

Williston Town Council
Regular Monthly Meeting
May 13th, 2011

MINUTES:

Notice of this meeting was posted at the Williston Town Hall and provided to The People Sentinel newspaper at least 24 hours in advance of the meeting in accordance with the S.C. Freedom of Information Act.

Members of Council PRESENT: Councilman Baxley, Councilwoman Matthews, Mayor Rivers, Councilman Holmes and Councilman Frederick. Absent was Councilman Benjamin.

Town Attorney Tom Boulware was also present as well as the Town Administrator Chris Carter.

Councilwoman Frederick gave the invocation and Councilman Matthews led the Pledge of Allegiance.

Mayor Rivers called the meeting to order and stated that a quorum of Council was present, and welcomed everyone to the meeting.

Councilwoman Matthews a motion which was seconded by Councilman Baxley to approve the minutes from the May 9th Regular and May 31st Special Meetings of Town Council and the motion passed unanimously. Mayor Rivers noted the presence of a Treasurer's Report as well as a quarterly report from the Fire Department.

Public Forum

No one spoke during the time set aside for public comment.

Agenda

Councilman Baxley made a motion to approve the agenda. Councilwoman Holmes seconded the motion. All in favor.

1. Consideration of separate Ordinances on skateboarding with the Town Park of Williston.

a. Second Reading on an Ordinance entitled "AN ORDINANCE TO PROHIBIT SKATEBOARDING WITHIN THE PUBLIC PARKS OF THE TOWN OF WILLISTON, SOUTH CAROLINA, EXCEPT WHERE DESIGNATED AS A SKATEBOARDING AREA BY THE TOWN OF WILLISTON"

After brief discussion and upon motion of Councilwoman Matthews, Seconded by Councilman Holmes the following the Council voted unanimously to approve the following Ordinance.

May 10th

ORDINANCE NO. 2011-05-01

AN ORDINANCE TO PROHIBIT SKATEBOARDING WITHIN PUBLIC PARKS OF THE TOWN OF WILLISTON, SOUTH CAROLINA, EXCEPT WHERE DESIGNATED AS A SKATEBOARDING AREA BY THE TOWN OF WILLISTON, SOUTH CAROLINA

BE IT ORDAINED BY THE TOWN OF WILLISTON, SOUTH CAROLINA:

Section 1: Chapter 58, Article II, of the Code of Laws of the Town of Williston, is hereby amended by adding thereto a new Section 58-34 which shall read as follows:

Section 58-34. SKATEBOARDING PROHIBITED IN PUBLIC PARKS OF THE TOWN OF WILLISTON, SOUTH CAROLINA, EXCEPT IN AREAS DESIGNATED BY THE TOWN

No person upon skateboards shall go on any public park of the Town of Williston except in an area that might be designated for skateboarding by the Town.

Section 2: All ordinances or parts of ordinances in conflict herewith are repealed to the extent of inconsistency.

Section 3: This ordinance shall become effective upon its adoption.

DONE IN COUNCIL, this 13th day of June 2011, 2011.

First Reading May 10th 2011
Second Reading June 13th 2011

Thomas R. Rivers
Thomas R. Rivers, Mayor

Chris A. Gantz
Town Clerk

b. First Reading of *AN ORDINANCE TO ESTABLISH THE WILLISTON SKATE PARK WITHIN THE PUBLIC PARK OF THE TOWN OF WILLISTON*. After some discussion the Council by consensus agreed to continue this matter until the July meeting of Town Council.

2. Public Hearing on a petition from Nancy Barwick to rezone property located off Buice Circle from Residential R-12 to single and two family residential (R-7). First reading of an *Ordinance (2011-06-01)* to effect the rezoning.

Administrator Carter reported that the Planning Commission had met in May and considered this petition and had unanimously recommended that Council adopt the proposed ordinance. Upon Motion of Councilwoman Matthews, seconded by Councilman Baxley the Council voted unanimously to approve the first reading of the Ordinance as submitted.

3. First reading of an *Ordinance 2011-06-02 providing for the Issuance and Sale of Town Williston, South Carolina Waterworks and Sewer System Refunding and Improvement Revenue Bond, Series 2011 in the principal amount of not exceeding \$1,600,000; prescribing the form and details of such bond; and other matters relating thereto.*

Administrator Carter reminded the Council that this matter was related to the development of a proposed new water well on Elko Street and water line improvements in the area and to develop capacity for the Crane advertising plant formerly known as Dixie-Narco. Specifics of the water-line financing were discussed including a proposed interest rate. After some discussion the matter was scheduled for second reading for a special called meeting to be for June 30th at 5 PM.

Upon motion of Councilwoman Matthews, seconded by Holmes the first reading of the above-captioned ordinance was approved.

4. Consideration of a municipal services contract between the Town and Barnwell County for the provision of the services of a county magistrate, Robert Cooper, to serve as municipal judge for the Town of Williston.

Attorney Boulware indicated that this Agreement set forth the arrangement previously discussed between the County and Town for a County Magistrate to serve as Municipal Judge. After brief discussion and upon motion of Councilman Baxley, seconded by Councilwoman Matthews the following agreement was approved.

STATE OF SOUTH CAROLINA,
COUNTY OF BARNWELL.

AGREEMENT.

THIS AGREEMENT made and entered into this 13th day of June, 2011, by and between the Town of Williston, South Carolina, hereinafter referred to as the Town, and Barnwell County, South Carolina, hereinafter referred to as the County.

WHEREAS, the County employs a magistrate who possesses the qualifications and abilities desired by the Town for its Municipal Judge; and

WHEREAS, the Williston Town Council has voted to retain the services of said magistrate through a contract with the County; and

WHEREAS, the County is amenable to the use of said county magistrate as Municipal Judge for the Town to provide municipal recorder services for the Town.

NOW, THEREFORE, in accordance with the procedures established by the Chief Justice of the South Carolina Supreme Court for contracting with a county to employ a magistrate to preside over a municipal court, the parties agree as follows:

Section 1: The County agrees to allow the Town to retain the services of Robert Cooper to serve as Municipal Judge for the Town.

Section 2: That the Town shall be obligated to compensate the County for said services, and the magistrate shall be entitled to such compensation for these additional duties as shall be set by the Mayor and Town Council of the Town of Williston.

Section 3: That the Town shall provide all clerical staff required for the handling of municipal cases pursuant to this contract, all cases disposed of shall be reflected on the Municipal Court dockets, and all fees, fines, and costs shall be handled through the municipal finance officers and not through the Barnwell County Treasurer.

Section 4: It is agreed between the parties hereto that the County will insure that the functions of the Municipal

5. Consideration of a corporate banking resolution between the Town and First Citizens Bank Trust designating signatories and officers for the purpose of effecting transactions between the Town and the First Citizens Bank and Trust.

Administrator Carter indicated that there needed to be some new signature cards signed to authorize additional Board members to sign checks and other financial transactions on the part of the Town given the fact that a Council member had left the Board who were authorized, the Clerk was on maternity leave and one Councilmember who had been authorized was not going to be running. After discussion and upon motion of Councilman Baxley, seconded by Councilman Frederick the Council agreed to designate Councilwoman Matthews and Councilman Holmes as signatories for the Town's accounts with First Citizens Bank.

6. First reading of a *AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE TOWN OF WILLISTON, SOUTH CAROLINA FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012 (Budget Ordinance 2011-06-03)*

Administrator Carter indicated that a finalized budget document had been approved and was on file in the Clerk's Office. The Mayor indicated that second meeting would be necessary

this month to hold a public hearing and if possible to pass the Budget Ordinance that had been included in the agenda packets. Upon motion of Councilman Holmes, seconded by Commissioner Frederick, the Council agreed to call for a public hearing and second reading of the budget and set the date of the hearing as June 30th at 5 PM. After discussion this motion was unanimously approved. Mayor Rivers asked that everyone try to attend since June 30th was technically the last day of the fiscal year.

Administrator's Report

The administrator had no comments.

Mayor's Report

The Mayor advised the Board that he along with the Town Administrator would be attending a meeting of the Barnwell County Council to discuss the Town's concern Discussion of existing financing arrangement between Barnwell County and other counties associated with the Quad County Park II regarding the distribution of FILOT revenues. He explained that the County Council was looking at an industrial location near Kline and considering changing the distribution of the "fee in lieu of taxes" arrangement that currently existed and that it may be troublesome for the School Districts to lose that revenue as well as Barnwell County citizens. He referred to the following letter.

June 6, 2011

Mr. Travis Black, Chairman
Barnwell County Council
52 Wall Street
Barnwell, SC 29812

Re: FILOTS

Dear Mr. Black:

Although the Town of Williston is appreciative of any industrial expansion occurring in its limits and certainly interested in new locations of industry here, it is opposed to the proposed Quad County Park Agreement that splits FILOT revenues of expanding and newly located industries having capital investment levels of \$20,000,000 or more on a 40/20/20/20 page basis with the other three counties of Allendale, Bamberg and Hampton. The impact of this new proposed arrangement whereby only 40% of FILOT revenues generated by industry expanding or locating in Barnwell County would remain in Barnwell, would have a considerable negative impact on our Town, School District and County operating revenues. Our Town Council's action to preserve the current 97/3 % revenue split, when it appeared the assessed valuation of the recent Crane Company expansion at the Dixie-Narco site might exceed \$20,000,000, is an indication the Town feels the new proposed arrangement of a 40/20/20/20 revenue split, is counter to the interest of the Town and of course Barnwell County residents.

We think it is accurate to say that the Town of Williston will oppose the approval of any future FILOT Agreement on projects that would expand or locate within its municipal limits under the proposed Quad County Park Agreement, as it appears to be structured, since it sends 60% of FILOT revenues to 3 neighboring counties. Although the Town of Williston cannot speak firsthand of what the City of Barnwell, the Town of Blackville or the Town of Snelling would do in a similar situation, it is clear the Town of Williston desires to see the majority of FILOT revenues stay in Barnwell County, if for no other reason than preserve school district revenues.

We realize County Council understands that each Barnwell County municipality, should a project be located within their municipal limits, has the ability to reject a FILOT Agreement, even though County Council approves it. We would encourage the County Council not adopt the proposed 40/20/20/20 being considered now so as to avoid any future conflict such as the one that

almost surfaced with our recent Crane Corporation expansion. The proposed FILOT revenue split arrangement has the potential to create unnecessary conflict between the County and its municipalities. That is a circumstance that the Town of Williston does not desire and one that could easily put future capital investment and job creation in Barnwell County in jeopardy.

We would be happy to discuss our position on this further either in person or by a phone call if you think it would be necessary or helpful. Hopefully your own thoughts mirror these expressed in this letter.

Sincerely,

Thomas R. Rivers, Mayor

Chris A. Carter, Administrator

cc file copy

After some discussion the Town Board upon motion of Council woman Matthews, seconded by Councilman Baxley unanimously endorsed the idea of the Mayor expressing these thoughts in person to the County Council.

The Town Administrator mentioned he received a letter from Tracy O'Neal requesting the Council's support of an event to be called the "Back to School Bash" which is being scheduled at the Williston Park by the Williston-Elko Class of 1999. The purpose of the event is to build enthusiasm for the new school year among the District's students. The Town Board offered its endorsement of the event.

Ms. Felicia Cuthbertsen addressed the Council informing them about another series of community events being sponsored by the Williston-Elko Community Resource Center whereby events such as movie showings and other family oriented activities are being planned in the community for the summer.

Council Comments:

Councilman Baxley requested that there was some overhanging limbs on Harold, Kelly and Dick Street and requested this matter be looked and possibly some trimming be undertaken over the sidewalk.

There being no further business the meeting adjourned at 8:43 PM.

TOWN OF WILLISTON, SOUTH CAROLINA

Thomas R. Rivers, Mayor

ATTEST:

Chris Carter Administrator for Angie Overton, Town Clerk

Date