

Minutes of Council Meeting Tuesday, February 3, 2009

Present: Van A. Stickles, Mayor
Barbara Butler, Council Member
Michael Fanning, Council Member
James V. Fogle, Council Member
Harold Void, Council Member
Larry McDowell, General Manager, Elloree Water System
John D. Singh, Town Administrator
Chasity D. Canaday, Town Clerk
J. Preston Avinger, Chief of Police

I. Call to Order

Mayor Van Stickles called the meeting to order at 5:30pm.

II. Opening Prayer

Councilman Mike Fanning provided the invocation.

III. Approval of Minutes

Councilman Fanning made a motion to approve the minutes of the January 6, 2009 meeting as written. Councilman Jimmy Fogle seconded. All were in favor.

IV. Special Guest OR Public Request or Comment

Jack Lane, Chairman of the Citizens Advisory Committee for Parks and Recreation, presented a report from the committee's last meeting held on January 8, 2009. He noted that citizen Marc Salazar attended that meeting to express interest about future plans for the ball field on Harlin Street. The next meeting is scheduled for March 5, 2009 at 5:30pm at the Town Hall and is open to the public.

Dwight "Chip" Summers of Brodie, Summers & Wilkes presented the Mayor and Council with the town's 2006-07 fiscal year audit. He noted that the town received an unqualified opinion, which is the highest opinion that an auditor can give a town.

He noted that there was an increase in the net assets of the Town since the previous audit, and that the Water System assets also increased. He also presented a breakdown of the debt the Town, with the majority of the debt being a result of Phase III of the Cleveland Street streetscape which will be reimbursed by the Department of Transportation. The majority of the debt for the Water System is in the form of water revenue bonds as a result of repairs to critical infrastructure.

He presented a breakdown of revenue for the Town, with 30% coming from property taxes and 18% coming from state revenue sources. Total revenue was \$617,000 for the Town with expenditures of \$698,000.

Councilman Fanning asked about the management exceptions noted in the audit. Summers noted that the new court software should alleviate the internal control exceptions with regards to police fines and court revenue from future audits. He also added that the new accounting software and the regular financial statements it will provide will alleviate that exception, as well.

Administrator Singh noted that the 2007-08 audit should be completed before June to satisfy new state laws for compliance of audit submissions. Future audits should be completed within six months of the end of the fiscal year.

Luke Dukes and Mike Chapell, Director for the Department of Health and Environmental Control of Orangeburg, addressed the Mayor and Council regarding the status of the Ellore Health Department. Mr. Dukes, the regional administrator for DHEC Region 5, noted that financial adjustments were made beginning in March 2005 with service and staff reductions.

Dukes announced that the Ellore Health Department will close, along with Denmark and North health department. The Ellore Health Department will close by April 1st of this year so residents will now need to travel to Orangeburg, Holly Hill, or St. Matthews for services.

Mayor Stickles questioned whether there have been plans for transportation put in place to assist with the people who do not have the means to travel to a health center in another town, noting that many people in Ellore have to walk to the health center for services. The Mayor also asked if there are any plans to possibly reopen the health department in the future if the state's financial status improves, but DHEC representatives said that they are unable to make any guarantees, especially as there are plans for future budget cuts. Mr. Chapell added that he has met with Donnie Hilliard to try to work out additional health care options for clients of the Ellore Health Department.

Resident Judy Lambert, a former teacher in Ellore, expressed concern over the closing and asked that DHEC keep the town informed of ways to help those affected

by the closing. Lambert organized a petition to keep the health department open over a year ago, when plans first were made public about a possible closing, and DHEC credits that public mobilization for helping keep the Elloree Health Department for longer than planned.

V. Water Commission Report

Elloree Water Commission Chairman Jane Singh presented the monthly report to the council and the minutes of the Water Commission's January 13, 2009 meeting.

He said the system completed 46 work orders and billed 634 customers during January.

The system billed 351 customers on behalf of the town for household trash services. The estimated water loss was 14%, down from 19% in December.

There were no violations for the water or wastewater facilities from the Department of Health and Environmental Control.

General Manager McDowell also reported that the Elloree Water Commission will hold their regular monthly meeting on Tuesday, February 10, 2009 at 6:00pm at the Elloree Water System.

VI. Police Report

Chief Preston Avinger delivered the monthly report for the Elloree Police Department, reporting the following information for action taken:

8 Calls for service

13 Arrests

42 Traffic Stops

34 Uniform traffic tickets

2 Arrests for Outstanding Bench Warrants

1 Arrest for Public Disorderly Conduct

1 Arrest of an Out of State Subject who was attempting to cash a counterfeit check at SCB&T

1 Arrest for Financial Transaction Card Fraud

3 Arrests for Simple Possession of Marijuana

1 Arrest with courtesy summons for Unlawful Sale of Liquor to a Minor

4 Arrests for Breaking into Gasoline Storage Containers and larceny of Gasoline with one additional pending arrest

1 Residential Burglary with Petit Larceny of pocket change

6 False Alarm Calls

Chief Avinger noted that many of the uniform traffic tickets are issued for non-traffic offenses. He added that the theft of gasoline was from the town-owned tanks used for the Police Department and the Streets and Parks Department.

Chief Avinger also requested that the Mayor and Council approve two expenditures for the police department, to be paid out of January police fines revenue. Both expenditures were from Galls, with one invoice totaling \$685.72 and another totaling \$273.29. Councilman Barbara Butler made a motion to approve both requested expenditures. Councilman Fanning seconded the motion, and all were in favor.

Chief Avinger reminded those present at the meeting that a Law Enforcement Forum will be held following the council meeting.

VII. Administrator Report

Administrator John Singh turned over his report to Clerk Chasity Canaday, who reported on the town's upcoming events including Trash to Treasures, Cooking on Cleveland, the Ellore Trials, and Pork Fest.

Trash to Treasures will be held on March 7 beginning at 8:00am and will include a town-wide yard sale and special sales by the downtown stores as well as sidewalk vendors on Cleveland Street. From 3:00-5:00pm on the same day, the town will hold its third annual Cooking on Cleveland competition on downtown Cleveland Street. Admission is free and attendees will vote with cash donations that will benefit the Museum. Ten people are signed up already to compete including the Police Department, the Lions Club, the Museum, the Water System, Council Member Barbara Butler, Casual Habits, Flavor Masters Catering, the Fire Department, the Mentor Book Club, and the Old Mil House Gift Shoppe.

VIII. Old Business

There was no old business.

IX. New Business

A special election was held on January 13, 2009 to fill the council seat vacated by the death of the former councilman Barry Pauling. Harold Void won the election and was sworn in during the council meeting.

The administrator noted that the town has begun working on updating ordinances this year. This will include updating, repealing, and making the ordinances electronic.

Singh presented the council with Ordinance 01-02-02-09: Recodification of General and Permanent Ordinances for the Town of Ellore. The ordinance will serve as the preface for all of the town's new ordinances, which will be broken down into eleven sections. Councilman Fogle made a motion to approve and was seconded by Councilman Void. All were in favor and first reading passed.

Singh also presented Ordinance 11-1-02-03-09: Code of Ordinances for the Town of Ellore Regulations Related to Temporary Structures, Specifically the Use of Portable Containers. This ordinance will put regulations in place for the placement and usage of portable storage containers, including portable on-demand (POD) containers, shipping containers, constructions containers, and tractor trailer containers. Councilman Fanning made a motion to approve the ordinance by title only and was seconded by Councilman Butler. All were in favor and first reading by title only was approved.

In the final item of new business, Singh asked for council direction regarding the property located behind Boland Pharmacy as well as the building located adjacent to the Town Hall. The roof of the building next to the Town Hall has been partially blown off and has damage indicative of water intrusion. Singh noted that there have also been numerous complaints about the appearance of the building and the overgrown property behind it. Singh discussed the placement of an additional tractor trailer behind Boland Pharmacy as well as a growing pile of debris in the same location.

Councilman Fanning asked that the Town contact the property owners via certified mail. If that action does not have the desired effect, he recommended proceeding with contacting Orangeburg County for a building safety inspection.

X. Executive Session***

Councilman Fanning made a motion to enter into an executive session to discuss Economic Development Project 10 and was seconded by Councilman Butler. The Mayor and Council entered into executive session at 6:34pm.

Councilman Butler made a motion to come out of executive session at 6:53 and was seconded by Councilman Void. All were in favor.

No action was taken following executive session.

XI. Adjournment

Councilman Fanning made a motion to adjourn the meeting. Councilman Fogle seconded the motion, and all were in favor. Mayor Van Stickles adjourned the meeting at 6:53pm.

Respectfully Submitted By,

Chasity Sanders Canaday, Town Clerk/Treasurer