

Musa

COUNCIL MINUTES
FOR
1/11/2010

COUNCIL PRESENT

Mayor Timothy Cooner
Mayor Pro Tem Glenn Miller
Councilman Charles Dukes
Councilwoman Benita Gibbs
Councilwoman Amy Bryant
Councilman Chris Ott
Councilwoman Georgianna Harmon

Mayor Cooner called the meeting to order and asked that everyone stand for the Pledge of Allegiance followed by a Moment of Silence

Mayor Cooner welcomed everyone to the meeting

Councilman Chris Ott made the motion to Approve the Minutes
Councilwoman Benita Gibbs seconded the motion
Motion carried

There were no Public Comments on Agenda Items

Mayor Pro Tem Miller made the motion to approve the Financial Report
Councilwoman Benita Gibbs seconded the motion
Motion carried

Public Comments

A citizen asked why a lot of pipes were bursting in Town
Mayor Cooner explained that it has been so cold and some of these pipes are old, so that is why in some cases the pipes have burst

Mayor Cooner welcomed our Town Attorney Mr. Russ Blanchard and then turned the meeting over to him

Attorney Blanchard stated that he was here to discuss the Town's past Election that took place in November. One issue was that there was an Ordinance change, how many of Council would be up for Election, and Pre clearance

He then stated that the Towns former Attorney Mr. Bob McCurry has all the files in his office and that Pre clearance was in place with the Dept. of Justice

He said we have two options one of them would be to have a new Election for 3 seats on Council and the other option would be to go before a Judge and let them decide if this Nov. Election should stand. He said the latter could prove to be very expensive and could take up to 2 years for a decision.

He said he feels the best thing to do would be to have another Election 13 Tues. from the date of this meeting

Mayor Pro Tem Miller asked him what has changed from the November Election up until now

Mr. Blanchard stated that Howard Jackson had informed him that the Town did not have Pre clearance from the Justice Dept. and that whoever Mr. Jackson had spoken with did not have the correct information

Mayor Pro Tem Miller stated that it is not fair to the people who won this last Election and that it is an embarrassment to the Town and it is just a big mess

Councilwoman Benita Gibbs asked Mr. Blanchard if the new information has been given to Howard Jackson yet?

Mr. Blanchard said no not yet

Councilman Charles Dukes stated that the newspaper articles made the Council look like idiots

Mayor Cooner said that when this protest was made by Gidget Vickers, the only one of the 11 items is this Ordinance

Mr. Blanchard said yes

Mayor Cooner asked Mr. Blanchard why the Town should have to bear the cost of a new Election when it was not our fault, based on what I hear now let's go forward

Councilman Charles Dukes asked what kind of expense are we looking at

Mr. Blanchard said up to 2000.00

Mayor Pro tem Miller said that the Town needs no more problems and he would hope people get their act together before making any more accusations

Mr. Blanchard said that based on the info we had we were right

Mayor Cooner stated that Council needs to vote on which route to take and expressed his appreciation to Mr. Blanchard

Mayor Pro Tem Miller said we need to bite the bullet and get our facts together, this is an embarrassment all over the United States

Mayor Cooner said we will close this part of the meeting and let Mr. Blanchard discuss the second part about the McArns law suit

Mr. Blanchard said that his advice is #1 to put the curb back in so if he wants to sell and #2 is to pay his Attorney fees, I would like to offer him 5000.00 to 7500.00 or just try to purchase the property from him

Mayor Pro Tem Miller asked what the Town would do with the property, if we were to purchase it and that Nivens and Nivens should have known not to block it off

Mr. Blanchard said that there were hearings

Mayor Cooner asked Mr. Blanchard if this would be considered a Contractual Matter
And Mr. Blanchard answered yes
Mayor Cooner then said he would call for an Executive Session after this meeting

Mayor Pro Tem Miller said let's get back to the Election

Mayor Cooner said we are having the 3rd Reading tonight on transferring the authority to Orangeburg Co. which I hope it does not pass because of the trouble we have had with Orangeburg Co. during this past Election

Mayor Cooner asked if there were any more questions for Mr. Blanchard
Mayor Pro Tem Miller thanked him for coming

Mayor Cooner stated that we have never had a problem with Elections before all this
And that Howard Jackson has contacted the Town and wants us to pass an Ordinance
Outlining what Orangeburg should do
Garry Baum said he would come and help us do our Election

Mayor Cooner said that Stephanie at the Justice Department asked if we had changed the center point of Town, I contacted Nivens and Nivens and this was brought before Council and was accepted. I went to Orangeburg and asked where the center point was and they said it was somewhere around the Museum and that is what I told Stephanie

The Town does not call Orangeburg and say put Glenn Miller{example} on Town Tax roll I think this will haunt us from now on

Mayor Cooner said I don't think you should be able to vote if you do not pay Town Taxes

Councilman Chris Ott said can we move forward instead off all this nonsense
Councilman Charles Dukes said let's move forward and have a new Election

A citizen said you don't want Orangeburg to oversee the Election?

Mayor Cooner said that Garry Baum said he will come and train and that we need to decide what to do, 13 Tuesday's would be on April 6th

Mayor Cooner said the Police Dept. is running smoothly and the officers are doing a fine job

Mayor Pro Tem Miller had nothing in the Administrative Dept.

Mayor Cooner said we are having a few leaks with some old and brittle pipes since it has been so cold

Old Business

Mayor Cooner said Ordinance 9-23-09 for the Transfer of Authority to Orangeburg Co.
Do we want to table or take action?

We have an Election Commission and Garry Baum said he would be glad to come here and help

Mayor Pro Tem Miller said this Ordinance 9-23-09

Mayor Cooner said Ok if no action taken it will die for lack of support and if we go back to doing the Election ourselves we will have to go back to printed ballots

Councilman Charles Dukes said we will get someone to print them for us

Mayor Cooner said if we are doing our own Election Garry Baum will get us the roster
As it stands right now we pretty much handle everything, Rowesville does their own Election

Mayor Pro Tem Miller said I like the idea of someone coming and training our people

Councilwoman Benita Gibbs made the motion that Branchville conducts all future Elections

Mayor Pro Tem Miller seconded the motion

Motion carried

Councilwoman Harmon said this will be a Town Ordinance

Mayor Cooner said yes we will get with Garry Baum

Councilwoman Benita Gibbs asked who made the final decision

Mayor Cooner said the Town's Attorney took the Election Commission into closed office and came out and said that all 6 would be up for re-election and our Election Commission based their answer on what the Attorney advised

Mayor Cooner said he has had people asking him why the people whose term was up are still on Council but I have kept my mouth shut I say Glenn don't worry because if we are breaking the law we will sure know about it

Councilman Charles Dukes made the motion for 3 seats Election on April 6th 2010

Mayor Pro Tem seconded the motion

Motion Carried

New Business

Town Employee Health Insurance Mayor Cooner stated that the Town pays 580.00 per month per employee

He said that the Town is looking at the State Health Plan and that it is also available for Council if they wish to have it but must pay for it out of pocket and that it will be a 4 year contract

Councilman Charles Dukes asked about the rising cost over the 4 years

Mayor Cooner then read from the handbook

Councilwoman Harmon asked if the Town would pay for Council's insurance like they do for the Town Employee's
Mayor Cooner said no

Councilman Charles Dukes made the motion to switch and if any Council person wants it they will pay out of pocket
Mayor Pro Tem seconded the motion
Motion Carried

Mayor Cooner said he has gone thru the dates for this coming years Council Meetings Jan. thru Dec. he read the dates
Mayor Pro Tem made the motion to pass the dates for 2010
Councilwoman Amy Bryant seconded the motion
Motion Carried

Mayor Cooner said we need to reappoint Judge Murray
Mayor Pro Tem Miller made the motion
Councilwoman Amy Bryant seconded the motion
Motion Carried

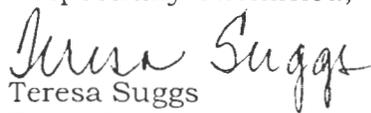
Mayor Cooner then gave discussion on the chlorine in the water stating that we are still working on it
He also said he may call a Special Meeting for the Election and if there is no other business then let's go into Executive Session

After the Executive Session Mayor Cooner called the meeting back to order
He then said we will contact Russ Blanchard in reference to the Mcarns property
And discuss procedure with him

Councilwoman Benita Gibbs made the motion to contact Russ Blanchard
Councilwoman Amy Bryant seconded the motion
Motion Carried

Councilman Charles Dukes made the motion to Adjourn
Councilwoman Amy Bryant seconded the motion
Motion Carried and meeting Adjourned

Respectfully Submitted,


Teresa Suggs
Town Clerk