

AN ORDINANCE AUTHORIZING THE MORTGAGE OF TWO AND SIXTY-NINE HUNDREDTHS (2.69) ACRES, WITH BUILDINGS AND OTHER IMPROVEMENTS THEREON, TO SOUTH CAROLINA BANK AND TRUST IN THE PRINCIPAL SUM OF FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS.

WHEREAS, the City of Orangeburg owns the below described premises on which the Orangeburg County Chamber of Commerce is constructing an office building, and;

WHEREAS, said premises are under lease to the Orangeburg County Chamber of Commerce for a term of Fifteen (15) years commencing on the first (1st) day of August 2003, and;

WHEREAS, the Orangeburg County Chamber of Commerce has requested that the below described premises, with buildings and other improvements thereon, be used as collateral for a loan from South Carolina Bank and Trust, in the amount of Five-Hundred Thousand (\$500,000.00) dollars with a maturity date of three (3) years from its inception date, and;

WHEREAS, the City of Orangeburg deems it in its best interest to cooperate with the Orangeburg County Chamber of Commerce in the construction and completion of its office buildings.

NOW THEREFORE BE IT ORDAINED BY CITY COUNCIL DULY ASSEMBLED, that the City of Orangeburg mortgage the below described premises for the purpose of securing a mortgage loan to the Orangeburg County Chamber of Commerce from South Carolina Bank and Trust in the principal sum of Five-Hundred Thousand (\$500,000.00) dollars with a maturity three (3) years from its inception. The mortgage shall be for the sole purpose of securing the above loan and the City of Orangeburg will have no financial payment obligations under the loan documents.

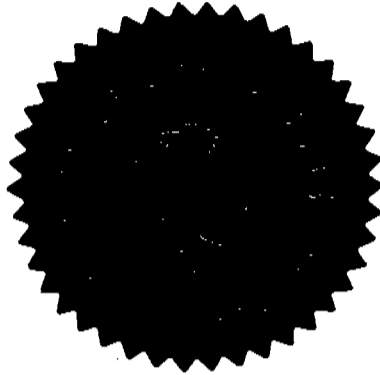
BE IT FURTHER ORDAINED, that the city administrator is hereby directed and authorized to execute said mortgage on behalf of the City of Orangeburg.

Description of Mortgaged Premises :

All that certain piece, parcel or tract of land with buildings and other improvements thereon, situate lying and being in the City of Orangeburg, Consolidated School District 5, County of Orangeburg, State of South Carolina, containing two and sixty-nine hundredths (2.69) acres more or less and being known as the "Chamber Building" and having the following boundaries: Northeast by the right-of-way by Riverside Drive, Southeast by the right-of-way of U.S. Highway 301, Southwest by property Piggy Part Enterprises, and Northwest by the right-of-way of Russell Street.

Less, and excluding, that certain parcel measuring one hundred (100) feet on all sides, fronting on the right-of-way of U.S. Highway 301 and known as the "Chapel Site".

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH
CAROLINA THIS 18th DAY OF JANUARY, 2005.



Mayor

Edmund Hair

Sandra P. Krotts

Charles E. Bauloff

Travis A. Miller

Charles Ferguson

Raymond R. Reese

Members of Council

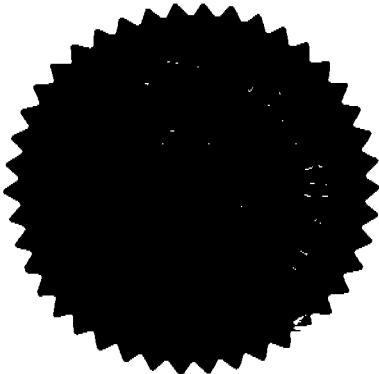
ATTEST:

Carrie H. Johnson
City Clerk

AN ORDINANCE INCREASING THE ANNUAL SALARIES
FOR THE OFFICE OF MAYOR AND COUNCIL

BE IT ORDAINED by City Council duly assembled and under authority of Section 5-7-170 of the South Carolina Code of Laws that the salary for the office of Mayor of the City of Orangeburg, State of South Carolina shall be Fifteen Thousand and no/100 (\$15,000.00) Dollars annually and the salaries for Council members shall be Ten Thousand and 00/100 (\$10,000.00) Dollars annually; all increases to be effective October 3, 2005.

PASSED by the City Council of the City of Orangeburg, State of South Carolina, duly assembled this 16th day of August, 2005.



Paul S. Miller
Mayor

Sam Hane

Sandra P. Kistler

Julius A. Miller Sr

Chris Ferguson

Members of Council

ATTEST: Carrie W. Johnson
City Clerk

ORDINANCE NO. 2005- 3

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005

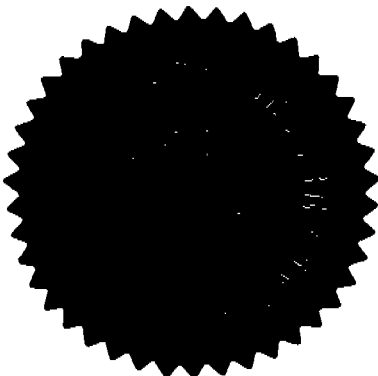
THE CITY COUNCIL OF THE CITY OF ORANGEBURG HEREBY ORDAINS AND RATIFIES:

Section 1. That the Budget of the City of Orangeburg for the Fiscal Year beginning October 1, 2004 and ending September 30, 2005, designated as Ordinance No. 2004-12 shall be and hereby is amended so to levy a tax to cover the period from the first day of January 2004 to the thirty-first day of December 2004 both inclusive, for the sums and in the manner hereinafter mentioned and shall be levied, collected and paid into the Treasury of the City of Orangeburg, South Carolina, for the use and service thereof; i.e., a tax of seventy-three (73) mills and the same is hereby assessed on each dollar of the assessed value of all real estate and personal property within the City of Orangeburg, South Carolina, except as such which is exempt from taxation by law.

Section 2. That in all other respects, except as hereby and heretofore amended, the budget for the City of Orangeburg for the Fiscal Year beginning October 1, 2004 and ending September 30, 2005 shall remain in full force and effect.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Adopted by the Council of the City of Orangeburg on this 6th day of Sept., 2005, at which a quorum was present and voting.



ATTEST:

Carroll V. Johnson
CITY CLERK

Paul G. Min
MAYOR

Jayce W. Rheeey

Thomas A. Miller

Chad Dyer

Charles B. Bennett

Sandra P. Hester

Edward Hair
MEMBERS OF COUNCIL

ORDINANCE NO. 2005- 4

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006

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

SECTION 1. In accordance with Section 5-7-260 of the 1976 Code of Laws of South Carolina, and Council shall act by Ordinance to adopt budgets, levy taxes, and collect all other income sources available to the City pursuant to public notice.

SECTION 2. That the prepared budget for the fiscal year October 1, 2005-September 30, 2006, and the estimated revenue for payment of same is hereby adopted.

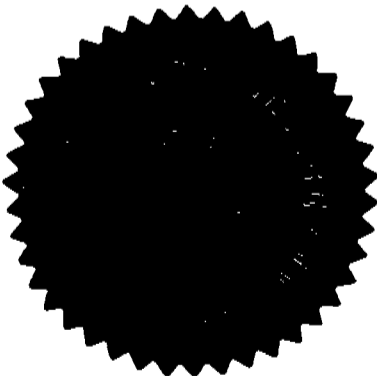
SECTION 3. That a tax to cover the period from the first day of January, 2005 to the thirty-first day of December, 2005, both inclusive, for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the Treasury of the City of Orangeburg for the use and service thereof; i.e., a tax of 79 mills be and the same is hereby assessed on each dollar of the assessed value of all real estate and personal property within the City of Orangeburg, South Carolina, except as such which is exempt from taxation by law.

SECTION 4. Tax levied under this Ordinance shall be due and payable at the office of the City Clerk and Treasurer, in the Municipal Building of the City of Orangeburg, South Carolina, from the first day of November, 2005, until the fifteenth day of January 2006, from the hours of 8:00 A.M. until 5:00 P.M., Monday through Friday, Saturdays and Sundays excepted.

SECTION 5. On January 16, 2006, a penalty of fifteen (15) percent shall be added on all unpaid taxes. The City Clerk and Treasurer shall on March 17, 2006, place all delinquent properties in execution in accordance with and adding an additional execution cost of \$60.00 to \$90.00 based on costs to City, Section 6-1-10, as amended, of the Code of Ordinances of the City of Orangeburg, South Carolina.

SECTION 6. If for any reason, any sentence, clause or provisions of this Ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

DONE AND RATIFIED BY THE CITY COUNCIL OF ORANGEBURG, SOUTH CAROLINA, IN COUNCIL ASSEMBLED THIS 6th DAY OF Sept., 2005.



Paul M. Min
MAYOR

Joyell R. Roney

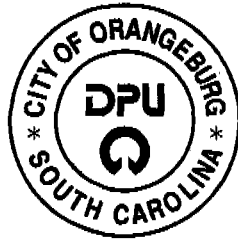
Charles B. Brantley

Sandra J. Hester

Benny Hani

MEMBERS OF COUNCIL

ATTEST:
Carroll D. Johnson
CITY CLERK



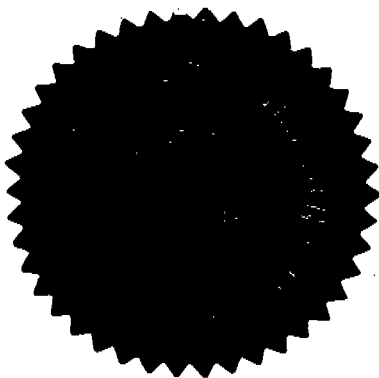
ORDINANCE No. 2005 - 5

AN ORDINANCE TO ADOPT A BUDGET FOR THE OPERATION OF
DEPARTMENT OF PUBLIC UTILITIES FOR THE
CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA
FOR THE FISCAL YEAR
OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2006

BE IT ORDAINED by City Council duly assembled that the attached budget consisting of seven (7) pages is hereby adopted as the operating budget for the Department of Public Utilities for the City of Orangeburg for the fiscal year October 1, 2005 through September 30, 2006.

BE IT FURTHER ORDAINED that the Manager of the Department of Public Utilities is authorized to transfer budgeted amounts between line items and/or divisions or between approved capital projects in accordance with the duties and responsibilities of said Manager.

DONE AND RATIFIED by Council duly assembled this 6th day of September, 2005.



Paul Miller
Mayor

Paul Harris

Sandra T. Knotts

Charles B. Brundage

Paul Dyer

Charles A. Miller

Joseph W. Roney
Members of Council

ATTEST:
Carroll Johnson
City Clerk

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
TOTAL PROJECTIONS

	<u>ACTUAL</u> <u>2003-2004</u>	<u>PROJECTED</u> <u>2005-2006</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 77,934,382	\$ 83,071,936
Water and Wastewater Taps	260,731	325,500
Water and Wastewater Impact Fees	224,492	278,500
Counter Service Fees	895,669	909,104
Fiber Rentals	9,316	10,150
Miscellaneous Sales & Services	573,963	487,850
Charge Off Accts Collected	115,945	117,125
TOTAL INCOME	\$ 80,014,498	\$ 85,200,165
<u>COST OF SALES:</u>		
Electricity Purchased	\$ 37,567,529	\$ 39,206,647
Natural Gas Purchased	15,793,807	18,117,250
GROSS PROFIT	\$ 26,653,162	\$ 27,876,268
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 4,775,905	\$ 5,337,240
Operating Expense	5,777,350	6,300,371
Administrative Expense	6,367,634	6,740,102
Bad Debt Expense	200,100	189,164
TOTAL OPERATING EXPENSE	\$ 17,120,989	\$ 18,566,877
OPERATING PROFIT	\$ 9,532,173	\$ 9,309,391
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 436,228	\$ 705,239
Interest Earned 2004 Bond Issue	-	3,609
TOTAL NON-OPERATING REVENUE	\$ 436,228	\$ 708,848
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 9,968,401	\$ 10,018,239
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ 18,925
Interest 2004 Bond Issue	-	134,141
TOTAL NON-OPERATING EXPENSE	\$ -	\$ 153,066
NET PROFIT	\$ 9,968,401	\$ 9,865,173

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
ELECTRIC DIVISION

	<u>ACTUAL</u> <u>2003-2004</u>	<u>PROJECTED</u> <u>2005-2006</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 50,578,173	\$ 52,458,239
Counter Service Fees	637,667	648,191
Fiber Rentals	9,316	10,150
Miscellaneous Sales & Services	461,344	350,000
Charge Off Accts Collected	89,769	90,500
TOTAL INCOME	\$ 51,776,269	\$ 53,557,080
<u>COST OF SALES:</u>		
Electricity Purchased	\$ 37,567,529	\$ 39,206,647
GROSS PROFIT	\$ 14,208,740	\$ 14,350,433
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 2,443,335	\$ 2,613,335
Operating Expense	1,827,573	2,138,260
Administrative Expense	2,923,673	3,126,002
Bad Debt Expense	153,154	144,267
TOTAL OPERATING EXPENSE	\$ 7,347,735	\$ 8,021,864
OPERATING PROFIT	\$ 6,861,005	\$ 6,328,569
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 257,743	\$ 413,270
Interest Earned 2004 Bond Issue	-	2,632
TOTAL NON-OPERATING REVENUE	\$ 257,743	\$ 415,902
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 7,118,748	\$ 6,744,471
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	-	96,796
TOTAL NON-OPERATING EXPENSE	\$ -	\$ 96,796
NET PROFIT	\$ 7,118,748	\$ 6,647,675

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
GAS DIVISION

	<u>ACTUAL</u> <u>2003-2004</u>	<u>PROJECTED</u> <u>2005-206</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 19,409,549	\$ 21,435,969
Counter Service Fees	170,391	172,730
Miscellaneous Sales & Services	4,942	6,500
Charge Off Accts Collected	11,901	10,575
TOTAL INCOME	\$ 19,596,783	\$ 21,625,774
 <u>COST OF SALES:</u>		
Natural Gas Purchased	\$ 15,793,807	\$ 18,117,250
GROSS PROFIT	\$ 3,802,976	\$ 3,508,524
 <u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 460,692	\$ 512,850
Operating Expense	427,343	458,412
Administrative Expense	948,712	1,065,350
Bad Debt Expense	19,890	20,150
TOTAL OPERATING EXPENSE	\$ 1,856,637	\$ 2,056,762
OPERATING PROFIT	\$ 1,946,339	\$ 1,451,762
 <u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 54,375	\$ 104,977
Interest Earned 2004 Bond Issue	-	602
TOTAL NON-OPERATING REVENUE	\$ 54,375	\$ 104,977
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 2,000,714	\$ 1,556,739
 <u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	-	23,073
TOTAL NON-OPERATING EXPENSE	\$ -	\$ 23,073
NET PROFIT	\$ 2,000,714	\$ 1,533,666

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
WATER DIVISION

	<u>ACTUAL</u> <u>2003-2004</u>	<u>PROJECTED</u> <u>2005-2006</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 4,707,575	\$ 5,516,228
Water Taps	220,931	255,500
Water Impact Fees	146,034	178,500
Counter Service Fees	52,322	52,728
Miscellaneous Sales & Services	64,475	85,850
Charge Off Accts Collected	9,499	10,550
TOTAL INCOME	\$ 5,200,836	\$ 6,099,356
GROSS PROFIT	\$ 5,200,836	\$ 6,099,356
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 1,011,324	\$ 1,215,500
Operating Expense	1,899,640	2,002,989
Administrative Expense	1,676,240	1,709,250
Bad Debt Expense	18,388	16,950
TOTAL OPERATING EXPENSE	\$ 4,605,592	\$ 4,944,689
OPERATING PROFIT	\$ 595,244	\$ 1,154,667
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 86,852	\$ 126,943
Interest Earned 2004 Bond Issue	-	126
TOTAL NON-OPERATING REVENUE	\$ 86,852	\$ 127,069
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 682,096	\$ 1,281,736
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	-	4,802
TOTAL NON-OPERATING EXPENSE	\$ -	\$ 4,802
 NET PROFIT	 \$ 682,096	 \$ 1,276,934

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
WASTEWATER DIVISION

	<u>ACTUAL</u> <u>2003-2004</u>	<u>PROJECTED</u> <u>2005-2006</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 3,239,085	\$ 3,661,500
Wastewater Taps	39,800	70,000
Wastewater Impact Fees	78,458	100,000
Counter Service Fees	35,289	35,455
Miscellaneous Sales & Services	43,202	45,500
Charge Off Accts Collected	4,776	5,500
TOTAL INCOME	\$ 3,440,610	\$ 3,917,955
GROSS PROFIT	\$ 3,440,610	\$ 3,917,955
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 860,554	\$ 995,555
Operating Expense	1,622,794	1,700,710
Administrative Expense	819,009	839,500
Bad Debt Expense	8,668	7,797
TOTAL OPERATING EXPENSE	\$ 3,311,025	\$ 3,543,562
OPERATING PROFIT	\$ 129,585	\$ 374,393
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 37,258	\$ 60,651
Interest Earned 2004 Bond Issue	-	249
TOTAL NON-OPERATING REVENUE	\$ 37,258	\$ 60,900
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 166,843	\$ 435,293
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ 18,925
Interest 2004 Bond Issue	-	9,470
TOTAL NON-OPERATING EXPENSE	\$ -	\$ 28,395
 NET PROFIT	 \$ 166,843	 \$ 406,898

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED SOURCES OF FUNDING & EXPENDITURES
FISCAL YEAR 2005 – 2006

	<u>2006</u>
<u>OPERATIONS:</u>	
Net Income	\$ 9,865,173
Charges Against Operations Not Requiring Working Capital - Depreciation	<u>\$ 5,337,240</u>
TOTAL	\$15,202,413
 <u>USE OF WORKING CAPITAL:</u>	
Approved Capital Projects For Fiscal Year	\$11,031,932 **
Cash Transfer to City General Fund In Lieu of Taxes	\$ 3,750,000
Investments	<u>\$ 420,481</u>
TOTAL	\$15,202,413

** SEE ATTACHMENT FOR BREAKDOWN OF APPROVED CAPITAL PROJECTS

APPROVED CAPITAL IMPROVEMENTS PLANNED
FISCAL YEAR 2005 – 2006

Administrative Building Modifications	\$ 634,432
115 kV Transmission Line & Substation #24	\$ 1,200,000
DPU/City Radio System	\$ 659,500
Distribution Automation	\$ 400,000
10 Million Gallon/Day Treatment Capacity Expansion at Water Treatment Plant	\$ 7,500,000
Deep Well Aquifer Storage & Recovery (ASR)	\$ 100,000
Whitford Stage Creek Wastewater Trunk Line	<u>\$ 538,000</u>
TOTAL	\$11,031,932

ORDINANCE NO. 2005- 6

AN ORDINANCE GRANTING A CABLE SERVICE FRANCHISE TO TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE, A NEW YORK GENERAL PARTNERSHIP D/B/A TIME WARNER CABLE FOR A TERM OF 10 YEARS.

WHEREAS, Time Warner Entertainment-Advance/Newhouse, a New York general partnership d/b/a Time Warner Cable ("Time Warner") currently holds a cable television franchise awarded by the City, which franchise authorizes Time Warner to provide cable services within the City (the "Franchise"), and

WHEREAS, Section 626 (a)(1) of the Cable Communications Policy Act of 1984, as amended, 47 U.S.C. § 546 (a)(1)(the "Cable Act"), provides that if a written renewal request is submitted by a cable operator during the 6-month period which begins with the 36th month before franchise expiration and ends with the 30th month prior to franchise expiration, a franchising authority shall, within six (6) months of the request, commence a proceeding to identify future cable-related community needs and interests and to review the performance of the cable operator under the franchise during the then current franchise term, and

WHEREAS, Time Warner has submitted the written request specified in §626 (a)(1) of the Cable Act by letter dated August 31, 2001, and

WHEREAS, Time Warner's written request advises the City that Time Warner is invoking its rights under the formal renewal procedures set forth in Section 626(a)-(g) of the Cable Act, 47 U.S.C. § 546 (a)-(g) (the "Formal Process"), and

WHEREAS, the City held a public hearing under the Formal Process on February 19, 2002 and Time Warner was notified of such hearing by letter dated December 27, 2001, and

WHEREAS, representatives of Time Warner attended and participated in the public hearing of the City held on February 19, 2002, and

WHEREAS, the City entered into a Standstill Agreement with Time Warner dated May 27, 2004 for the purpose of utilizing the informal renewal process described in § 626 (h) of the Cable Act, 47 U.S.C. § 546 (h), during the extended term of the existing franchise as extended by City Ordinance No. 2004-5 dated May 18, 2004, and

WHEREAS, during said extended term the parties did not participate in the informal process, and

WHEREAS, by letter to Time Warner dated March 15, 2005, the City advised Time Warner of its intention to reinstate the formal process and provided Time Warner a copy of a franchise renewal for a term of ten (10) years, and

WHEREAS, a public hearing for the purpose of receiving public comments on the proposal to renew the franchise for a term of ten (10) years and to identify any future cable television and related community needs and interests was held on April 5, 2005, and notice of said public hearing was given to Time Warner by a letter dated March 15, 2005, and

WHEREAS, the franchise renewal ordinance was approved by City Council by first and second readings on April 5, 2005 and April 19, 2005, respectively, and

WHEREAS, by successive extensions agreed to by the City and Time Warner the existing franchise agreement was extended through November 2, 2005 and during said period the parties entered into extensive negotiations ending on October 31, 2005, and

WHEREAS, prior to its third and final reading a public hearing was held by City Council on November 1, 2005 to receive public comments on the negotiated franchise agreement, and



Joseph W. Cheney

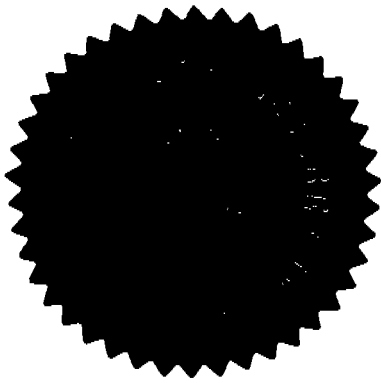
WHEREAS, the City finds, after consideration of public comments addressing the past performance of Time Warner and future community needs and also considering the public convenience, safety and general welfare of the City, it is in the best interest of the City to grant to Time Warner a franchise renewal for a term of ten (10) years.

NOW THEREFORE BE IT ORDAINED BY COUNCIL DULY ASSEMBLED, that Time Warner Entertainment-Advance/Newhouse a New York general partnership, d/b/a Time Warner Cable is hereby granted a non-exclusive cable service franchise for a term of ten (10) years, under the terms, conditions and limitations as contained in that certain Franchise Agreement consisting of 42 pages and Exhibit A containing 3 pages.

BE IT FURTHER ORDAINED, that the existing cable service franchise between the parties is hereby extended for a period not exceeding thirty (30) days for the execution of the franchise renewal as required under Section 1.3 of the above described Franchise Agreement.

BE IT FURTHER ORDAINED, that John H. Yow, City Administrator is hereby authorized and directed to execute said Cable Service Franchise on behalf of the City of Orangeburg, any and all other documents necessary to grant said franchise and to deliver the Cable Service Franchise to Time Warner for execution.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 1st DAY OF November, 2005.



Paul A. Min
Mayor

Bernard Haie

Gregory W. Pheneey

Charles B. Danwell, Jr.

Chris Dyer

Sandra F. Scott

Michelle A. Miller
Members of Council

ATTEST: Carrie H. Johnson
City Clerk



ORDINANCE 2005 - 7

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

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

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

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

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

NOW THEREFORE, BE IT ORDAINED, by Orangeburg City Council, duly assembled, that 18-4.2 of the Code of Ordinances of the City of Orangeburg is hereby amended by setting the following Suburban Fire Protection Rates, which shall be effective as of Nov, 16, 2005.

SUBURBAN FIRE PROTECTION RATES

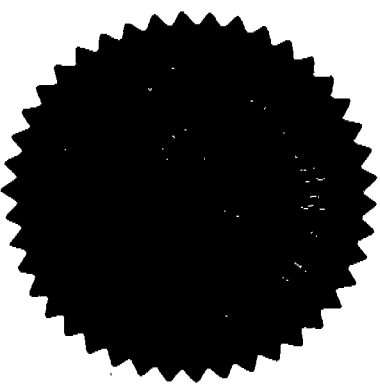
1.	1 st house less than 900 square feet	\$ 78.00
	All other miscellaneous structures on same lot	\$ 54.00
2.	1 st house 900 square feet to 1499 square feet	\$110.00
	All other miscellaneous structures on same lot	\$ 87.00
3.	1 st house 1500 square feet to 2099 square feet	\$118.00
	All other miscellaneous structures on same lot	\$ 93.50
4.	1 st house 2100 square feet to 2699 square feet	\$125.00
	All other miscellaneous structures on same lot	\$102.00
5.	1 st house 2700 square feet to 3299 square feet	\$132.50
	All other miscellaneous structures on same lot	\$110.00
6.	1 st house 3300 square feet to 3899 square feet	\$140.00
	All other miscellaneous structures on same lot	\$118.00
7.	1 st house 3900 square feet and larger	\$148.00
	All other miscellaneous structures on same lot	\$125.00
21.	Single Wide Trailer	\$ 78.00
22.	Double Wide Trailer	\$110.00
23.	Mobile Home Park, Each Single Wide Trailer	\$ 78.00
	Mobile Home Park, Each Double Wide Trailer	\$110.00
31.	Apartments less than 900 square feet or larger – 1 st apt.	\$ 78.00
	All other apartments	\$ 55.00
32.	Apartments 900 square feet or larger – 1 st apt.	\$110.00
	All other apartments	\$ 87.00
33.	Duplex, each apartment less than 900 square feet	\$ 78.00
	Second Duplex, less than 900 square feet	\$ 55.00
34.	Duplex, each apartment 900 square feet or more	\$110.00
	Second Duplex, 900 square feet or more	\$ 87.00
35.	Apartments less than 900 square feet with laundry	\$ 78.00
	All other apartments	\$ 55.00
41.	Vacant Lot not exceeding 5 acres	\$ 67.00
42.	Vacant parcels larger than 5 acres	\$101.00

51.	Business less than 1200 square feet	\$118.00
52.	Business 1200 square feet or larger	\$272.00
53.	Mall-shopping Complex	
	Under 1200 Square feet (each unit)	\$118.00
	1200 Square feet or Larger (each unit)	\$272.00
54.	Storage Warehouse – up to 3000 square feet	\$135.00
61.	Industrial, Manufacturing, or Institutions 1500 square feet to 100,000 square feet	\$ 1,340
62.	Industrial, Manufacturing, or Institutions over 100,000 square feet	\$ 2,012
63.	Hospitals	\$ 6,705
71.	Gasoline Service Stations	\$317.00
72.	Gasoline Service Station and Convenience Store with Underground Tanks	\$426.00
73.	Gasoline Service Station and Convenience Store with Above Ground Tanks	\$504.00
74.	Gasoline Bulk Plant	\$699.00
81.	Dumpster Sites (per site), or Manned Convenience Stations (per site)	\$155.00
99.	Unassigned (do not accept payment) All vehicle fires	\$425.00

No contracts:

When the Department of Public Safety responds to a residential call without a valid contract, the minimum service charge will be \$1,250.00 plus the price of the contract. All institutions, commercial or manufacturing calls will be billed for actual costs with a minimum charge of \$1,250.00 plus the cost of the fire contract. Fire reports will not be issued until the service charge is paid in full.

DONE AND RATIFIED BY Council duly assembled this 15th of November, 2005.



James G. Meier
Mayor

Blair Harris

Sandra P. Knott

Charles B. Danoff

Chris Ferguson

Jay W. Cheney

Council Members

Attest:

Carriah Johnson
City Clerk

AN ORDINANCE TO ESTABLISH EMERGENCY AND DISASTER PLANNING AND RESPONSE

BE IT ORDAINED BY CITY COUNCIL DULY ASSEMBLED, that the following Ordinance is hereby adopted for the purpose of establishing the authority of the City and its officers and employees in emergency and disaster situations.

Section

- 2-301 Purpose and Declaration of Policy
- 2-302 Mayor's Power During Emergency
- 2-303 Effective Date and Termination of Emergency Powers
- 2-304 Penalty for Violation of Emergency Proclamation, Rule, or Order
- 2-305 Selection of Director of Disaster Services
- 2-306 General Duties of Director of Disaster Services
- 2-307 Emergency Operations Plan
- 2-308 Other Specific Powers and Duties of the Director
- 2-309 Operational Organization
- 2-310 Emergency Procurements
- 2-311 Severability

SECTION 2-301. Purpose and Declaration of Policy.

This Ordinance is enacted to set out and clarify the authority of the City and its officers and employees with regard to emergency and disaster situations. It is intended to grant as broad a power as permitted by statutory and constitutional authority.

(a) Definitions:

(1) **Emergency:** as used in this article an emergency means the imminent threat or occurrence of a disaster, civil emergency or utility emergency affecting the City and its residents and inhabitants where the Mayor determines that the exercise or discharge of emergency or disaster powers is necessary to save lives, protect property, protect the public health and safety, or to lessen or to avert the threat of a catastrophe or calamity within the city.

(A) **Civil Emergency,** as used in this section, shall include, but not limited to, any condition of unrest, riot, civil disobedience, affray, unlawful assembly, hostile or military or paramilitary action, war, terrorism, or sabotage.

(B) **Utility Emergency,** as used in this section, shall include, but not limited to, conditions which endanger or threaten to endanger the safety, potability, availability, transmission, distribution, treatment, or storage of water, natural gas, gas, fuel, electricity, communication, garbage, or sewage.

(2) **Disaster:** As used in this article a disaster, whether natural or manmade, shall include, but not be limited to, flood, fire, tornado, earthquake, severe high or low temperatures, water contamination or pollution, land contamination or pollution, air pollution, blizzard, landslide, mudslide, hurricane, building or structural collapse, high water table, pandemic disease, epidemic, riot, blight, drought, civil emergency, utility emergency, severe energy shortages, snow, ice, windstorm, hazardous substance spills or releases, chemical spills or releases, petroleum spills or releases, biological matter spills or releases, radiation releases or exposures, infestation, explosions, sabotage, or public health emergencies.

SECTION 2-302. Mayor's Power During Emergency.

Notwithstanding any provision of this Code to the contrary, when the Mayor determines in the Mayor's sole discretion that a state of public emergency exists with the

SECTION 2-305. Selection of Director of Disaster Services.

The City Administrator or the City Administration's designee shall serve as the City's Director of Disaster Services.

SECTION 2-306. General Duties of Director of Disaster Services.

(a) The Director of Disaster Services shall be responsible for the performance and supervision of performance of all duties in connection with coordinating and carrying out the City's role in furnishing services in the event of major natural or manmade disasters or emergencies.

City, the Mayor may by proclamation declare a state of emergency, govern the City by proclamation, and exercise through the assistance of the Director of Disaster Services and in consultation with the City Attorney, all emergency powers, including but not limited to all of the following:

(a) The power to direct emergency response activities by City departments including but not limited to the police and fire departments, and by such emergency services personnel as the Mayor may designate or appoint.

(b) The power to execute contracts for the emergency construction or repair of public improvements, when the delay of advertising and public bidding might cause serious loss or injury to the City, upon following the procedures of Section 2-309.

(c) The power to purchase or lease goods and services that the Mayor deems necessary to the City's emergency response or for the repair of City facilities, or both, upon following the procedures of Section 2-309.

(d) The power to lease real property, or structures, or both, that the Mayor deems necessary for the continued operation of City government.

(e) The power to promulgate rules and orders to implement and clarify the mayoral proclamation exercising emergency power.

(f) The power to delegate any or all of these duties to the Director of Disaster Services as defined in Section 2-305.

In the event the Mayor is unavailable, the Mayor Pro Tem of the city council shall have the authorities listed in this section, followed by the City Administrator of the city and then followed by the most senior ranked member of the city council.

SECTION 2-303. Effective Date and Termination of Emergency Powers.

Proclamations, rules, and orders issued pursuant to Section 2-302 shall be effective upon issuance and shall remain in effect: for a period of up to 14 days. This period may be extended by the Mayor only upon approval of the city council. Upon the expiration of the local state of emergency, those persons acting pursuant to Section 2-302 shall cease to exercise emergency powers.

SECTION 2-304. Penalty for Violation of Emergency Proclamation, Rule, or Order.

The violation of a proclamation of emergency, a subsequent proclamation exercising emergency powers, a rule, or order, which proclamation, rule or order is issued pursuant to Section 2-302, or the violation of any order or directive given by a peace officer or designated emergency services personnel pursuant to authority resulting from Section 2-302 is a misdemeanor and punishable as provided in Section 1-11.1 of this Code.

SECTION 2-305. Selection of Director of Disaster Services.

The City Administrator or the City Administration's designee shall serve as the City's Director of Disaster Services.

SECTION 2-306. General Duties of Director of Disaster Services.

(a) The Director of Disaster Services shall be responsible for the performance and supervision of performance of all duties in connection with coordinating and carrying out the City's role in furnishing services in the event of major natural or manmade disasters or emergencies.

(b) The Director of Disaster Services shall assist the Mayor in the exercise of emergency powers under Section 2-302.

(c) The Director of Disaster Services shall act in coordination with the State,

other governmental agencies and the Department of Public Utilities as may be necessary to plan and implement a joint jurisdiction emergency planning and disaster services plan and mutual aid arrangements.

(d) The Director of Disaster Services shall consult with the City Attorney in the planning and exercise of emergency powers.

SECTION 2-307. Other Specific Powers and Duties of the Director.

The Director of Disaster Services shall:

(a) Request the Mayor when appropriate to declare a state of emergency as provided in Section 2-302.

(b) Control and direct emergency training activities.

(c) Maintain a liaison with other municipal, state, regional and federal disaster services agencies.

(d) With the approval of the Manager of the Department of Public Utilities, marshal and direct, after the declaration of a state of emergency, the operational disaster services organization of the city, including all necessary personnel, equipment and supplies from any department of the City to aid in carrying out the emergency operations plan.

(e) Prepare under the direction of the Mayor in consultation with the City Attorney, all necessary emergency proclamations, rules, and orders, pursuant to Section 2-302, and implementing the emergency operations plan.

(f) Coordinate the drafting of proposed mutual aid agreements.

(g) Serve as an operations officer for any joint or mutual emergency operation administration.

(h) Assume other emergency responsibilities as assigned by the Mayor or City Council.

SECTION 2-308. Operational Organization.

The operational disaster services organization of the City shall consist of municipal officers and employees who may be designated by the City Administrator and volunteer workers. Plans of organization shall substantially conform to recommendations of the federal government and the State Office of Emergency Management.

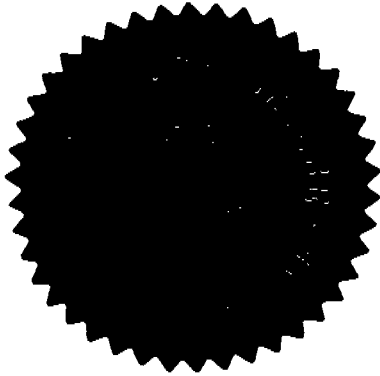
SECTION 2-309. Emergency Procurements.

Notwithstanding any provision of this Code to the contrary, the Mayor, upon declaration of a state of emergency by proclamation as provided in Section 2-302 may authorize the City Administrator, the Manager of the Department of Public Utilities or their designees to procure by purchase or lease, such goods and services as are deemed necessary for the City's emergency response effort. This emergency procurement of goods or services may be made in the open market without filing a requisition or estimate and without advertisement for immediate delivery or furnishing. A full written account of all emergency procurements made during this emergency, together with a requisition for the required materials, supplies, equipment, or services shall be submitted to or provided by the City Administrator within thirty (30) days after their procurement, and shall be open to public inspection for a period of at least one year subsequent to the date of the emergency purchases. The City Administrator shall, within one (1) month of the conclusion of the emergency, formally communicate these emergency expenditures in a full written account to the City Council.

SECTION 2-310. Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held invalid or unconstitutional or if the application of this Ordinance to any person or circumstances is held invalid or unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 6th DAY OF DECEMBER, 2005.



Paul A. Miller
Mayor

Bernard Hair

Sandra P. Knotts

Charles B. Barnwell

Wesley A. Miller

Ch. J. Jernigan

Joseph W. Keneey
Members of Council

ATTEST: Carrick Johnson
City Clerk

**Ordinance To Annex property Along Chestnut St. Into City Limits
of The City of Orangeburg, South Carolina
75 Percent Petition Method**

WHEREAS, a proper petition has been filed with the City Council of the City of Orangeburg by at least 75 percent of the freeholders owning at least 75 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation of the property to the City of Orangeburg under the provision of S.C. Section § 5-3-150 (1) and

WHEREAS, it appears to Council that annexation would be in the best interest of the property owners and the City of Orangeburg; and

WHEREAS, notice and public hearing requirements of S.C. Section § 5-3-150 (1) have been complied with.

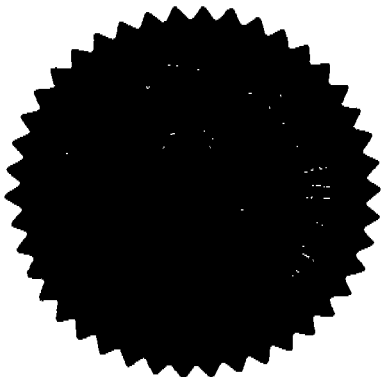
NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Orangeburg, State of South Carolina, in council duly assembled and by the authority of same that the property herein described is hereby annexed to and becomes a part of the City of Orangeburg effective December 22, 2005.

The territory to be annexed is described as follows:

All that certain tract land situate, lying and being contiguous to the city limits of the City of Orangeburg, South Carolina and fronting on Chestnut Street and U.S. 601 (Magnolia Street) and having the following boundaries and measurements: North by property of the City of Orangeburg and the railroad right-of-way of Norfolk Southern Railroad, 455 feet; East by properties of Charles & Willie Thomas, Nikki Polite, Young Fannie & Sons Heirs, Richard Mae Tyler and George Winds, Jr. and measuring thereon 230 feet and the right-of-way of U.S. 601, 150 feet; South by the right-of-way of Chestnut Street and measuring thereon 865 feet; and West by property of Monroe, 175 feet. All measurements being more or less. The said tract is more particularly shown and outlined in blue on the attached Exhibit A, which is incorporated herein by reference.

The property shall be zoned B-1 General Business.

**DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA
THIS 22ND DAY OF DECEMBER, 2005.**



Paula Min

MAYOR

Samuel Haire
Janice R. Knox
Julius A. Miller
George W. Kennedy
Charles B. Brown

Attest: *Carrie H. Johnson*

CLERK

AN ORDINANCE TO AUTHORIZE THE SALE OF THE ADMINISTRATIVE OFFICES
AND COURTROOM OF THE CITY-COUNTY LAW ENFORCEMENT COMPLEX TO THE
COUNTY OF ORANGEBURG

WHEREAS, the City of Orangeburg heretofore participated in conjunction with the County of Orangeburg with the construction and maintenance of the administrative offices and courtroom of the Law Enforcement Complex located on Ellis Avenue in the City of Orangeburg, State of South Carolina, and

WHEREAS, the City of Orangeburg anticipates completion of its separate Department of Public Safety Administrative Building and the courtroom on or before March 31, 2006, and

WHEREAS, the County of Orangeburg has agreed to purchase the buildings, fixtures and other improvements comprising the administrative offices and courtroom of the above Law Enforcement Complex located on Ellis Avenue for the consideration of Four Hundred Seventy Five Thousand Five Hundred and No/100 (\$475,500.00), and

WHEREAS, the City of Orangeburg finds that it is in its best interest to relinquish and convey to the County of Orangeburg all of its right, title and interest in and to said buildings, fixtures and other improvements as described hereinbelow.

NOW, THEREFORE, BE IT ORDAINED by Council duly assembled that the below described properties be conveyed to the County of Orangeburg for the total consideration of Four Hundred Seventy Five Thousand Five Hundred and No/100 (\$475,500.00) Dollars payable to the City of Orangeburg on the date of the execution of a deed and other documents necessary to relinquish any right, title and interest in and to said properties, subject to the right of possession and occupancy of the City of Orangeburg until March 31, 2006.

BE IT FURTHER ORDAINED that the City Administrator is hereby authorized and directed to execute and deliver a deed conveying said properties to the County of Orangeburg and any other documents required to accomplish the purpose described herein.

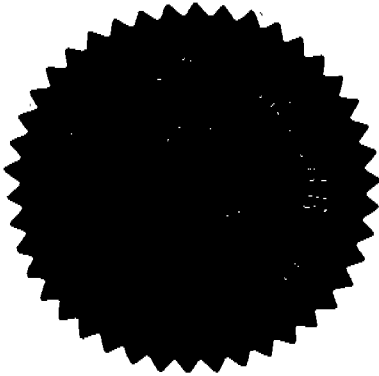
Description of property:

All those certain buildings, fixtures and other improvements located on the property of the Grantee; said property being more particularly set forth and shown on a plat of the property of Orangeburg County prepared by B. Reese Early, approved by H. Frank O'Cain, C.E. dated October 31, 1972 and recorded in the Office of the Register of Deeds for the County of Orangeburg, State of South Carolina in Plat Book 55 at page 5. The said property has such metes, boundaries and measurements as set forth and shown on said plat which is hereby made a part hereof by reference.

Being the buildings, fixtures and other improvements located on the same property conveyed to Grantee by deed of A. J. M. Wannamaker dated November 1, 1972 and recorded in said Office of the Register of Deeds in Deed Book 371 at page 345.

LESS AND EXCEPTING, all buildings, fixtures and other improvements located on that certain portion of the above described property conveyed to the City of Orangeburg by deed of the County of Orangeburg dated January 18, 1984 and recorded in said Office of Register of Deeds in Deed Book 492 at page 519, containing 10 acres and being set forth and shown on a plat of survey for the City of Orangeburg by Kirk N. Nivens, Jr., RLS, dated May 27, 1983, revised May 30, 1983 and August 12, 1983 and recorded in said Office of Register of Deeds in Plat Book 55 at page 58; said property having such metes, boundaries and distances as set forth and shown on said plat which is hereby made a part hereof by reference.

DONE AND RATIFIED by Council duly assembled this 27th day of December 2005.



Laura Miller

Mayor

James D. Haire
Sandra R. Kutt
Thomas A. Miller
James N. Roney
Charles B. [unclear]

Members of Council

ATTEST: *Carroll Johnson*
City Clerk