Plus plan. Spouses and dependents shall be subject to the same restriction for spouse eligibility referred to above if coverage is available at their place of work.

Active Full-time Employees on FMLA Leave or Long Term Disability

The City will continue to pay the monthly health and dental insurance cost of an employee who is placed on long-term disability or Family Medical Leave for a period of three (3) months following the last month worked. Upon expiration of three (3) month the employee has the option of continuing health and/or dental coverage (COBRA) at his own expense for a period of 18 months or up to 29 months (if totally disabled as defined by the Social Security Administration). COBRA coverage ceases once the employee becomes eligible for Medicare or Medicaid.

Dependent medical, dental, vision and life insurance shall remain in force on dependents for a period of up to three (3) months starting with the month following the last month worked by the employee. The City will continue to pay the same portion of the dependent coverage in effect while the employee was an active full-time employee of the City. The employee will continue to pay his portion of the premium for dependent coverage. Dependent will have the same option as an employee of continuing coverage under COBRA after this three-month period.

The employee or dependent must make arrangements for the payment of the employee's portion of the health insurance benefits premiums for the three-month period to be paid weekly, semi-monthly, or monthly.

If COBRA is elected after this three-month period, employee will make full premium payments the first of each month, payable to the City.

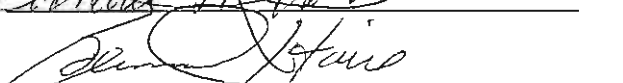

MAYOR



MEMBERS OF COUNCIL


MEMBERS OF COUNCIL


MEMBERS OF COUNCIL



MEMBERS OF COUNCIL


MEMBERS OF COUNCIL


MEMBERS OF COUNCIL

MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

DECEMBER 7, 2010

CITY COUNCIL MINUTES
SPECIAL SESSION – DECEMBER 14, 2010

Orangeburg City Council held a Special Session Meeting on Tuesday, December 14, 2010, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Paul A. Miller presiding.

2097

PRESENT: Paul A. Miller, Mayor
Bernard Haire, Mayor Pro Tem
Charles B. Barnwell
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Mayor Miller opened the meeting by stating the first order of business was to go into Executive Session to discuss a Legal and Contractual Matter – DPU Utility Contract. The Mayor asked for a motion. A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire to go into Executive Session. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts to return to Open Session. This motion was unanimously approved.

Mayor Miller stated the first item of business on the agenda was a Resolution regarding an Electric Contract Agreement between DPU & South Carolina Electric & Gas Company. A motion was made by Councilmember Barnwell to table the Resolution until further notice based on the fact that there are some issues and more time is needed to negotiate. Mayor Miller stated a motion was made by Councilmember Barnwell that this Resolution be tabled until a later date. This motion was seconded by Councilmember Keitt. The motion was unanimously approved.

DPU Interim Manager O. Thomas Miller presented a Resolution to Council for approval and acceptance of the low bid for improvements to the Water Distribution System – Pump Station Relocation – Highway 4 & 400 from G.H. Smith Construction, Inc. of Columbia, South Carolina in the amount of \$895,911. A motion was made by Councilmember Barnwell and seconded by Councilmember Keitt. This motion was unanimously approved.

City Administrator John Yow asked Council to consider approving the acceptance of a Community Development Block Grant for Streetscape in the amount of \$500,000. He stated Council was already aware of the long term plan which was to upgrade Russell Street (from the Gardens to Boulevard and down to South Carolina State and Claflin along Russell Street. The next phase that is planned will go along Russell from Doyle to Lowman. He explained that initially the City had a SCDOT Grant for \$200,000 which then made the City eligible to apply for the \$500,000 CDBG Grant and were successful in getting this grant. He explained that he hopes to come back to Council in the early part of next year with a SCDOT Grant for another streetscape project. He explained the upgrades will be very much in keeping with what what has been done in other streetscape projects. The total cost of this project is \$1.4 million. The City has this much money available from the County Capital 1% Sales Tax, but this will allow us to use that money as a leverage to obtain this grant, which will be a welcome addition to defray our local cost by half a million dollars. City Administrator Yow also asked Council to authorize him to sign the documents.

Mayor Miller asked for a motion for Mr. Yow to accept the CDBG Grant for Streetscape in the amount of \$500,000. A motion was made by Councilmember Stroman and seconded by Mayor Pro Tem Haire. This motion was unanimously approved.

City Administrator Yow presented Council with a Resolution establishing a workers' compensation insurance deductible in the amount of \$10,000. He explained an analysis of the City's claims for the past several years and basing these numbers by accepting a \$10,000 deductible the City would save approximately \$30,000 a year. The premiums will be reduced by \$80,000. He went further to explain that based on the historical data for the past several years we believe claims within the deductible would be approximately \$50,000, therefore resulting in a in \$28,000 - \$30,000 savings.

Mayor Miller then read the Resolution by title "A Resolution Establishing the Workers' Compensation Insurance Deductible with the South Carolina Municipal Insurance Trust" and asked for a motion for approval. A motion was made by Councilmember Keitt and seconded by Councilmember Barnwell. The motion was unanimously approved.

City Administrator requested canceling the December 21, 2010 City Council Meeting baring the City or DPU do not have any other business before the end of the week. Mayor Miller asked for a motion that we cancel the December 21, 2010 meeting unless something urgent comes up. A motion was made by Councilmember Keitt and seconded by Councilmember Knotts. This motion was unanimously approved.

2098 Mayor Miller asked for a motion to adjourn. A motion was made by Mayor Pro Tem Haire and seconded by Councilmember Barnwell to adjourn. This motion was unanimously approved

There being no further business, the meeting was adjourned.

Respectfully submitted,



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





RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY G.H. SMITH CONSTRUCTION, INC. OF COLUMBIA, SOUTH CAROLINA IN THE AMOUNT OF \$895,911.00 FOR IMPROVEMENTS TO THE WATER DISTRIBUTION SYSTEM – PUMP STATION RELOCATION – HIGHWAY 4 & 400

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on November 9, 2010 for improvements to the Water Distribution System – Pump Station Relocation – Highway 4 & 400; and

WHEREAS, the low responsible bid for this work was submitted by G.H. Smith Construction, Inc. of Columbia, South Carolina in the amount of \$895,911.00; 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 O. Thomas Miller, Jr., Interim 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 14th day of December, 2010.



MAYOR

[Signature of Mayor]
[Signature of Council Member]
[Signature of Council Member]
[Signature of Council Member]
[Signature of Council Member]
[Signature of Council Member]
[Signature of Council Member]

MEMBERS OF COUNCIL

ATTEST:

[Signature of City Clerk]
CITY CLERK

**December 21,
2010**

**City Council
Meeting
Canceled**

**Christmas
Holidays**