REGULAR MEETING OF CITY COUNCIL
JANUARY 15, 2015 – 5:30 PM
COUNCIL CHAMBERS
GEORGETOWN, SOUTH CAROLINA

1. **CALL TO ORDER**

Notice of this meeting has been made in accordance with the 1976 Code of Laws of South Carolina Freedom of Information Act.

MEMBERS PRESENT
Mayor Jack M. Scoville, Jr.
Council Member Brendon M. Barber, Sr.
Council Member Rudolph A. Bradley
Council Member Carol R. Jayroe
Council Member Edward S. Kimbrough, Jr.
Council Member Clarence C. Smalls
Mayor Pro Tempore Peggy Wayne

ALSO PRESENT
Mr. Chris Carter, City Administrator
Mrs. Elise Crosby, City Attorney
Ms. Ann U. Mercer, City Clerk
Mrs. Debra Bivens, Director of Finance
Mr. Will Cook, Water Utilities Director
Mr. Glen Dixon, Fleet Superintendent
Chief Paul Gardner, Georgetown Police Department
Mr. Jonathan Heald, City Engineer
Mr. Alan Loveless, Director of Electric Utilities
Mr. Rick Martin, Building Official/Zoning Administrator
Mr. Tee Miller, Assistant to the City Administrator for Economic Development
Chief Joey Tanner, Georgetown Fire Department

MEDIA
Georgetown Times - Ms. Taylor Griffith

2. **ANNOUNCEMENT CONCERNING ELECTRONIC DEVICES**

Mayor Jack M. Scoville, Jr. called the Regular Meeting of City Council to order at 5:30 PM and requested all cell phones or electronic devices be turned off or placed on mute so as to not interrupt the meeting.

3. **INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Brendon Barber rendered the invocation. Participants of the Mitney Project led the Pledge of Allegiance.

4. PUBLIC COMMENTS

Mayor Scoville recognized Ms. Michelle Randolph. Ms. Randolph, a resident of Georgetown and a member of the Winyah Auditorium Board of Directors, addressed City Council concerning the Auditorium. She stated the newly elected members of the Board have been diligently working to schedule events. The Winyah Auditorium is a very important part of the City and is *inclusive* for everyone. Individuals and groups can schedule events in Georgetown without going outside the area. Visitors attending events will spend money locally which will benefit the economy.

Mayor Scoville recognized Dr. Jerry Crosby. Dr. Crosby addressed Council concerning previous questions they had about the Winyah Auditorium. He said the Board is asking for financial support for the Auditorium. They are not asking Council to become involved again in the day-to-day operation. It is a nonprofit organization for the strict purpose of operating the Auditorium for the benefit of the residents and businesses of Georgetown. Portions of the building have been converted to private businesses. The Board owns the Auditorium in order to operate it for the City. It can and has produced an income. From September 2014 through December 2014 $16,000 in revenue has been received. Dr. Crosby said it remains to be seen whether Winyah Auditorium can produce a profit. As a rule municipal auditoriums in South Carolina do not produce a profit; however, the purpose is to enrich the lives of the people of the community. In doing so, they can produce enough income to cover most of the operating expenses. He reiterated Ms. Randolph's reference made to all *inclusive*, stating the Auditorium represents the entire City of Georgetown. He listed a number of local groups and organizations that have used the venue during the last four months. Of the sixteen events held, fourteen were not held in the City a year ago. Without the Auditorium we would continue to lose those events to the Waccamaw Neck, neighboring counties and other areas.

5. INTRODUCTION OF NEW EMPLOYEES

Mr. Will Cook introduced Mr. Mark Price. Mr. Price was hired as a Wastewater Systems Mechanic Technician and has 28 years of experience in this field.

6. PRESENTATION

A. Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2014.

Mrs. Debra Bivens introduced Mr. David Phillips with Greene, Finney and Horton. Mr. Phillips thanked Chris Carter, Debra Bivens and the Finance staff for their help. Using a PowerPoint presentation, Mr. Phillips presented an overview of the Comprehensive Annual Financial Report for the year ending June 30, 2014. The City has an unmodified opinion. The General Fund fund balance decreased about $470,000 compared to the $1.07 million budgeted decrease. The City has received the GFOA Award for Excellence in Financial Reporting for 24 consecutive years.

The City's responsibility is to maintain effective internal controls and financial statements. Greene, Finney and Horton's responsibility is to give reasonable assurance that financial statements are materially correct. This is not absolute assurance, which would require him to look at every single transaction processed during the year. This, he said, would be cost preventative. GF&H reviews the significant transactions and takes samples of significant classes of transactions, such as payroll. Again, he noted the City received the best opinion they can receive. The old term was unqualified, now it is unmodified opinion.

The total General Fund fund balance decreased from $7.21 million to $6.74 million primarily due to an increase of $320,000 in Capital outlay and an increase in payroll of $230,000. There is a nonspendable fund balance of $90,000 for prepaids and inventories and a restricted fund balance of $50,000 for South Bay Properties settlement and safe streets. The unassigned fund balance is $6.6 million, which is 75% of the 2014 actual expenditures and 58% of the 2015 budgeted expenditures. The Government Finance Officers Association (GFOA) recommends a minimum of 16.7% (two months). Mr. Phillips stated this is a strong, healthy fund balance. The City plans to adopt a Capital Reserve Fund in FY 2015 which will reduce this balance by approximately 50% or $3.3 million. Major reasons to maintain an adequate fund balance include cash flow through the second half of the calendar year, property taxes and business licenses are cyclical; significant emergencies and unanticipated expenditures; flexibility for discretionary funding needs; potential for better interest rates on debt issues (can save the City money); cover potential shortfalls from the State due to budget cuts or a result of the change in legislation (i.e. Act 388); and lastly extremely important during uncertain economic times. General Fund revenues were $6.74 million for 2014 with property taxes, licenses, permits and franchise taxes being the largest portion of the receivables. There was a $190,000 decrease from 2013 primarily due to lower Municipal Association of South Carolina business license collections for insurance and broker taxes. Revenues were $340,000 over budget mainly due to business license collections exceeding the budgeted amount. General Fund expenditures were $8.75 million, $260,000 under budget. This was due to the delay in building the fire station on the Eagle Electric property the capital outlay was under budget by $230,000.

The Electric Fund had a net position of $272,000 compared to $160,000 in the prior year. Revenues increased due to a colder winter compared to the prior year. Operating expenses increased due to contract labor for the ice storm recovery.

The Water and Wastewater Funds had a change in net position of ($234,000) compared to ($81,000) in the prior year. Revenues increased due to a drier summer. Operating expenses increased to $506,000 due to payroll increase and professional services.

GASB requires financial statements include all assets and liabilities. He reported the City has assets of $84.21 million, $56.94 million in capital assets and $22.53 million in cash and investments; and $4.74 million in other assets. Liabilities are $15.43 million, with $11.09 million in short and long-term debt; and $4.34 million in accounts payable, other liabilities and deferred revenue. The City's net position is $68.78 million with $48.43 million net investment in Capital assets, $2.17 million restricted and $18.18 million unrestricted. There are no constraints on the unrestricted funds. If capital assets are added, they have to be depreciated over time. The depreciation expense reflected is $2.75 million.

Capital Assets were $56.94 million, an increase of $1.29 million from the prior year. Additions in the amount of $1.32 million for governmental activities included vehicles, East Bay Boat Landing Project and equipment and other assets. Total capital asset additions of $2.71 million for business-type activities consisted of electric meter replacements, electric overhead line replacement, Maryville elevated water tank, Historic District manhole and West End sewer rehabilitation projects and other miscellaneous capital assets. Depreciation expense was $950,000 and $1.80 million for governmental and business-type activities, respectively.

Total long-term obligations outstanding were $11.09 million, an increase of $767,000 from the prior year. Governmental activities long-term obligations increased by $64,000 primarily due to higher OPEB (retiree medical) liability balances. Business-type activities long-term obligations increased by $703,000 due to two new State Revolving Fund loans for the Historic District manhole rehabilitation project and the Maryville water tank project. Increase in debt was partially offset by normally scheduled principal payments of $955,000.

GASB #65 was implemented which requires reclassification of certain items that, in prior years, were properly reported as assets and liabilities. It also requires that bond issuance costs be expensed when incurred. The City's only former financial statement item that was affected by the implementation of GASB #65 was its deferred revenue liability (unavailable revenue-property taxes, police fines other/business licenses). Under GASB #65, deferred revenue that is not available or deferred revenue that is received by a government but is applicable to a future year should no longer be shown as a liability but will be reclassified and shown as deferred inflows of resources.

There are no significant changes in auditing standards. Future significant changes in accounting principles include GASB #68, *Accounting and Financial Reporting for Pensions*. This becomes effective in 2015 for the City's participation in cost sharing multiple-employer plans with the South Carolina Retirement System. The City will be required to record its pro-rata portion of the net pension liability associated with these plans in its Statements of Net Position. This net pension liability will significantly decrease the City's total net position by $11.85 million. This is more of a paper number, it does not have to be paid off right now. If investment performance does better at the State, the liability will be reduced and the City's proportionate share will go down. There are a lot of variables and the City has no control but is being held accountable to record this.

From a compliance standpoint, there were no findings, significant deficiencies or material weaknesses were noted by GF&H. If more than $500,000 is expended in federal awards, the government requires a special audit. No single audit was required for FY 2014.

The management letter noted GASB #65 was implemented. Also mentioned was the continuing risk with the Winyah Auditorium being considered a component unit of the City. The bylaws state Council can reappoint board members. If the Auditorium ever became financially significant to the City it would have to be added to the financial statements.

In summary Mr. Phillips reported the City received an unmodified opinion on the financial statements, which is the best opinion. It has a strong financial condition as of June 30, 2014. With the City anticipating upcoming projects, he cautioned against creating costs going forward that cannot be sustained. Significant pension accounting changes are coming for FY 2015.

Mayor Scoville thanked Mrs. Bivens and her staff for the excellent report card received from Greene, Finney and Horton.

7. HOUSING AND COMMUNITY DEVELOPMENT

A. Motion to approve second reading of an Ordinance to amend the City of Georgetown Zoning Ordinance Article IV, Section 416 & Article VII, Section 703 (chart), to Conditionally Add Day Care Center to Residential (R4) District.

Mayor Pro Tempore Wayne moved, seconded by Council Member Kimbrough. Mr. Rick Martin stated Ms. Lunda Green, owner of Small Minds of Tomorrow, has requested to locate her day care in a commercial building on Hinds Street. Day cares in residential areas are required to be located in commercial buildings. This has been approved by the Planning Commission, Georgetown Housing Authority and DHEC. Mayor Scoville asked for comments.

Mayor Scoville called for the question.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

B. Motion to approve second reading of an Ordinance rezoning approximately 1.10 acres owned by Mrs. Marcella Green located on West Front Street from Medium Density Residential (R3) to Heavy Industrial (HI).

Mayor Pro Tempore Wayne moved, seconded by Council Member Jayroe. Mayor Scoville asked for comments.

Mayor Scoville called for the question.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

8. ENGINEERING

A. Motion to approve a proposal for a Feasibility Study for the East Coast Greenway through the City of Georgetown by Darrohn Engineering, LLC in the amount not to exceed eleven thousand dollars ($11,000).

Council Member Kimbrough moved, seconded by Council Member Barber. Mr. Jonathan Heald reviewed the East Coast Greenway through the City of Georgetown. It is a pedestrian trial and the proposed route begins in Calais, Maine and runs to Key West, Florida. This is a priority for GSATS, the Grand Strand Area Transportation Study. It is managed by the Council of Governments and members include the City of Georgetown, North Myrtle Beach, Myrtle Beach, Horry County and Georgetown County. GSATS is to spend federal gas tax dollars to program and coordinate the projects. The City of Georgetown was allocated $628,000 for 2013. The City's current budget includes $200,000 to supplement the project. Moving forward, Council discussed options on how the money would be spent and decided on the Greenwich Street Connector. One issue with this option was: where does the trail go from East Bay Park. The COG noted federal funding was allocated for 2013 and is concerned the federal government is going to take back the money. In 2007 the idea was a complete trail from the marina to South Island Park. There were problems with that, crossing land we did not have rights to. Mr. Heald presented his solution to Council. Money in the Transportation Improvement Program has been reallocated to 2018. He proposes Darrohn Engineering prepare a feasibility study of the best route through the City, formulate some short and long term plans to implementation and provide cost estimates of the phases. Discussions followed.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edward S Kimbrough, Council Member
SECONDER:	Brendon M. Barber Sr., Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

9. FLEET SERVICES

A. Motion to approve emergency purchase from and payment of a 2015 John Deere front end loader to Flint Equipment Company in the amount of 72,988.02.

Council Member Barber moved, seconded by Council Member Bradley. Mr. Glen Dixon informed Council this purchase will replace a 2005 John Deere front end loader that has been removed from service due to broken rear planetary gears and the claw bucket needs to be replaced. The loader has been well used with 7,000 hours operating time. This is a non-budgeted item under state contract. If approved, this will require a budget amendment. Staff recommends replacing the equipment rather than continuing to spend money on repairs.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brendon M. Barber Sr., Council Member
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

10. FINANCE

A. Motion to approve funding and payment to the Winyah Auditorium Corporation in the amount of $25,000, per the Winyah Auditorium Board request.

Mayor Pro Tempore Wayne moved, seconded by Council Member Kimbrough. Mrs. Debra Bivens stated this item was discussed during the budget process. The previous Board, consisting of very few members, did not present a well-defined plan of action to operate the Auditorium. Currently there are new members and they have requested additional funding from the City in the amount of $25,000. Council Member Barber said this was to be discussed at the retreat and during the upcoming budget process. For this reason he cannot support the request. Mayor Scoville stated this will be discussed for future funding in the budget; however, the Board is making this request tonight. Council Member Bradley stated he is not against the funding but added it is not wise to constantly amend the budget. He agrees with the significance of the Auditorium to Georgetown but would rather discuss this during the budget process. Council Member Smalls questioned why this is on the agenda tonight. Mayor Scoville stated the Board has indicated a need for the money at this time to clear outstanding debts owed. He said they have done a tremendous job in the last several months. Discussions continued.

Mayor Scoville called for the question.

RESULT:	**APPROVED [5 TO 2]**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Scoville Jr., Jayroe, Kimbrough, Smalls, Wayne
NAYS:	Barber Sr., Bradley

B. Motion to approve first reading of an ordinance to approve FY 2014/15 Budget Amendment to the Hospitality Fund in the amount of $25,000 for funding to The Winyah Auditorium.

Mayor Pro Tempore Wayne moved, seconded by Council Member Kimbrough. Mayor Scoville asked for comments.

Mayor Scoville called for the question.

RESULT:	**APPROVED [5 TO 2]**	**Next: 2/19/2015 5:30 PM**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore	
SECONDER:	Edward S Kimbrough, Council Member	
AYES:	Scoville Jr., Jayroe, Kimbrough, Smalls, Wayne	
NAYS:	Barber Sr., Bradley	

C. Motion to approve first reading of an ordinance to approve FY 2014/15 Budget Amendment for the following expenses to the General Fund: 1) Security Cameras (10) in the amount of $5,000 and 2) Front End Loader in the amount of $72,988.

Council Member Barber moved, seconded by Council Member Bradley. The cameras were discussed at the previous workshop. Mayor Scoville asked for comments.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**	**Next: 2/19/2015 5:30 PM**
MOVER:	Brendon M. Barber Sr., Council Member	
SECONDER:	Rudolph A. Bradley, Council Member	
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne	

Council Member Jayroe questioned Council approving other items before discussing fire protection on the boardwalk. Chris Carter stated a presentation will be made at the retreat. Mayor Scoville said that would likely be several hundred thousand dollars.

11. ADMINISTRATION

A. Motion to approve entering into an Amended Consent Order, number 13-018-W (revised 1-9-2015) with the SC Department of Health and Environmental Control to address and correct violations the City's NPDES Permit to operate a Wastewater Treatment Plant for the City, The Town of Andrews and portions of Georgetown County.

Council Member Smalls moved, seconded by Council Member Jayroe. Mr. Carter stated this was presented by Mr. Heald at the meeting last month. A few days after approval, the regulatory agency notified the City they were adding another $2,400 to the Consent Order for suspended solid removal violations that have occurred since August. This will increase the amount of the fine previously approved. Mr. Carter called on the City Attorney to address Council. Mrs. Elise Crosby said she has been tasked with this due to the difference in the structural setup of the City Engineering Department and the division with the Water Department and Public Works. She said the City has been under a Consent Order from DHEC for years based on the wastewater treatment facility. The 2013 amended Consent Order required the City to subdivide the pond. This project is in excess of $2 million dollars. Mr. Heald subsequently negotiated with DHEC to move the sampling point to the discharge location rather than the end of the pond, basically eliminating the need to subdivide the pond. Mr. Heald then renegotiated with DHEC the terms of the Consent Order. This is where we are now. In reviewing what Council passed in December and what is being presented tonight, there are additions to address the new notice of violation concerning suspended solids percent removal. The most significant matter is it is a separate violation. She said in contract law the theory is to offer an acceptance agreement which Council did in December. DHEC now is changing the terms. She said there may be an opportunity to revisit some of the terms of concern, being the stipulated penalties. The previous Consent Order did not include stipulated penalties. If Council does not approve this we go back to the 2013 CO which involves subdividing the pond. Mr. Carter said the City has not had stipulated penalties in the past and he wants DHEC to 'soften up' the language. Mayor Scoville instructed Mr. Carter, Mr. Heald and Mrs. Crosby try to work this out between now and the retreat. Mr. Heald said the timeframe to satisfy the Order is based on final signature by DHEC. Discussions followed.

Mayor Scoville moved to **amend the main motion that the City conditionally accept DHEC's proposal subject to further negotiations and amendments dealing with an arbitration provision to soften the language so it is not given 100 percent to DHEC to enforce and determine violations and include a force majeure clause**, seconded by Council Member Jayroe. Mayor Scoville called for the question on the amended motion. 7-0

Mayor Scoville called for the question on the amended motion.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

Mayor Scoville called for the question to **approve the original motion as amended**.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Clarence C. Smalls, Council Member
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

Mayor Scoville said Mr. Heald and Mrs. Crosby will be the lead negotiators with DHEC subject to the Administrator doing whatever he deems necessary.

When asked by Council Member Jayroe, Mrs. Bivens answered the partners are responsible for a portion of the penalties.

B. Motion to approve payment to Carolina Parks and Play in the amount of $25,241.89 for Ben Cooper Park Repairs.

Council Member Barber moved, seconded by Council Member Bradley. On October 20, 2014 playground equipment was damaged by a fire. An insurance claim was filed with SCMIRF and they will cover the cost minus the City's $1,000 deductible. Several juveniles were involved; the adult supervising them was charged.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brendon M. Barber Sr., Council Member
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

C. Motion to Approve SCMIRF & SCMIT FY 2014-2015 PO for 2015 Payments

Council Member Smalls moved, seconded by Council Member Bradley. Miss Suzanne Abed-El-Latif noted these are semiannual payments; SCMIRF $273,171 and SCMIT $69,322. Mayor Scoville asked for comments.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Clarence C. Smalls, Council Member
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

12. CITY ADMINISTRATOR REPORT

Mr. Carter announced the Annual Retreat will be held Saturday, January 24th at the Georgetown airport beginning at 9:00 am. Earlier this week a baseline assessment team was in Georgetown for the Main Street Program. They met with and listened to concerns of citizens, property owners and merchants. Today they gave a presentation attended by business owners. This year benefit statements will be provided to employees along with their W2 forms.

13. OLD BUSINESS

There was no old business.

14. NEW BUSINESS

There was no new business.

15. DEPARTMENT MONTHLY REPORTS

Mayor Scoville noted the department monthly reports are included in the agenda.

A. December 2014 Police Department Report

B. December 2014 Fire Department Report

C. December 2014 Public Works Report

D. December 2014 Fleet Services Report

E. November 2014 Water Utilities Report

F. December 2014 Electric Department Report

G. December 2014 Housing & Community Development Report

H. December 2014 Finance and IT Reports

16. EXECUTIVE SESSION

Motion to enter Executive Session to discuss appointments to the Accommodations and Hospitality Tax Committee and Planning Commission, discuss a proposed contractual agreement for acquisition of real property in accordance with the provisions of 30-4-70(a)(2) and receive legal advice concerning pending FOIA lawsuit.

Mayor Scoville moved, seconded by Council Member Smalls.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville, Jr., Mayor
SECONDER:	Clarence C. Smalls, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

The Regular Meeting was adjourned at 7:04 PM.

Motion to adjourn Executive Session and reopen Regular Session.

Mayor Pro Tempore Wayne moved, seconded by Council Member Bradley.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

Executive Session was adjourned and the Regular Meeting was reopened at 7:44 PM.

Mayor Scoville announced no formal action was taken in Executive Session.

17. APPOINTMENTS

Motion to appoint Brandy Rogerson and Wendy Carraway to the Accommodations and Hospitality Tax Committee and Brittany Johnson to the Planning Commission.

Mayor Scoville moved, seconded by Mayor Pro Tempore Wayne.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Peggy P. Wayne, Mayor Pro Tempore
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

18. Motion to amend agenda to add an action item to approve going forward with the proposed settlement of a lawsuit.

Mayor Scoville made the motion, Council Member Smalls moved [sic], seconded by Council Member Bradley.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Way

Council Member Bradley formally requested Mayor Scoville direct Mr. Heald to take the lead on the situation with DHEC and keep the City Administrator and Council informed. Mayor Scoville confirmed with Mr. Heald that he understood.

Council Member Kimbrough moved that consistent with recommendations of trial counsel made in Executive Session, that the City accept the Consent Settlement Proposal made by the Plaintiff in Georgetown County Court of Common Pleas Case Number 2014-CP-22-001049 and instruct trial counsel to notify Plaintiff of the City's acceptance.

Council Member Kimbrough moved, seconded by Council Member Bradley.

Mayor Scoville recused himself due to the fact he is a party in the lawsuit.

Mayor Pro Tempore Wayne called for the vote.

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Edward S Kimbrough, Council Member
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne
RECUSED:	Scoville Jr.

19. ADJOURNMENT

Adjourn the Regular Meeting of City Council

Mayor Scoville moved, seconded by Council Member Jayroe.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Barber Sr., Bradley, Jayroe, Kimbrough, Smalls, Wayne

The Regular Meeting was adjourned at 7:59 PM.

Ann U. Mercer
City Clerk

Date Approved: 03/19/15