

Council Meeting Minutes
For
March 5, 2007
Branchville Town Hall
7:00 P.M.

PRESENT

Mayor Tim Cooner
Councilman Glenn Miller
Councilwoman Amy Bryant
Councilwoman Benita Gibbs
Councilwoman Georgianna Harmon
Councilman Chris Ott

OTHERS PRESENT

Rhonda Thompson Town Clerk

GUESTS

Luther Folk	Bill Silverthorne	Carolyn Campbell	Robert Berry
Beatrice Miller	Beverly Berry	Betty Skolasky	Debra Perugini

Mayor Cooner asked that all stand for the Pledge of Allegiance followed by a moment of silence.

Mayor Cooner welcomed everyone out and said it was a nice little crowd. Mayor Cooner then advised the Council he needed to go into executive session to discuss a personnel matter.

APPROVAL OF MINUTES

Mayor Cooner asked the pleasure of Council on the approval of minutes. Councilwoman Harmon motioned and Councilwoman Bryant seconded. Councilman Miller said he had some questions regarding the some issues in the last minutes, first being the prime on the pump was that corrected? Mayor Cooner said last Friday with Gorman Rupp out of Myrtle Beach at \$50.00 an hour and \$1.25 a mile. Councilman Miller said needed update on the clean up at the high school, Mayor Cooner said from comments from Mr. Folk that something happened around there but Mayor Cooner has not seen it himself. Councilman Miller then stated how about the noise from the peanut plant? Mayor Cooner said nothing about that as of yet. Councilman Miller then said the Town limit sign on 78E was 1500 feet to close into Town. Mayor Cooner said to write a letter to JoAnn Dantzler with the SCDOT regarding the location of the city limit sign on highway 78 East.

PUBLIC COMMENTS – AGENDA ITEMS/NON AGENDA ITEMS

Mayor Cooner asked for public comments on items of agenda, hearing none.

PUBLIC COMMENTS OF OTHER MATTERS

Mr. Robert Berry asked for the Mayor and Council to consider putting up a sign recognizing the Branchville Basketball team who went to region this year and won

Region Six, 1A Championship 2007. Councilman Miller said that would not be a problem because we have a Town Marquis to put this information on. Mayor Cooner advised Mr. Berry to find out exactly how the wording should read and to bring it to the Town Hall and we would get a sign up. Ms. Beatrice Miller said she wanted to speak about the Seniors, and was so proud the Center was open, but she is very concerned about the parking. Ms. Miller they try to park as much as they can in the back and the rest have to park on Main Street, and the cars and trucks have no respect for them and Ms. Miller was wondering if the Seniors could be moved to the old elementary school. Ms. Miller said there would be plenty of room for parking, exercising, quilting or whatever they would want to do. Ms. Miller said she knows it would need repairs but just wanted to mention that tonight. Councilman Miller stated the trucks and other vehicles, whether it is Seniors or not, need to be slowed down. Councilman Miller said once more we can keep running because people are doing things that are not right. Mayor Cooner said we tried initially to move this and the first thing that was said that the people wanted to be able to go to Dollar General and to Ott's, Mayor Cooner said it did not matter to him to put it wherever they wanted. Mayor Cooner then said maybe buy some property behind the Community Center and use it for additional parking. Mr. Silverthorne commented that he thought the Town had plans for the old Lockett School. Mayor Cooner said there was talk and pushing by Orangeburg County Council to open something like an after school program center. Mayor Cooner said we do have some money allocated for the gym. Mayor Cooner said the First Penny money is about up and the New Penny money is not in their hands yet. Mr. Silverthorne said he just so happened to be in the Mayor's office the morning Orangeburg County came to announce they had some money coming for the Town, and that the Town needed to come up with a plan on how they planned to utilize. Councilwoman Harmon said was it the same money used for the hut? Councilman Ott said have you walked through the school lately, it will take a lot of money to fix that school up. Mayor Cooner said big bucks! Councilman Miller said the school needs to be cleaned and it should have been secured from the very beginning, and the longer we talk about it the worse it will get. Councilman Miller added that he thought we took so long to decide what to do than any plans just fall by the wayside. Councilman Miller said it is no worse than the Freight Depot, the money that will be spent on the Depot only a portion would bring the old elementary school back up to standard. Mayor Cooner said nothing ever happened with the old high school either, and the truth be known that Mayor Cooner and Councilman Miller met with some folks to try and get a nursing home facility and we exhausted every avenue possible. Mayor Cooner said the building was secure when the Town inherited it, motion sensors and alarms. The windows keep getting knocked out. Mayor Cooner said he believed that adults were trying to steal air conditioning units. Mayor Cooner went on to say the money we have is not enough to go around to fix everything, for instance look at this building, go into the hallway and look at the termite infestation and go up stairs and look on a rainy day. Mayor Cooner said its only "X" number of dollars we get from county taxes. Just like the Freight Depot, once we fix it up, what is the Town going to do with it? If we fix up the school what are we going to do with it? Mayor Cooner said we own the old District Office building and it was a nice building and it sat there and collected mildew and now it is in bad shape. Mayor Cooner said the Town of Branchville is property poor, we can't maintain what we have. Mayor Cooner said every night someone is around at the gym

playing something, but if you were to go in there the trash cans probably have not been emptied, the floors have not been swept and the bathrooms are just awful. Mayor Cooner then stated if the school is going to utilize the gym they should put it in their budget to help maintain that building. Mr. Silverthorne said the Town needs to wait and see what Orangeburg County Council has in mind for the school, that Mr. Wimberly and Ms. Henderson has something in mind. Mayor Cooner said he wished he knew what that would be. Mayor Cooner said, it is just his opinion, but if the Town moves the Seniors to the old elementary school and you watch and see the participation decline. Councilman Miller agreed with the Mayor. Mr. Silverthorne said he supported the idea of the old elementary school because if fixed up would become a complete center with plenty of parking. Ms. Beatrice Miller said she received a letter from the Lieutenant Governor's office saying if the Seniors needed anything to let them know. Mayor Cooner said if that was the case, when we needed the \$13,000 to get the meals extended for a few more months, why did the Lieutenant Governors office step up then and get the money we needed? Mayor Cooner said he brought up once before to move the Community Center down to the Hut and no one agreed. Then Mayor Cooner brought up to the Council about renovating the Town Hall, which we currently have \$350,000 to use and will take approximately 1,000,000 to complete and in doing so, remodel the upstairs for the Seniors, and divide different rooms for different activities. Mayor Cooner said we would have elevators and but if you stick with this building you still have the same situation with the parking. Ms. Miller said none of the Seniors will speak out, they will tell her one thing and if the Mayor goes over there they will tell him something else. Councilman Miller said that Ms. Miller needed to be the spokesperson for the Seniors. Councilman Miller told Ms. Beatrice Miller to go back and ask the Seniors, which they would prefer, the Community Center or the old elementary school. Mr. Silverthorne said this was the Mayor's program he put together, and wondered if there were any programs better than the one our Town has and the Mayor replied that we lead the county. Mayor Cooner also stated that our Seniors give more \$ per day than any other facility in the county and that is saying a lot for Branchville. Mayor Cooner said mark it in the book tonight, if we move the meal program it will die. Councilman Miller said the only way the program would live is everything in the old elementary school would have to be completed. Mayor Cooner said we need to pray tonight for Congressman Jim Clyburn, because he now holds the whip. Ms. Betty Skolasky said there were a couple local churches that have buses and would be a possibility for the Seniors to park at the hut and the church buses bring them down to the Community Center. Mayor Cooner responded by saying who would be responsible for taking on that liability?

APPROVAL OF FINANCIAL REPORT

Mayor Cooner asked pleasure of approving the financial report and Councilwoman Harmon motioned and Councilman Ott seconded.

COMMITTEE AND STAFF REPORTS

Police Department

-Mayor Cooner stated that the Police Department has not had any break-ins or anything of any significant matter to happen.

Administrative Office

-Mayor Cooner asked Councilman Miller if there was anything new to report and Councilman Miller responded by saying no.

Public Works

-Mayor Cooner said he finally was able to get in touch with Michelle Cardwell last Thursday or Friday to see what the hold up on the USDA grant. Mayor Cooner was told that USDA was not pleased with some of the language in the engineers contract. Mayor Cooner said previous plans was to be able to start the month of March and here it is March and it has not even been put out to bid. Mayor Cooner said he doesn't know what the hold up is, but is aware that they are short handed in the USDA Aiken office and Michelle had been doing two persons jobs. Mayor Cooner reported on the Streetscape project with CDBG is well on the way we have met with the Department of Commerce and complied with all they requested. We have also received the environmental assessment and complied with that. Mayor Cooner stated with any Streetscape you have to consider Rail Rode Daze, and is looking to put this out for bid in March or April and that would mean start to work in June or July. Mayor Cooner said he would hate to have this in the minutes but can we really do this work in a 90-day period. Councilwoman Bryant mentioned if it rains a lot we would have no control over that. Mayor Cooner said it is too hard to plan work around a weekend event. Councilwoman Harmon stated to do what is the most crucial first. Mayor Cooner said that can be requested but we are going to tear out all the curb and gutter and that would just have to be roped or tied off. Mayor Cooner said what was going to be awful is if we get to do Streetscape before we can get started on the Water project. Mr. Silverthorne asked would his committee be involved with the Streetscape project and if so they wanted to know specifics. Mayor Cooner said that one primary contractor should handle the CDBG portion. The SCDOT portion should go to one or two contactors. Mayor Cooner said the Beautification committee could come in on the part where we have \$100,000 to spend between Ott Oil Company and the Villa's. Mayor Cooner said it was no fault of anyone but his own, but the flower beds in the Town have to go, he went on the say they are pretty but if you have no one to maintain them then they can truly begin to look awful, and we could put brick them up. Mayor Cooner stated that he re-evaluated the curb and gutter on 78 and thought we might need it up to Ott street that one block and come back with some type of trees and lights that would go all the way to the Villa's. Mayor Cooner said the type of lights that we currently have would not work on that street. Councilman Miller mentioned the lights they have on Russell Street are much larger than ours and put out good light. Councilwoman Harmon asked how much money we have allocated for Streetscape and the Mayor replied about \$1,000,000 between both grants. Mayor Cooner then took a five-minute recess to get drawings out of his office and returned went over the original plan, which omitted parking on the side of the street that most of the businesses were located, so the plans have since been redesigned. Mayor Cooner then discussed the new plans in great length and detail. There was also general discussion and questions amongst the Council during the details of the Streetscape project. Councilwoman Harmon asked if the trash dump behind the Chinese restaurant could be move of fenced off because it smelled really bad and was an eye sore. Mayor Cooner said for the lack of

better words Mr. Bill Silverthorne is our enforcement officer and in so being, he sent out letters, which received no response. Mayor Cooner said Branchville is getting laughed at and everyone needs to drive around by Dollar General and look at the house with the 40,000 beer bottles. This particular house received a letter and no response has been made. Mayor Cooner said to send one more certified letter and allow 30 days to have action plan in place. Mayor Cooner said the next thing is the fellow down here giving us a fit has started to comply. Mayor Cooner said to take a ride down Hwy. 78 West with the cars in the yard and a truck sitting on the sidewalk and has torn the median up. Councilman Miller said a car parked on the sidewalk should be ticketed, Mayor Cooner said I could have it ticketed and Councilman Miller said I think we need to. Mayor Cooner said he would not mind meeting these people in court at the tune of \$200.00 per day fine. Everyone was in agreement that it is frustrating when you are walking and have to go off of the sidewalk to go around a vehicle. Ms. Betty Skolasky said isn't there a law to how many cars you can have in your yard untagged. Mayor Cooner said that law was one and it had to be covered with a car cover, tarp or be enclosed in an outside building. Mr. Silverthorne said it was not just that part of Town it was all over Town in different areas, and if you are talking about just sending out two letters, he has a list of twenty-five he has been trying to get something done with. Ms. Carolyn Campbell said the people you tell to clean up their yards, would come back and say well look at the Freight Depot and the mess it is in. Mayor Cooner said let the record show this, that whoever would say that don't give two hoots in hell about Branchville, because as of today Branchville has not taken ownership of the Freight Depot. Mayor Cooner stated he has not raised property taxes in twelve years, but he would be the first to vote on it, but that would be the way to run the people out of Branchville. Councilwoman Bryant said we are talking about houses, what about land that is littered up. Mayor Cooner said the Town could send a letter to have that area cleaned up also. Councilman Miller said but you know people are not going to do in the street that they won't do at home. Everyone agreed.

Mayors Report

Mayor Cooner reported that the pumps have now been fixed, the wastewater chlorination and de-chlorination is done the drinking water is not done yet. Mayor Cooner said regarding CBP. they have hired a lawyer and Mayor Cooner has contacted attorney Jay Jackson and he has spoken with the CBP lawyers and they wanted to meet and try to settle this out of court. Mayor Cooner said with DHEC we started out with a \$14,000.00 fine down at the sewage pond and we are now down to around \$3800.00 or \$4200.00. Mayor Cooner passed out to the Council members a Retirement Systems Enrollment Application and asked them to complete as much as they could and return to the Town Clerk. Mayor Cooner then read the letter where Mr. Nathaniel Lincoln served on Town Council for 16 years and learned later on that he could have been eligible to enroll in the Retirement System. But was never informed of this right while he served on Council. Mayor Cooner then questioned Councilman Miller that when Ms. Hughes was Clerk, did we not inform Council members that they could enroll in the Retirement System? Councilman Miller said he would find that answer in his minutes. Mayor Cooner finished reading in length the letter from the attorney Mr. Lincoln has hired. Mayor Cooner said what are we going to do about this matter. Council agreed to find it in the

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minutes. Councilwoman Bryant said Johnny Chavis came to her one evening and wanted to know what was going on with the ball field and needed an answer by Wednesday because they need a temporary fence. Councilwoman Bryant said he found some that would cost approximately \$1300.00 and \$1500.00 installed. Mr. Silverthorne said that Councilwoman Bryant was correct it was a mesh type fence that can be moved in closer or out depending on what type of game is being played. Councilman Miller said we don't need to spend \$1500.00 on a \$100.00 fence, and Mr. Silverthorne said it was a \$1500.00 fence. Councilman Miller said he knew what kind of fence it was. Mr. Silverthorne agreed that the ball teams really do need the fence. Councilwoman Harmon asked if money was made off of these games. At this time everyone talked over everyone. Mayor Cooner said the sports events are really taking off here in Branchville and we have been promised big money but has never come through yet. Mayor Cooner said the Town bought the piece of land adjacent to Mr. Luther Folk's house, and tried to buy the piece at the play ground and the Mayor started offering \$10,000.00 and ended at \$35,000.00 and the people still would not budge to sell. Mr. Silverthorne said why would we be buying land up here, when the plans are to have the sports complex and the old elementary school. Mayor Cooner said one day, both places will be active areas involved in ball playing. Mr. Silverthorne said we were given \$100,000.00 for the old elementary school, Mayor Cooner said, no, he did not know where Mr. Silverthorne was getting his information, but we were given \$25,000.00 for the gym and promised \$500,000 if we used it for recreation. Mayor Cooner said Mr. Wimberly told him to get a game plan together on how the money would be spent and the Mayor said he has one as of this month and the price projection is way out there, so the Mayor will have to go back to the drawing board and refigure some things. At this time everyone talked over everyone. Councilwoman Bryant said could she tell Mr. Johnny Chavis it would be OK. Ms. Beverly Berry asked if the bathrooms are workable. Mayor Cooner said they need fixing up. Councilwoman Bryant made the motion to buy the temporary fence for the ball field and Councilman Ott seconded.

Beautification Committee

Mr. Silverthorne said the lights are out on the Welcome to Branchville signs. Mr. Silverthorne handed out pictures to the Mayor, Council and Clerk regarding the old high school clean up project. He said the work was completed last Thursday. Mr. Silverthorne said he knew everything had been paid for and we needed closure on it. Councilwoman Gibbs and Councilman Miller questioned if the back fill dirt had been hauled in and Mr. Silverthorne replied there was none needed. Mr. Silverthorne said the pictures represented the finished product. Everyone talked over each other, then the Mayor asked the Clerk if back fill dirt was in the contract and the Clerk replied yes. Mr. Silverthorne said the only thing said in the contract is there would be no low spaces where standing water would lay after a rain. Councilman Miller said he believed we got ripped off and Mr. Silverthorne said we did not get ripped off and the action plan he had written on the board beside the wall was why. Mr. Silverthorne said every issue with the contract had been complied with. Mr. Silverthorne and Councilman Miller then talked at the same time. Councilman Miller said the place around there is a mess. Mr. Silverthorne said he knows that the Mayor was a little reluctant to pay the man but he is a local man and did a very good job. Councilman Miller said he would have not paid the

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man either. Councilman Miller said in his opinion we got ripped off, Mr. Silverthorne said with all the bids we received we saved \$35,000.00. Councilman Miller and Mr. Silverthorne exchanged words for some time and the Mayor tried and tried to get order in the Council Chambers. Councilman Ott told them to quit acting like children and for us to get on with items on the agenda. Mayor Cooner said he was going to have his say now, Mr. Silverthorne is mad at him. The contract was brought in at \$31,000.00 and it was written on the contract there would be no water retention and it would be seeded. Mr. Silverthorne said nothing was on there regarding seeding. Mr. Silverthorne got mad at the Mayor because the Mayor thinks it is customary when a job is not complete you do not pay final payment. Mayor Cooner said Mr. Rhoad called and he tried to explain to him, for about 30 minutes, that he was going to hold back 10% until the job was complete. Mayor Cooner said then after the pictures were looked at tonight and Council approved the job then the 10% would be paid tomorrow. Mayor Cooner said we did not conduct business the way it should be conducted. Mayor Cooner said he had not been by the school to see it in person and does agree that \$31,000.00 was a good price, but did state Mr. Rhoad needs to take some classes in learning how to manage his business. Mayor Cooner commented that we should get some dirt hauled in and use a motor grader and get the flooding problem fixed at the Fire Department at the same time. Councilman Miller then said I said at the last Council meeting to let the record show that before all is finished with this project the Town will end up spending more money. Mayor Cooner said by looking at the picture he did not think it was going to cost the Town any more money. Mayor Cooner continued saying that he has mentioned some time ago in the past that he intended on asking the Highway department the next time he saw them in Town hauling dirt to help fix these locations. Mayor Cooner said the only thing about the clean up that upsets him, is Mr. Rhoad's attitude and when he was told no that the Town was going to hold 10% he had to run to Mr. Silverthorne and then the both of them come in Town Hall and double team the Mayor. Mayor Cooner said he was only doing what he thought to be in the best interest of the Town of Branchville. Mayor Cooner said because of the actions of Mr. Rhoad he will never be allowed to do work for the Town of Branchville again. Councilman Miller agreed. Mr. Silverthorne asked the Mayor if he was finished, so Mr. Silverthorne told the rest of his side of the story, and at the end resigned all of his attachments.

OLD BUSINESS

Councilman Ott brought up the coolers at the old elementary school and Council discussed the cooler situation and said on anything up for bid there should be a minimum. Mayor Cooner said on a decision on the coolers we would table it until December 2007. Councilman Miller said let the record show that Councilwoman Harmon said that is two Council people but we have four more.

Mayor Cooner asked to go into executive session and Councilwoman Bryant motioned and Councilman Miller seconded.

NEW BUSINESS

PROGRESS ON CAPITAL PROJECTS

ITEMS OF INFORMATION

Mayor Cooner said if no further business could he have a motion to adjourn. Councilman Ott motioned and Councilman Miller seconded.

Meeting Adjourned.

Respectfully Submitted,

Rhonda Thompson
Town Clerk