

City of New Ellenton
Regular Meeting of City Council
City Hall Council Chambers
Minutes

Monday, May 18, 2009

Welcome

Mayor Vernon Dunbar welcomed everyone to the meeting and called the meeting to order at 7:08 pm.

Invocation

Daniel Braswell

Pledge of Allegiance

Roll Call for the Record

Present: Rex Nordeen, Terence Williams, Vernon Dunbar, Daniel Braswell, Anthony Shaw

Others Present

City Clerk Vernel Sanders, City Administrator L.C. Greene, Fire Chief Mike Kellems, Recreation Director Donald Perry, Police Chief Alicia Parks, Charlie Duvall, Vicki Simons, Hank Roland, Cork Berry, Gene Smith, Jeff Smith, Hank Bouknight, Debbie Bouknight, [inaudible], Jimmie Lee Williams, [inaudible], Prestic Faulk, [inaudible], Kelly Keenan, Jackie Keenan, Dan Garmin

Mayor Dunbar again welcomed everyone.

Approval of Financial Statements

April 2009 *Motion to approve the April 2009 Financial Statement by Councilman Williams, second by Councilman Braswell.* Councilman Nordeen stated that on some parts of the budget, committee heads had not done the line items that show money budgeted for and encouraged Council to discuss this with committee heads. Mayor Dunbar asked for clarification. Councilman Nordeen stated that on the budget, there was nothing indicating the line item, so it was in the budget, but not on the total. Mayor Dunbar stated that the accountant could look at it and encouraged Councilman Nordeen to show it to City Clerk Sanders. Councilman Nordeen stated that it was only one or two items, not a list. Mayor Dunbar asked for additional questions and called for a vote. *All in favor. Approved.*

Approval of Council Minutes

Special Council Meeting March 12, 2009: *Motion to approve the March 12, 2009 Special Council Meeting minutes by Councilman Braswell, second by Councilman Williams. 3 in favor. Approved with Councilman Shaw and Councilman Nordeen abstaining due to not being on Council.*

Special Council Meeting March 23, 2009: *Motion to approve the March 23, 2009 Special Council Meeting minutes by Councilman Braswell, second by Councilman Williams. 3 in favor. Approved with Councilman Shaw and Councilman Nordeen abstaining due to not being on Council.*

Discussion about March 16, 2009 Meeting Minutes. City Clerk Sanders stated that she thought these minutes had been sent, and if it was an oversight, she would print them.

Special Council Meeting April 2, 2009: *Motion to approve the April 2, 2009 Special Council Meeting minutes by Councilman Braswell, second by Councilman Nordeen. 4 in favor. Approved with Councilman Williams abstaining due to not being in attendance.*

Regular Council Meeting April 20, 2009: *Motion to approve the April 20, 2009 Regular Council Meeting minutes by Councilman Williams, second by Councilman Nordeen. All in favor. Approved.*

City Clerk Sanders stated that she would check on the minutes. Mayor Dunbar stated that there was a set not on the agenda and identified the meeting as May 11th. [Inaudible]. City Clerk Sanders asked if everyone had it. Mayor Dunbar stated that it was not on the agenda.

Regular Council Meeting March 16, 2009: *Motion to table the March 16, 2009 Regular Council Meeting minutes by Councilman Williams, second by Councilman Braswell. All in favor. Approved.*

Mr. Berry asked if Council had their microphones on. Councilman Braswell stated that they did not and thanked Mr. Berry for bringing the oversight to everyone's attention.

Ms. Simons asked if it was appropriate for the new Council members to vote on tabling approval of minutes for meetings during a time period when they were not on Council. Mayor Dunbar stated that this was just an agenda change and not approval of minutes and added that he did not see anything wrong with it.

Old Business

Final Reading: An ordinance to authorize CPW to issue Bond anticipation notes – Mayor Dunbar stated that City Administrator Greene had received a call from the City attorney. City Administrator Greene stated that he had received a fax that stated that the City attorney had just gotten off of the phone with the Bond attorney and there was some mix-up with the bank and interest rate and requested that Council postpone approval until June. City Administrator Greene continued that it needed to be left open for June because it may require a special, called meeting. Mayor Dunbar asked if there would be any deadline issues if the ordinance is not approved until June. Mr. Duvall stated that he would check on it first thing in the morning and added that he did not know if CPW had received a copy of it. Mr. Duvall continued that the letter was sent by fax and the letter was written Friday afternoon and since Erick had not shown up, he assumed the attorneys were working on it. Mr. Duvall added that he received an email about it, but had not heard from Harold about it. Mr. Duvall again stated that he would find out first thing in the morning and call City Administrator Greene. Mr. Duvall encouraged Council to table the issue. Mrs. Keenan stated that she was sure the attorneys would let Council know. Mr. Duvall continued that everything is now in the hands of the bond attorney and was sure that the letter would not have been sent if it had not been at the request of the bond attorney. Mayor Dunbar stated that he just wanted to make sure there were no deadline issues and added that Council would table it tonight and add it to June's agenda. Mr. Duvall stated that he would find out tomorrow adding that he knew there was a deadline for breaking ground and starting construction, but was not sure of that date. Mayor Dunbar called for a motion. *Motion to table approval of an ordinance to authorize CPW to issue Bond anticipation notes by Councilman Braswell, second by Councilman Shaw. All in favor. Approved.*

City Clerk Sanders stated that there were minutes from March 16th and they were being printed off and asked if Council had already voted to table approval. Mayor Dunbar affirmed.

New Business

Consideration of renewing contract with Ms. Ann Lang, CPA – Mayor Dunbar asked City Clerk Sanders for a copy of the contract. City Clerk Sanders stated that she could get it. Councilman Braswell stated that he had two different contracts. City Clerk Sanders stated that there were two contracts and asked Mayor Dunbar if he needed a copy. Mayor Dunbar stated that he had a copy and summarized that Ms. Lang had a contract to come in on a monthly basis to complete financial statements and a contract to come quarterly at a reduced rate. Ms. Simons asked if the position had gone out for bid. Mayor Dunbar stated that the City had not. Ms. Simons asked if the City should under South Carolina Procurement Laws. Mayor Dunbar stated that he did not know and could check. Mr. Roland asked why it was necessary to retain an auditor when the City employed an administrator that is supposed to know the ins-and-outs and expressed concern over the affordability. Mayor Dunbar stated that from a year before Ms. Lang came on, the City was in arrears paying payroll taxes, the State was threatening a lien on the City, and several things contributed. City Clerk Sanders stated that it was more than a year. Mayor Dunbar continued that since Ms. Lang had come on, the City has had an unqualified audit for the first time since he can remember. [Inaudible] Mr. Roland stated that there were clerks and administrators. City Clerk Sanders countered that she is not qualified to do what Ann does. Mayor Dunbar stated that at some point, Council hopes to get away from an auditor when a qualified person is employed and cited Barbara Long as an example with 30 years experience. Mayor Dunbar continued that since Barbara had left, the City took a turn with no one with that experience. Mayor Dunbar continued that before Barbara, Ms. Lynn [inaudible] who had trained Barbara. Mr. Roland asked if the auditor's pay was public knowledge. Mayor Dunbar affirmed and stated that the rate is \$1,500.00 per month. Mr. Roland asked if this was for 12 months, and Mayor Dunbar affirmed. An unidentified man asked if this was for one day a month. Ms. Williams stated that all she heard at the meetings were questions about where money is, so someone to keep track of the money is needed. Mayor Dunbar stated that he thought the CPW has a CPA that comes in every month. Mr. Duvall stated that the CPW did not as far as he was aware of. Mayor Dunbar stated that he thought they did at one time, and Mr. Roland agreed. [Inaudible] Mrs. Keenan asked how much money had been stolen since the auditor had been hired. Mayor Dunbar and City Clerk Sanders responded that none had. Mrs. Keenan asked how much had been misappropriated before that. City Clerk Sanders asked which time. [Inaudible] Mr. Berry asked if the auditor was coming once a quarter. Mayor Dunbar affirmed. An unidentified person asked how much that contract was. Mayor Dunbar responded that it was \$1,200.00 per month. City Administrator Greene stated that the quarterly reports are submitted electronically. [Inaudible] Ms. Simons asked what the accountant does. [Inaudible] City Clerk Sanders stated that she does not know how to do what Ann does which City Clerk Sanders identified as governmental accounting. City Clerk Sanders continued that she is not and does not claim to be an accountant. City Clerk Sanders added that Ann answers her questions. Mayor Dunbar stated that Ann makes sure all monthly and quarterly reports are filed. City Clerk Sanders stated that Ann does the federal and state unemployment and retirement. Mr. Keenan stated that Concept HR, a company in Aiken, for up to ten employees, will make sure everything is done. City Clerk Sanders stated that reports are not the only thing that Ann does. Mrs. Keenan stated that an accountant would still be needed. An unidentified person asked City Administrator Greene if he was an accountant. City Clerk Sanders stated that he is not, and City Administrator Greene concurred. [Inaudible] Mayor Dunbar called for order. Councilman Williams stated before Ann came, the City was being penalized and fined weekly for each employee and the City stayed in arrears. Councilman Williams stated that it was a constant problem and the figures could be the same. City Clerk Sanders asked for clarification on which figures Councilman Williams was referring to and added that she personally knew that at one point the City owed the federal government \$50,000.00 and were being penalized for each day it was not paid. City Clerk Sanders continued that since Ann had come on, taxes are paid in a timely matter, payroll taxes are paid each week, and these are never late. City Clerk Sanders stated that once when she was first employed by the City the figure was \$30.00 off and upon asking Ann about it, was told that because the City's payment history had improved dramatically, the government probably would not penalize, and it ended that the government did not, but before that the City could not get a can

of paint on credit from the government because it was that bad. [Inaudible] Mr. Keenan detailed what Concept HR could do and how it would relieve some workload adding that an accountant would still have to come and check. Councilman Shaw asked how much per week. Mr. Keenan added that the company was worldwide. Mrs. Keenan added that they do all the 946s and send checks. Mayor Dunbar stated that this was a payroll service. City Clerk Sanders stated that it sounded like a payroll service. Mr. and Mrs. Keenan agreed. [Inaudible] Councilman Shaw stated that Mr. Keenan was saying that it would cut out that portion of the work for the city clerk and auditor. Mrs. Keenan stated that all of the end-of-the-year forms are completed. Mayor Dunbar stated that he thought Council had looked at that with Concept HR and added that the accountant had given a price with the payroll portion taken out. Mayor Dunbar stated that he did not know the procurement rules for accountants and deferred to City Administrator Greene. City Administrator Greene stated that for professional services, which he identified this as, the state procurement code will allow it, but other professionals do have to be called in to make an analysis of qualifications. City Administrator Greene stated that the City had not had one in 32 years. [Inaudible] Mr. Keenan stated that there is no doubt that the City needs an accountant. Mayor Dunbar stated that the City could advertise and entertain other accountants. [Inaudible] An unidentified person asked about the length of the contract and asked about getting rid of the accountant within the contract. Mr. Berry asked for clarification about the accountant's services and pay being quarterly and getting paid \$1,200.00 per month. Mayor Dunbar stated that the accountant does everything remotely other than the quarterly services. Mr. Berry stated that the City was getting ripped off. [Inaudible] Mayor Dunbar repeated that he did not have a problem with advertising. Councilman Nordeen asked what the accountant does when she comes monthly. City Clerk Sanders stated that she pulls reports, make sure monthly statement and reports are complete, lets the clerk know how much money goes to the sewer. Mayor Dunbar stated that the City did not know what to do with the sewer, which Ann investigated and found to be over \$1,000,000.00 and is now around \$700,000.00. Mayor Dunbar stated that this is the kind of stuff that she does. [Inaudible] City Clerk Sanders stated that an accountant could do this, but a payroll service could not. Ms. Williams asked if Ann would do the services other than payroll for less. City Clerk Sanders stated that Council is going to find out. Mayor Dunbar agreed and added that City Clerk Sanders does the payroll. Ms. Williams asked if the other part could be done for a lesser amount if someone did the taxes. Mayor Dunbar stated that it was a lesser amount, but could not remember the exact figure. [Inaudible] Mr. Kellems stated that Ann had submitted two contracts, one including payroll and one without payroll. Mayor Dunbar agreed and added that Council had looked at Concept HR. Mr. Keenan stated that he felt another CPA should look at Ann's work at the end of the year. Mayor Dunbar stated that this is what the end-of-the-year audit is for. Mr. Berry asked if it had to be a CPA. Mrs. Keenan stated that she thought it had to be a government-qualified CPA. Mayor Dunbar asked where everything stood and asked if the City wanted to advertise. City Clerk Sanders reminded that advertising for a week is costly. Mrs. Keenan asked if it had to be in the paper and suggested sending information out to three different places. City Clerk Sanders concurred stating that ads are \$200.00 to \$300.00. [Inaudible] Mayor Dunbar stated that he thought this was how the City found Ann and asked who would search. City Clerk Sanders offered and asked if the CPA had to be in Aiken. Mayor Dunbar asked when a list would be ready. City Clerk Sanders stated that it would not be before Friday. Mayor Dunbar asked when Ann's contract was up. City Clerk Sanders replied that it was up in June. Councilman Braswell stated that Ann is contracted to do June. City Clerk Sanders stated that she would have something by next week and asked if there would be a vote on this item. *Motion to direct City Clerk Sanders to research getting quotes for an accountant from no less than three sources by Councilman Braswell, second by Councilman Williams. All in favor. Approved.*

Appointments to City Board of Zoning Appeals – Mayor Dunbar stated that there was one recommendation from Councilman Braswell recommending Mrs. Braswell. Mayor Dunbar added that Councilwoman Rogers had claimed Mr. Keenan. [Inaudible] City Administrator Greene asked if Council wanted to appoint her. Councilman Braswell asked that someone else do it. [Inaudible] City Administrator Greene urged Council to approve her. *Motion to appoint Cheryl Braswell to the City Board of Zoning Appeals by Councilman Williams, second by Councilman*

Shaw. 4 in favor. Approved with Councilman Braswell abstaining due to possible conflict of interest. Mayor Dunbar stated that five more people are needed, stating that three would work, but five are better.

Approval of agreement with Commission of Public Works – Mayor Dunbar stated that the agreement is to receive a customer list and summarized the agreement thanking the CPW. Mayor Dunbar stated that the initial list was free and a new list would be received quarterly at a rate of \$25.00 per list. City Clerk Sanders asked if the cost would go down if she brought a ream of paper. Mrs. Keenan replied that it would not. Mayor Dunbar continued that either party could cancel the agreement with 30 days written notice and is signed by the Commissioners. *Motion to approve agreement as written with Commission of Public Works by Councilman Braswell, second by Councilman Williams. All in favor. Approved.* Mayor Dunbar again thanked the CPW. Ms. Simons asked where in the budget the funds would come from and suggested Administration. Mayor Dunbar stated that it would probably come from Administration.

Police Chief Parks: Probation Period Ended – Mayor Dunbar stated that Chief Parks' probationary period had ended the past Saturday and added that Council needed to consider ending the probationary period. Councilman Braswell asked if a motion was needed. Mayor Dunbar affirmed and stated that Council needed to consider bringing her up to Chief pay. Mayor Dunbar asked what she had been brought in at. City Clerk Sanders stated that it was a modest raise. Mayor Dunbar stated that the matter at hand was whether Council wanted to end the probation. *Motion to end probation period and bring her pay up to Chief pay by Councilman Williams, second by Councilman Braswell.* Mayor Dunbar stated that Council would have to find the dollar amount. City Clerk Sanders stated that it is listed in the meeting minutes from when Chief Parks was hired. Councilman Braswell stated that he remembered that. Mayor Dunbar stated that the minutes would be researched and that value would be used. Mayor Dunbar asked for additional questions. *All in favor. Approved.* Mr. Roland stated that the majority of the people of New Ellenton seem to be pleased. [Inaudible]

Report from Police Chief

Chief Parks stated that for the month of April, there were 105 total cases, of which 18 were criminal and 70 were traffic. Chief Parks continued that 17 warnings were issued, 8 arrests were made, and 6 warrants served. Chief Parks expressed a desire to bring Officer Cook up to a Captain's position with pay. Councilman Nordeen asked if that position was already in the budget, and Chief Parks affirmed. Mayor Dunbar asked how many burglaries were investigated in the month of April. Chief Parks responded that there were three burglaries down from six in March. Mr. Keenan asked the people had moved out of the first house on the right on Green Street. Chief Parks responded that there is a problem in New Ellenton, not just on Green Street, but also Woodland Drive and others. [Inaudible] Chief Parks continued that there is nothing that can be done about it. [Inaudible] City Clerk Sanders stated that the animals are protected and cannot be shot, but recommended noise as an alternative. Mayor Dunbar asked if Council needed to vote on changing Officer Cook's pay. City Administrator Greene recommended making a motion. Mayor Dunbar asked if Chief Parks was making Captain's pay prior to being promoted to Chief. Mayor Dunbar called for a motion. City Clerk Sanders asked if this was coming under the Report from Police Chief Section, and Mayor Dunbar affirmed. [Inaudible] City Clerk Sanders asked for clarification on the promotion. *Motion to promote Bill Cook to Captain with Captain's pay by Councilman Braswell, second by Councilman Williams.* City Administrator Greene stated that the Captain's position was in this year's budget and next year's budget. *All in favor. Approved.*

Report from Fire Chief

Chief Kellems stated that for the month of April there were three fires, seven car wrecks, and 28 first responder's calls. Chief Kellems continued that he is still pursuing electrical companies for back-up generators for Station 1. Chief Kellems stated that he had hoped to have some to present tonight and stated that one of the problems was that

Generax was a major manufacturer of most generators regardless of fuel and had pretty much bought out all of the competition. Chief Kellems continued that most bids are 24-48 hour, and none were valid for 30 days. Mayor Dunbar asked if someone has a State Contract on generators. Chief Kellems responded that no one did to his knowledge and gave estimates of cost at \$30,000.00 to \$40,000.00. City Clerk Sanders asked if she should check for a State Contract, and Chief Kellems affirmed. Chief Kellems stated that the need for a generator came from the fact that the Fire Station was built well enough to serve as a shelter, in light of the recent tornado, but had also lost power. Chief Kellems continued that the first couple of calls took several minutes to get out because the doors had to be manually opened. Chief Kellems stated that people could be housed for an extended period of time if needed. [Inaudible] Chief Kellems stated that the salesman that sold the City the two fire trucks is close to going and picking up the two-door truck from Pennsylvania, and once it is picked up it will go to the shop in Columbia and did not require much work. Chief Kellems added that it should only be a week or ten days after the truck is received in Columbia, that the City will be able to get it and hoped that by this time in June, the truck would be in the City. Chief Kellems stated that the other truck would be two to three weeks behind the first truck. Mayor Dunbar asked for additional questions. An unidentified person asked for the price on the generator. Chief Kellems responded that he had gotten ballpark numbers because the manufacturer would not lock in a price until the purchase, but that the price would run \$30,000.00 to \$40,000.00. Chief Kellems stated that before Generax bought out its competition, the same generator would have cost \$18,000.00. An unidentified person asked what size generator was needed. Chief Kellems replied that a 110 kilowatt generator was needed adding that one that would power the entire station was needed. City Clerk Sanders asked how it would be powered. Chief Kellems responded that it he was getting quotes on propane and natural gas, but was leaning towards natural gas until he was told that a propane tank could be buried. Chief Kellems continued that he did not think that there was much of a price difference between natural gas and propane. [Inaudible] An unidentified person mentioned diesel generators. City Clerk Sanders stated that diesel prices were pretty high. An unidentified person stated that generators installed at his facilities in Aiken, Edgefield and [inaudible] power everything, but the main building only has emergency.

Report from Recreation Director

Mr. Perry stated that baseball season was being wrapped up. Mr. Perry thanked Foreman Memorial for allowing tee-ball to play there. Mr. Perry stated that two games a night are being played at the ballfield and that this was the last week of the season. Mr. Perry stated that out of six age groups, in which New Ellenton has two pitching machine teams, a minor league baseball team, a major league baseball team, and three softball teams, New Ellenton teams were leading in five age groups. Mr. Perry continued that the City teams were competing against Jackson, Williston, Midland Valley, and Belvedere. Mr. Perry stated that Council needed to take a hard look at rebuilding the facilities and emphasized that it was important to offer alternatives to the streets for the youth. Mr. Perry stated that the City was going to have to commit money to the facilities adding that after the tornado, there was nothing left, excepting one building of the four or five that had been there. An unidentified person asked if there was insurance. Mr. Perry replied that the school had insured it. The person asked if the school was going to do anything. Mr. Perry stated that in talking with several people on the School Board, there was a possibility that the concession stand, bathrooms and possibly score board could be replaced. Mr. Perry stated that Aiken Electric is willing to do whatever it has to in order to get the lighting straightened out, but that material would have to be paid for. Mr. Perry continued that he had talked with Augusta Concrete and Blocks, and they are willing to donate blocks. Mr. Perry stated that Aiken Electric had also said they would do what they could to help. Mr. Perry continued that the concession stands and bathroom were definite and the score board and fencing were in question. Mr. Perry stated that in terms of fencing, there was a need for one section of 100-200 foot and another section that would be stretched back into position. Mayor Dunbar suggested that the old fence could be covered with galvanized paint. Mr. Perry stated that he had also talked with someone about portable bleachers and painting. Mr. Perry stated that the individual was adamant about not using the existing bleachers because they were not up to code. [Inaudible] Mr.

Perry replied that Jaycees and volunteers had. Mr. Keenan stated that he could not believe that the School District was not going to take care of it. An unidentified person stated that the School District is out of money. Another unidentified person stated that the School District had insurance and must be going to pocket some of it. Mr. Perry stated that the schoolhouse is being talked about being closed down. An unidentified person stated that the School District must want to spend the money somewhere else. Mr. Perry stated that the dimensions were down there. Mrs. Keenan asked what happens if the District closes the school. Mr. Keenan asked if the City will still get to use the ballfields. Mr. Perry stated that there is a 99 year lease. Mrs. Keenan asked if the lease was with the School Board. An unidentified person affirmed. Another unidentified person asked if the City would then have to insure the facility. Mr. Perry stated that the District will continue the insurance. City Administrator Greene asked what would happen if the school closes and the district sells the property. Mrs. Keenan stated that the lease is still good and the person that buys the property would have to honor the lease if it is written properly. Mayor Dunbar stated that this is correct if it is a 99 year lease. Mrs. Keenan stated that one cannot sell property and void a lease. Mayor Dunbar agreed. Mrs. Keenan stated that the question is what type of facility would go up next to the fields if the property is bought. Councilman Williams stated that if the District sells the property, it would give the City the opportunity to buy it. Mr. Perry stated that he had asked about this and the statement made was that if there is a need for the District to use it and arrangements would have to be made for the District to use it. Mayor Dunbar stated that the Jaycees, the City or Youth Sports has been leasing the field for a long time, even back when New Ellenton Junior High played football there. Mr. Keenan asked what would happen if the District sells the school and says that it will never be used as a school again. City Clerk Sanders stated that Mrs. Keenan had just said that the lease would still have to be honored if it is written correctly. [Inaudible] Mayor Dunbar stated that the lease needed to be reviewed, and City Clerk Sanders agreed. Councilman Shaw pointed out that the lease would need to make sure access is guaranteed in the lease. Mrs. Keenan stated that the maintenance and insurance needed to be considered as well. Mr. Keenan stated that he was told that the school was going to take care of it. Mr. Perry stated that he had several people that wanted to clean up and the School District declined. Mr. Keenan stated that he thought a petition should go out. Several people agreed. City Clerk Sanders stated that the school district listens to citizens. [Inaudible] Mr. Kellems stated that football and baseball equipment was strewn everywhere, and probably not still there. Mrs. Keenan stated that the School District did not own it, so it probably was not covered. Mr. Kellems agreed. An unidentified person stated that the equipment should not have been stored there if the City did not have insurance on it. Mayor Dunbar stated that the path forward was to determine what the School District was going to do and then see where the City is to approach Aiken Electric and others. Mrs. Keenan added that the codes and standards needed to be determined as well. Mayor Dunbar agreed. Mrs. Keenan stated that what was had would never be rebuilt. Mayor Dunbar added that the facilities were in need of upgrade. An unidentified person stated that anything would be better than what was there because it was shabby. Mayor Dunbar agreed. Mayor Dunbar asked Mr. Perry if there was anything else. [Inaudible] Mr. Perry stated that Council had a paper in front of them regarding phones. Mr. Perry stated that he had been paying on his own phone bill until getting a City phone for five payments totaling \$418.02. Mr. Perry asked for reimbursement for the months until the City provided a phone adding that he was using his own phone for City business. Mayor Dunbar asked how much was being paid and stated that he did not understand. Mayor Dunbar asked if Mr. Perry's number was 221-9403, and Mr. Perry affirmed. Mayor Dunbar asked if the basic charge was \$59.99. Mr. Perry replied that this was the new rate and asked City Clerk Sanders for the old rate. Mayor Dunbar stated that he saw the payment history. Mr. Perry stated that monthly it was \$89.98 and once the City phone was received, the plan had been reduced to the \$59.99 rate. Mayor Dunbar asked about two phones on the previous plan and asked if the base rate was \$59.00. Mr. Perry replied that it was \$169.00. Mayor Dunbar asked if this was the basic charge. Mr. Perry replied that this was for two phones and that he had been paying for his own line at \$29.99, and the 9403 number had been used for City at a rate of \$89.98. Mr. Perry added that with taxes it came to \$111.14. Councilman Braswell stated that this amount had been paid. Mr. Perry stated that this was only up until a certain point. Councilman Braswell stated that this amount was paid on April 13, 2009.

[Inaudible] Mayor Dunbar asked for a copy of the old bill. Mr. Perry replied that he did not have it with him. Mayor Dunbar stated that Council needed copies of the bills to determine what had and had not been paid. Ms. Simons asked if these reimbursements would come out of Category 5025 Utilities in Parks and Recreation amended budget. Mayor Dunbar stated that he did not know where it would come from. An unidentified person asked if the City had a plan for all of the City's phones. Councilman Braswell stated that the City still does not. The person stated that the City is spending an awful lot of money on cell phones and could not imagine a cell phone over \$100.00 per month and asked how many cell phones the City has. Mayor Dunbar stated that this was one reason this phone was switched. The person asked if it would be cheaper to have a certain number of phones under one plan. Another unidentified person asked if the phones were listed as business or personal phones. Mayor Dunbar stated that this was before the switch to City phones. The person stated that there is a difference between business and personal phones. Councilman Shaw agreed. Mrs. Keenan stated that the more phones the City puts on one plan, the cheaper it is, illustrating that she has eight phones on one plan for \$500.00 per month, but then corrected that it was \$700.00 per month for eight phones. Mayor Dunbar stated that the phones that the City has now are either Verizon or Alltel, which is essentially the same company. Councilman Shaw stated that they all needed to be on the same plan. Mayor Dunbar agreed stating that he had spoken to a customer service representative, but did not know whether going with one company or another was better. Councilman Shaw stated that some of the plans may still be under contract. Mrs. Keenan stated that one could pit the two companies against each other to get a better resolution. City Clerk Sanders asked if Verizon was Alltel, and Mrs. Keenan replied that the two companies had not completely merged yet. An unidentified person asked how many cell phones the City has. Councilman Braswell and Mayor Dunbar replied that there are seven. Mr. Roland stated that he thought it was illegal to reimburse personal cell phones. [Inaudible] Mr. Roland stated that only during an emergency, should personal equipment be used. Councilman Shaw stated that if one is paying for his or her own phone and wants to use it then, it is okay. [Inaudible] Councilman Shaw stated that if he put his cell phone number on a business card and someone calls about City business and tries to charge it back. An unidentified person asked if the City should only have to pay what costs Mr. Perry experienced above and beyond his normal plan. Mayor Dunbar stated that this is what is trying to be established. Mrs. Keenan asked how one could separate minutes. Mr. Perry stated that it was two different phones. Mrs. Keenan stated that it is still bad practice. [Inaudible] Mrs. Keenan stated that there is no way to prove the minutes were not used for personal interests. Mr. Perry stated that it was one charge for unlimited minutes. Councilman Shaw asked if Mrs. Keenan was trying to say it looked bad. Mrs. Keenan replied that it gave the appearance of looking bad. Mayor Dunbar asked for Mr. Perry to get the bills. An unidentified person asked how a personal cell phone with unlimited minutes could be higher than its normal rate. Mayor Dunbar stated that he thought what had happened was that once hired, he changed his plan to have unlimited minutes because of his employment. An unidentified man stated that he had plenty of conversations with Mr. Perry over this period of time, but that the City should have solved this for Mr. Perry. The man continued that in his business, employees have their own phones and are paid an agreed-upon stipend. Councilman Braswell asked if this was a set value. The man affirmed. [Inaudible] The man added that the company was a non-profit, private entity. Mayor Dunbar directed Mr. Perry to get the bills. [Inaudible]

Report from Special Committees

Administration – City Clerk Sanders stated that there is a request to use the Civic Center once a month to host a 2-3 hour recreation period for senior citizens between 10:00 and 12:00. City Clerk Sanders stated that there are 12 people on board, and once the program expands, the individual would look to use it more than once a month. City Clerk Sanders stated that she had told the individual that she would have to get Council approval, but thought that Council would be in favor of it since the City has been trying to get something started for senior citizens. Councilman Shaw stated that liability issues would have to be looked at. Councilman Nordeen stated that Council would have to know if there was a bus. City Clerk Sanders stated that it would involve private vehicles.

Councilman Nordeen stated that access from the front would be needed. City Clerk Sanders stated that she could bring that up. Mrs. Keenan stated that the general condition of the Civic Center was poor and expressed concern about allowing seniors in without some sort of maintenance. Councilman Shaw expressed concern about the retention pond out front and its implications with mosquitoes. Councilman Shaw stated that the culvert was open and a child could fall in. Mrs. Keenan added that a senior could as well. [Inaudible] Councilman Nordeen stated that he was told by a department head that it would be fixed. City Administrator Greene stated that it needed to be fenced in. Councilman Shaw agreed and added that it needed to be treated for mosquito larvae. [Inaudible] Mr. Perry stated that last year a summer camp was run, but that he could not run it by himself. Mr. Perry stated that he had 35 kids last year and needed help. An unidentified person stated that not all of the parents worked and should volunteer. Councilman Shaw stated that the reason parents wanted them to go to summer camp was to get rid of them. [Inaudible] Mr. Perry stated that at the start of the camp, seven people had volunteered, but that once it got up and running, not one had come. Mayor Dunbar stated that Angela at the Aiken Housing Authority was looking into having two college students come help with the program. Mayor Dunbar stated that it would be eight hours a day help. Mr. Perry asked if he should advertise. Mayor Dunbar stated that Mr. Perry said he could not do it himself and asked what he proposed. Mr. Perry stated that he tried volunteers and would try again, but if people do not show, he needs some sort of solution. Mr. Roland stated that if volunteers do not show up, the next step is to shut it down adding that anyone that sends their child to get rid of him, is not a good parent. Mr. Roland added that the City should not pay someone to keep other people's children. Mr. Roland continued that when his children were young, there were only volunteers. Mr. Roland added that if the parents do not want to do it, then they do not care about the kids. City Clerk Sanders stated that people are not going to pay and then volunteer. An unidentified woman stated that Mr. Perry should wait to see if the two college students would work out. Mayor Dunbar stated that volunteers would still be needed. Councilman Shaw asked if the camp went all summer long. Mr. Perry stated that last year camp went from the Monday after school got out until the Friday before they went back. [Inaudible] Mayor Dunbar asked when camp would start. Mr. Perry stated that he felt something needed to be done for the kids. Mr. Keenan asked how much it cost last year. Mr. Perry replied that it was \$170.00 per child. [Inaudible] Mayor Dunbar stated that he was sure that the daycare did not appreciate it. An unidentified woman stated that the daycares did not like it because some children were pulled to go to camp. [Inaudible] Mr. Berry stated that if there were not enough parents to help, it did not need to be done. Mr. Berry continued that the equipment that was put at the ballfield came from parent's money because the City had nothing. Mr. Berry stated that parents should go there and break their backs on Saturdays like the old-fashioned way. Mr. Perry stated that the problem is not volunteers to rebuild the fields, but rather the fact that it will be subject to inspection and codes. Mr. Perry stated that the School District will not let anyone go down there unless he is a general contractor. Mrs. Keenan stated that the liability is on the contractor. Mr. Berry stated that the agreement that he had was that the people built it and it was theirs. Mayor Dunbar stated that times have changed. [Inaudible] Mayor Dunbar asked where the summer camp situation was. Mrs. Keenan replied that the volunteers Mayor Dunbar had spoken about were needed. Mayor Dunbar asked what the start date was. Councilman Braswell stated that Mr. Perry wanted to do it the week after school is out. Mayor Dunbar asked when school is out. [Inaudible] Mr. Perry replied that he would like to start June 8th. Mayor Dunbar stated that the date might need to be pushed back. [Inaudible] Mrs. Keenan asked if the support from last year was in place. Mr. Perry stated that the breakfasts and lunches were lined up. Mayor Dunbar stated that the City would have to see what it could come up with in two weeks and then advertise. Mayor Dunbar asked if the seniors would be willing to sign a waiver. City Clerk Sanders stated that she did not know, but could ask. Mr. Keenan stated that a fence company could fence up the retention pond and the side entrance with double doors could be the front entrance. An unidentified person asked about parking. City Clerk Sanders stated that there was not a whole lot of parking needed. [Inaudible] Mr. Keenan stated that there are 10 or 12 parking spaces available and added that if the person is so old that he or she cannot walk around the building, then he or she will probably not come out. [Inaudible] Mr. Keenan stated that the Civic Center cannot be used with the retention pond. Mrs. Keenan cautioned to check the tiles. Ms.

Simons asked if there was a light switch on the side door. City Clerk Sanders affirmed. Ms. Simons asked if all of the lights could be operated from the side entrance. Mayor Dunbar stated that there was only one light switch there. Councilman Nordeen stated that the light switch operated enough light to be able to walk through. City Clerk Sanders stated that this was during the day and light was not needed. An unidentified person stated that there are meetings at night. City Clerk Sanders disagreed. [Inaudible] Ms. Simons stated that rewiring may be needed if the front entrance is roped off and the facility is used at night. Councilman Nordeen asked about the fire code with one door. Several people countered that there are three doors. Mr. Keenan stated that the front door is not an option. Mrs. Keenan stated that in an emergency, one could go out of that door. Mrs. Keenan asked if there was a program. City Clerk Sanders stated that they would be gathering for board games and added that they requested it knowing the condition of the Civic Center. Mayor Dunbar stated that the Civic Center is rented out on a weekly basis to others. Mrs. Keenan stated that with seniors more care needs to be taken. [Inaudible] City Clerk Sanders stated that so far, it is just getting together to play games. Mrs. Keenan asked if it would be advertised. City Clerk Sanders stated that she thought it would be and offered to get more particulars. Mayor Dunbar encouraged approving it. Mr. Faulk asked when the maintenance would take place. Mayor Dunbar stated that there is no deadline. Mr. Faulk stated that the work needs to be done. Mr. Keenan stated that most people are concerned about the liability. City Clerk Sanders stated that she just needed to know what to tell them. [Inaudible] Chief Kellems stated that no one wanted the retention pond, but the County said it had to be put in. Mayor Dunbar agreed adding that DHEC required it. Chief Kellems stated that the Fire Department did not have a problem paying for a nice, chain-link fence and thought that if the Fire Department paid for it, the Streets and Roads crew could install it. Mrs. Keenan stated that fence from the school could be recycled. Mayor Dunbar asked if it needed to be voted on. Chief Kellems continued that a 6 foot cyclone fence could be put around it. [Inaudible] Chief Kellems again said that no one wanted the retention pond, but it had to be put in. [Inaudible] Chief Kellems stated that it was a state mandate that required that it be put in. An unidentified person asked if the retention pond had to stay there forever. [Inaudible] An unidentified person asked why every fire station did not have to have a retention pond if one is a must. Chief Kellems stated that it was put in because of the erosion and run-off and size of the roof of the building. [Inaudible] Councilman Shaw stated that the pond does not catch the run-off and it ends up down the street. An unidentified person stated that the mosquito nest should be covered up. [Inaudible] Chief Kellems stated that the fence that was put up was for erosion and is not the type of fence one should use for protection. [Inaudible] Mayor Dunbar stated that the City would look into the liability and directed City Clerk Sanders to do it. Mayor Dunbar continued that Council did not need to vote on it. Mr. Keenan asked if liability was there when the Civic Center is rented out. City Clerk Sanders affirmed. Mr. Keenan stated that the Civic Center could be rented for \$1.00 to the group. Mrs. Keenan stated that if the City is found negligent, the liability waiver is worthless. Mrs. Keenan continued that if someone slips on a loose tile and claims it is because the City has not maintained the building, the waiver is no good. Mr. Faulk stated that the facility needs to be repaired. Mayor Dunbar stated that if there are loose tiles, they need to be fixed, but claimed that he was not personally aware of any loose tiles. [Inaudible] An unidentified person stated that there are cracks in the floor, and Mayor Dunbar concurred. Mr. Faulk stated that it needed to be leveled off and the tiles repaired. City Clerk Sanders asked which tiles. Mayor Dunbar stated that it was the tiles from the floor shifting, and Mr. Faulk agreed. City Clerk Sanders asked what she should tell Mrs. Allen. Mayor Dunbar stated that he did not have a problem letting her sign a rental agreement just like everyone else does. Councilman Williams stated that he would pay the first six months. City Clerk Sanders asked about a year's rental. Mayor Dunbar stated that the nomination for the Board of Zoning Appeals had been handled. Mayor Dunbar stated that regarding the library, he had spoken with Joe Berry who was planning on meeting with the Director of the Library system and had been told that New Ellenton was not the only place getting a new library. Mayor Dunbar stated that Windsor is also getting a library, but that a schedule had not been developed. Mayor Dunbar stated that the meeting with the Director was scheduled for Monday. Mrs. Keenan asked where the library would go. Mayor Dunbar replied that Council had voted to place it out front right on the road. Mrs. Keenan stated that it must have been last

month when she had not attended. Mayor Dunbar affirmed. Mrs. Keenan commented that she had been waiting on this for years. Mayor Dunbar stated that it would go on the knoll. City Clerk Sanders clarified that it was the spot where the Christmas tree usually goes. Mrs. Keenan commented that it was great. Mr. Faulk asked for the size of the proposed library. City Administrator Greene replied that it would be 3500 square feet. Mrs. Keenan asked for clarification. Mr. Faulk stated that a lot of landscaping would be required and added that everything at City Hall would change. Mr. Faulk asked if all of the parking would be in the rear. Mr. Faulk asked if Council had seen a drawing of the library and stated that Council had already voted to put it in front. Mayor Dunbar corrected that it had been voted to put the library there if it is feasible. Mr. Faulk indicated he understood. Mayor Dunbar stated that Council had indicated where they would like it and someone would come out and review it and determine if it is possible. Mayor Dunbar continued that Council would move forward from there. Mrs. Keenan asked if it was being moved from where it is. Mayor Dunbar affirmed. An unidentified person asked if the City owned that property, and Mayor Dunbar stated that the property in question was being leased. City Administrator Greene stated that a lot of it still belonged to the County. Mayor Dunbar agreed. Mr. Keenan asked if the County owned the property in question. City Administrator Greene stated that it did not. [Inaudible] Mayor Dunbar stated that after the last meeting, the City attorney had been contacted about the Infield Sports Bar business license. Mayor Dunbar stated that the attorney had issued a letter to Infield and its attorney, to which Infield said they would not file a lawsuit and asked City Administrator Greene for clarification. City Administrator Greene stated that the City attorney gave Infield ten days to file a lawsuit or the City would take action under its ordinance to collect the business license fee. Mayor Dunbar stated that the action is to cite Infield and then bring the owners to court. Mrs. Keenan asked if it had been paid. City Administrator Greene stated that the owner had not paid. Mrs. Keenan asked if the ten days were over. Mayor Dunbar indicated that it was not over. City Administrator Greene indicated that it would be in the coming week. [Inaudible] Mayor Dunbar continued that the Environmental Justice Conference in Washington, D.C. occurring May 27th to May 29th that he and Councilman Braswell would be attending. Mayor Dunbar indicated that Councilman Braswell was driving and he would be flying due to having to return to work. An unidentified person stated that expense reports would be needed. Mayor Dunbar stated that the conference was about the federal stimulus money and added that he had spoken to Sammie about funding for the water department and needing a list. Mayor Dunbar offered to speak up for the CPW if there were funds available and added that if there is money available he felt the City should get it. [Inaudible] Mayor Dunbar stated that the City had come up with eight projects totaling \$16,000,000.00 when the stimulus funding began and indicated that he and Councilman Braswell would be taking the list with them. Mayor Dunbar stated that he and Councilman Braswell would be paired with different departments to discuss grants and applying for grants. An unidentified person asked if City Administrator Greene should be going since he is responsible for writing up grants. Mayor Dunbar stated that it would not cost anything. [Inaudible] Mr. Keenan asked if the City is still saying that the Infield is in the City. Mayor Dunbar stated that he had not seen anything that said otherwise. [Inaudible] Mayor Dunbar stated that this was all he had for *Administration* and asked Councilman Williams if he had anything. Councilman Williams declined. Mayor Dunbar stated that this item may be under sewer, but wanted to discuss a grant that the City had applied for related to sewer expansion. Mayor Dunbar stated that the City was awarded \$250,000.00 at the time, but because one party had backed out, the grant had been rescinded. Mayor Dunbar indicated that the grant had be reapplied for under one party and had been awarded \$90,000.00 for the expansion of the sewer system around White Pond Road with local matching funds of \$107,628.00. Mayor Dunbar stated that the grant had basically been reinstated at a lower amount. Mr. Faulk asked if the City was going forward with the project. Mayor Dunbar affirmed. An unidentified person asked how much the City would have to contribute. Mayor Dunbar indicated that the City would pay nothing adding that the Contractor is responsible for the infrastructure. Mr. Faulk asked if the plans are drawn up. Mayor Dunbar asked for clarification. City Administrator Greene indicated that they would be drawn up. Mr. Keenan stated that he was told that DHEC was coming to town to drill a well near his place. City Administrator Greene asked about the kind of well. Mr. Keenan replied that it was a test well. [Inaudible] Mayor Dunbar asked

about the location. Mr. Keenan replied that it would be at 300 Main Street and stated that it was due to the tanks. Mrs. Keenan reminded about a situation four years ago when DHEC drilled on Mr. Franklin's property and nearby. [Inaudible] An unidentified person asked about gas tanks. [Inaudible] Mayor Dunbar stated that he heard today that Graniteville is getting a grant awarded Wednesday at 2:30. Mayor Dunbar stated that these grants are sizable and illustrated that Augusta had gotten one for \$500,000.00. Mayor Dunbar indicated that he thought Graniteville should get it due to the train wreck. City Administrator Greene added that the cities of Columbia and West Columbia had just gotten one for \$1.8 million. [Inaudible] An unidentified person asked for a No Parking sign on the end of her street. Mayor Dunbar stated that if people came there, she should call the police. The person indicated that by the time she calls the County and the County notifies the City police, the people are gone. The person stated that the people do not stay long and are either doing drugs or having sex. [Inaudible] Chief Parks offered to patrol the area more. Mayor Dunbar stated that the Chamber of Commerce was having a visit after hours at Cedar Creek and encouraged people to go adding that it was usually a good time. [Inaudible] An unidentified person asked if the police ever arrested people for "boom, boom cars." [Inaudible] Mayor Dunbar stated that there is a transportation committee meeting June 8th at 7:00 pm at the County Council Building discussing paving roads and this was the place to discuss this. The person indicated that she had been to this meeting and discussed it and has been told that she can get a lawyer. The person added that this was four years ago. The person stated that her home is listed in a subdivision, but that each house was built by an individual. The person stated that she could not get that changed at the courthouse. Mayor Dunbar stated that he did not see how that would affect getting the road paved and stated that he just wanted to let her know. Mayor Dunbar stated that Council had a meeting scheduled that night. Another unidentified person stated that the County has the person listed as Peachtree Hollow Subdivision and that perhaps the transportation committee was thinking that whoever built the subdivision should take care of it. Mayor Dunbar stated that he did not think that it had any bearing. Several unidentified people responded that it did matter because the road would not belong to the County. Mayor Dunbar stated that there are subdivisions all over the City adding that he lives in the A.J. Allen subdivision and there is a subdivision on Williamson. Mayor Dunbar indicated that he did not think it mattered and believed that the word needs to be gotten to the right person. Mrs. Keenan stated that the right-of-way is deeded back to the County and illustrated with a personal example. [Inaudible] Mayor Dunbar stated that the squeaky wheel gets the grease and the June 8th meeting is the place for it.

Fire Department –

Police Department –

Streets and Roads and Parks –

Sewer and Sanitation – Mr. Keenan asked if Danny was still working on the sewer. Mayor Dunbar affirmed. Mrs. Keenan asked if the City had found anyone to take it over. Mayor Dunbar replied that the City had not. Mr. Keenan asked if Danny would be staying on. Mayor Dunbar replied that as far as he knew, Danny would be staying on. Mayor Dunbar stated that a contract was needed to give the City a little more protection. [Inaudible]

Recreation – Councilman Williams stated that he did not have anything else.

Technology Center – Motion to inform leaseholder that the City can no longer pay the lease on the Technology Center by Councilman Shaw. Councilman Shaw stated that the City contents should be removed. Mrs. Keenan stated that she thought someone was taking over the lease. Mayor Dunbar stated that it never came to fruition. Councilman Shaw stated that the check was supposed to be in the mail several times, but never made it. Mr. Keenan asked if anyone was still working out of the Technology Center. Councilman Braswell stated that there was

nothing going on in the Technology Center. Councilman Shaw stated that it was packed full of computers. Councilman Braswell agreed. An unidentified person asked who owns the computers. Councilman Braswell stated that the City does not own the computers, but rather a non-profit organization run by Mr. John Rosenthal does. Councilman Braswell continued that Mr. Rosenthal gets the computers and the idea is for the City to sell them. Mrs. Keenan asked how the City can sell them if the City does not own them. Councilman Braswell stated that this was a good question. Mr. Gene Smith stated that after the last meeting, Mr. Rosenthal was supposed to apply for a business license. [Inaudible] Councilman Shaw replied that the motion was made and passed to cut off the water and stated that he had made a motion tonight to inform the leaseholder that the City was so far in arrears that the City could not continue with the lease. Mrs. Keenan asked if the bill was not being paid. Councilman Shaw affirmed adding that it had been six months. Councilman Braswell stated that the bill had not been paid for February, March, April or May. Mr. Keenan asked if the City got the computers when the Technology Center was first opened. Mr. Keenan asked how Mr. Rosenthal owns the computers. Councilman Braswell stated that he was not sure. Mr. Keenan stated that someone in the City had to be sure, because the City was receiving the computers. Mayor Dunbar stated that his understanding was that the computers were there for the City to dispose of. Councilman Braswell asked if the City could also continue to use them. Mayor Dunbar affirmed adding that the City could do whatever with them. Mayor Dunbar added that the revenue from the sales of computers was supposed to go back and cover rent. Ms. Simons reminded the Mayor that there was a motion on the floor that needed to be seconded. *Second by Councilman Braswell.* Mayor Dunbar stated that this was the way it was set-up and that he was not okay with going back on a contract. Mrs. Keenan stated that if it is not being paid, then in effect, it was the same thing. Mayor Dunbar agreed. Mrs. Keenan asked how long was left on the contract. Councilman Braswell stated that the contract was until about January. Mrs. Keenan stated that if the City is not paying it is already not honoring the contract. Councilman Shaw stated that he thought the City should send the leaseholder a letter saying that it is no longer feasibly possible for the City to pay due to being so far behind. Councilman Shaw continued that the place was useless because there is no power or water and so full of equipment and was in essence storage. Mr. Keenan asked if the materials would be left for the landlord to take care of. Mrs. Keenan stated that she thought the City could get rid of the computers. [Inaudible] An unidentified person stated that the City would have to reprogram them and sell them like at the start. Councilman Shaw stated that the computers were doing nothing sitting there. Ms. Simons stated that as a matter of historical record, City Council had a telephonic vote to approve the Technology Center which was an illegal move, which further meant that the person that signed the contract was legally responsible for paying the contract, and not the City. An unidentified person asked who signed the contract. Mayor Dunbar identified himself as the person who signed the contract. [Inaudible] Councilman Nordeen stated that the City could take the computers and especially the computers that the City has invested money in, and sell them for the amount of the investment. Councilman Nordeen stated that a profit cannot be made. An unidentified person stated that the computers could be brought to City Hall or the Civic Center and placed. Councilman Braswell countered that these facilities would not hold it all. [Inaudible] Councilman Braswell stated that he thought the computers were the City's to use. City Administrator Greene stated that there are two issues: the rent on the facility and the computers. The person stated that the computers should not be left in the Technology Center piled up. City Administrator Greene stated that Mr. Rosenthal should be contacted to find out what should be done with the computers. [Inaudible] Mr. Gene Smith stated that in a storage facility, if you forfeit your end, ownership of the belongings goes to the owner of the storage facility. Councilman Braswell stated that he did not think it would be a problem. [Inaudible] City Administrator Greene stated that there would be a lawsuit. Mayor Dunbar stated that he hates to walk away from a lease and would hate to send a letter breaking the lease which may ruin the City's relationship. [Inaudible] Mr. Keenan stated that a letter should be sent asking to get out of the lease. Mayor Dunbar stated that the City had tried that. Mrs. Keenan pointed out that the City was not in arrears then and the leaseholder probably has a new attitude about it. Mr. Faulk stated that the City is still liable for it. An unidentified person stated that the whole bunch that agreed on the lease is responsible for it. [Inaudible] Mr. Faulk stated that the

City is responsible. [Inaudible] Councilman Braswell stated that Councilman Nordeen had said that the City would need to decide what to do with the contents before moving forward. Ms. Simons stated that the vote had been publicly acknowledged as telephonic which was illegal and therefore the signer was responsible for paying the rent and not the City. Mayor Dunbar stated that he was authorized to go out and seek a building. Mayor Dunbar stated that he called everyone and let them know what he was doing. Ms. Simons stated that business must be done in the public. Mayor Dunbar stated that he was authorized to do it. Ms. Simons disagreed. Mayor Dunbar stated that he would take it under advisement. An unidentified person asked if Council was going to vote on the motion. Councilman Braswell stated that he thought something needed to be done about the computers first. Councilman Nordeen stated that before the City totally walks away from it, something needs to be done. Councilman Shaw offered to amend the motion to add a date for the letter so that everything could be moved out. City Administrator Greene stated that while in Washington, Mayor Dunbar and Councilman Braswell needed to find out from Mr. Rosenthal what he wanted done. An unidentified person stated that the City should find out the consequences for breaking the lease. [Inaudible] Councilman Shaw stated that the City is already behind. City Clerk Sanders added that court costs would be included if litigation was required. [Inaudible] Mr. Faulk stated that although things with the vote may not be right, the Technology Center is fully acknowledged by the City. [Inaudible] Mr. Keenan stated that if one does not want to play by the rules, he should not play. [Prolonged inaudible discussion among multiple people] Councilman Shaw stated that Mr. Rosenthal choked on the agreement. Mayor Dunbar stated that Mr. Rosenthal wants the full support of Council. Councilman Shaw stated that Mr. Rosenthal had the place free and could do whatever he wanted to. Mayor Dunbar stated that Councilman Shaw was missing the point and stated that Mr. Rosenthal did not want to run the business. Mayor Dunbar stated that Mr. Rosenthal wants to help small towns like New Ellenton bring technology to their citizens. Mr. Berry stated that it ended up being [inaudible]. Mr. Roland stated that Mr. Rosenthal never hired anyone to do anything. Mayor Dunbar stated that maybe Mr. Roland could not see the big picture. Ms. Simons stated that at the last meeting a motion was passed requiring Mr. Rosenthal to apply for a business license by May 5th and that her understanding was that an agent of the City got in touch with Mr. Rosenthal to advise him of this requirement. Ms. Simons asked if the Mayor was now stating that it was not Mr. Rosenthal's intention to ever run a business in New Ellenton. Mayor Dunbar denied. Ms. Simons stated that Mayor Dunbar had just said that Mr. Rosenthal did not want to run a business in the City of New Ellenton. Mayor Dunbar stated that Mr. Rosenthal does not want to come to New Ellenton and stand behind a counter and sell computers. An unidentified person asked if Mr. Rosenthal was donating the computers. Mayor Dunbar stated that Mr. Rosenthal is the conduit for getting computers so that a Technology Center can be set up to distribute refurbished computers and to have a technology classroom to teach people to operate computers. Councilman Shaw stated that if it is a non-profit, there is no money to be made in selling computers. An unidentified person stated that the cost was for whatever the City had put into them. [Inaudible] Mayor Dunbar stated that Mr. Rosenthal got the computers from the government and added that Mr. Rosenthal had paid for four of the five shipments New Ellenton had received. Mr. Gene Smith asked about the City budgeting \$80,000.00 income for the Technology Center and that the \$400.00 realized did not fit a good business model. Mr. Keenan stated that the Technology Center was shut down, so the City just needed to do something with the computers and determine what it would do with the lease. Mr. Keenan stated that the Technology Center would not be opening back up and asked if this was correct. Councilman Braswell stated that there are two issues: the lease and the computers. Mrs. Keenan stated that the motion on the floor is about the lease. Mayor Dunbar asked for further discussion and summarized that the motion was to break the lease. Councilman Shaw stated that based on the papers he was reading, the lease had already been broken. Mayor Dunbar stated that Council did not need to vote on it then. Councilman Braswell stated that he thought Councilman Shaw was saying that if Council is not paying the lease, then the City should send the leaseholder a letter. Mrs. Keenan asked what the lease said about being three months or more behind. An unidentified person stated that the lease says nothing. Another unidentified person asked if the lease says nothing about breaking the lease. Councilman Braswell stated that the lease only says that it is a three year lease. Mr. Faulk

stated then when there is a City entity it is assumed the City will honor its lease. Mayor Dunbar stated that others will not go into business with the City and sets a bad precedence. Councilman Shaw stated that not paying for four months does not look good. [Inaudible] Mayor Dunbar stated that he thought the lease should be paid. An unidentified person asked when the decision was made to not pay the lease. Councilman Shaw asked who made the decision to not pay the lease. Councilman Braswell stated that he did not know and was not a part of it. Mr. Gene Smith stated that Council would have to have voted to not pay the lease. Councilman Shaw asked who decided to quit sending the checks. Mayor Dunbar said that everything that was brought to Council about paying the lease and going into the hole. [Inaudible] Mayor Dunbar stated that it was decided when Mr. Rosenthal said that he was going to pay the lease. Mayor Dunbar stated that it just never happened and added that the last letter received was that Mr. Rosenthal was not prepared at this time. Mayor Dunbar stated that Mr. Rosenthal is looking for the full support of Council. Mr. Keenan asked how much it would take to get out of the lease. Councilman Braswell stated that he did not know aside from paying the whole thing off. Mr. Keenan asked how much that was. Mayor Dunbar stated that it was \$1,200.00 per month. Councilman Braswell stated that the City has the four months behind plus the remainder. Mayor Dunbar offered the figure \$14,400.00. Ms. Simons asked Mayor Dunbar if Mr. Rosenthal wanted the full support of Council. Mayor Dunbar affirmed. Ms. Simons stated that at the last meeting when it was voted, the full Council supported the motion and asked what else Mr. Rosenthal wants. Mayor Dunbar stated that he did not know. Councilman Braswell stated that he had contacted Mr. Rosenthal and asked Ms. Simons to repeat her question. Ms. Simons repeated her question. Councilman Braswell stated that he communicated that the issue is the rent and admitted that the rent is not Mr. Rosenthal's business or problem. Ms. Simons stated that at the last meeting she had specifically asked if Mr. Rosenthal understood that he would be paying three months in arrears on the rent and stated that Council had affirmed. Councilman Shaw and Councilman Braswell stated that this was their understanding. Councilman Braswell continued that four or five days after that was the first chance he had to speak to Mr. Rosenthal. Mayor Dunbar stated that everyone should understand that the City was asking Mr. Rosenthal to pay three months' back rent and then given a May 5th deadline. Ms. Simons stated that this was what was voted on. Mayor Dunbar questioned the assignment of a deadline if Mr. Faulk, as an illustration, is willing to pay a lease that the City is responsible for. Mrs. Keenan asked how long it has been since Mr. Rosenthal stated that he would take over the Technology Center. Mayor Dunbar stated that it has been a while. Councilman Braswell narrowed it down to February or March. Mrs. Keenan stated that this is why Mr. Rosenthal would have been obligated to pay these months. Mayor Dunbar stated that Mr. Rosenthal said he would catch the lease up and thought that the deadline had soured Mr. Rosenthal. Councilman Shaw stated that Councilwoman Rogers had said she had spoken to Mr. Rosenthal and the check was in the mail. Mayor Dunbar stated that Councilwoman Rogers had talked to Mr. Rosenthal after the meeting and this was when things had gone bad. Councilman Nordeen asked if Councilman Shaw would be willing to have City Administrator Greene talk to the lawyer. Councilman Shaw stated that he would be willing to change his motion to contacting the company the lease is through and negotiating a settlement. Councilman Nordeen asked if this would eliminate the lawyer. Councilman Shaw affirmed. Councilman Braswell asked who would do this. Councilman Shaw stated that City Administrator Greene would. Ms. Simons stated that the motion needed to be withdrawn or actually amend it, adding that one cannot just say they want to change the motion. Councilman Braswell stated that it was being discussed. Ms. Simons insisted saying that the motion had already been seconded. Councilman Braswell stated that Councilman Shaw could withdraw when he was ready. [Inaudible] Mr. Berry stated that he did not know the intricate details, but betted that there was a scam involved and offered \$100.50. Councilman Williams asked if someone wants to do something good for another, was it necessarily a scam. [Inaudible] Councilman Williams stated that it was time to help the community and detractors were just seeing what they wanted to see. [Inaudible] Councilman Williams stated that if the City had its own building, it would be perfect, adding that the cost was the only issue he saw with it. [Inaudible] Councilman Williams stated that it helps the people and the children in the community. An unidentified person asked how long it had been open and estimated two years. [Inaudible] Another unidentified person stated people had been raising

sand since it opened. A third unidentified person stated that it should be closed. Ms. Simons stated that he respects what Councilman Williams said about helping the community, but wanted to know if there was a log of the usage of the Technology Center. Mayor Dunbar stated that he would have to check with Councilwoman Rogers. Ms. Simons stated that those records are kept in City Hall. Mayor Dunbar stated that he assumed so. Ms. Simons stated that the City Clerk may or may not know what is going on with those records. Ms. Simons stated that if Council could not say with certainty at this point, then a log probably did not exist and therefore no one knew who had used the facility over the past two years. Ms. Simons continued that Council did not know how effective or ineffective the Technology Center had been. [Inaudible] An unidentified person stated that she thought Councilwoman Rogers kept a log of everyone that took a class. [Inaudible] Mayor Dunbar asked where Council was. Councilman Braswell stated that Council had the original motion before it. Councilman Nordeen stated that Council needed to let City Administrator Greene see about the lease and the computers. Councilman Nordeen stated that the City should keep computers it had put money into. Councilman Shaw stated that the City could not charge more than it had put into it. Councilman Williams stated that it was never the intention to make money, but rather to supply computers. Councilman Braswell asked about negotiating the lease and still doing something with the computers. [Inaudible] Mayor Dunbar stated that Council had asked the leaseholder and the City could not break the lease. Mrs. Keenan stated that the leaseholder was going to let it slide or sue. Mayor Dunbar stated that the leaseholder was going to hold the City to the life of the lease. Mrs. Keenan countered that this was when the City was current, but that the situation was different now. Ms. Simons stated that she had heard several times tonight that the purpose of the Technology Center was not to make money, but that based on the budget, the City planned to make \$80,000.00 from it. Ms. Simons stated that anyone saying that it was not a for-profit venture was incorrect based off of the City's budget. Mayor Dunbar stated that this was the reason the budget was amended. Ms. Simons stated that the issue was that the Technology Center was designed to make the City money. Councilman Braswell stated that he understood Ms. Simons's point. Mayor Dunbar stated that it was really never designed to make money. Ms. Simons asked why it was in the budget. Mayor Dunbar replied that it was taken out. Mr. Keenan suggested moving the computers to the Civic Center. Mrs. Keenan stated that the Civic Center could not be rented then. Mr. Keenan stated that the Civic Center is a City building and only rented two or three times a month. Mr. Keenan suggested cleaning up the Civic Center, telling the man and doing whatever had to be done. Councilman Braswell asked for clarification on who the man was. Mr. Keenan clarified that the man was the owner of the building housing the Technology Center. Mr. Keenan stated that the Technology Center should be cleaned out and the leaseholder notified to find a solution. Mr. Keenan stated that the City should show the leaseholder that it is moving from the Technology Center. [Inaudible] An unidentified man asked why the City did not call the leaseholder and explain why it had stopped paying if it had been up-to-date on its rent up until Mr. Rosenthal agreed to pay it. The man continued that the City could begin paying again and occupy the facility and then just owe four months on the back end. The person stated that he knew that the City would then owe four months of rent and not have a building, but that it was better than walking away. Another unidentified person asked why the City should not walk away from the lease if nothing was going to be done with the building. Councilman Nordeen stated that if the City does this, the City needs to run it like a business with inventory and a director. Councilman Shaw stated that his understanding was that it was so full, one could not move around in it. Mayor Dunbar asked if Councilman Shaw had been in the Technology Center, and Councilman Shaw replied that he had not, but that he had talked to someone who had. Councilman Braswell admitted that there was a lot of stuff in it. An unidentified person asked how everyone was sure that there was not an inventory. Councilman Nordeen stated that he was not sure, but had been told that there was no inventory. The person stated that she had been told that there was. [Inaudible] Mrs. Keenan asked City Clerk Sanders if she had a copy of the inventory. An unidentified person asked if Councilwoman Rogers was over it. City Clerk Sanders stated that she does not do anything with the Technology Center. The person stated that she was assuming that Mr. Rosenthal was over the building and Councilwoman Rogers was keeping records for Mr. Rosenthal. Mrs. Keenan disagreed stating that Councilwoman Rogers should

not be keeping records for anyone except the City and that it was wrong. The person stated that it started out for the City. Mrs. Keenan stated that if Councilwoman Rogers was doing something representing the City, then the City should have a copy and if the City was not getting copies, it was dumb. [Inaudible] Ms. Simons stated that Councilwoman Rogers withdrew herself from the Technology Center committee when committee assignments were reassigned and Councilwoman Rogers should no longer maintain those records, but rather the Technology Center committee members should. Mr. Gene Smith stated that with no record, Mr. Rosenthal could sue for any amount if something happened and added that the Technology Center is in better shape than the Civic Center for summer camp or the senior citizens. Mr. Faulk agreed adding that this was something meaningful. [Inaudible] An unidentified person stated that the City would eventually have to pay it. Mayor Dunbar stated that the City would get a bad credit rating and a worse reputation. Mr. Keenan stated that every time he has gone before a magistrate on rental property, he has gotten zero and the people get 30 days to get their matters straight. Mayor Dunbar stated that with a municipality, it is a little different. Mr. Faulk stated that this was a solution for the senior citizens. Mr. Keenan added the summer camp. Mr. Faulk agreed. Mayor Dunbar stated that Councilman Nordeen had a good idea with running the Technology Center like a business. An unidentified person asked who would run it. Mr. Keenan replied that it would be someone the City had to pay \$30,000.00 or \$40,000.00 a year. Mr. Faulk offered that there was a wonderful City Administrator and a wonderful City Clerk. [Inaudible] Mayor Dunbar stated that if this was on the table, perhaps the college students for the summer camp could help with the Technology Center. *Councilman Shaw withdrew his motion.* Councilman Shaw stated that he still wanted City Administrator Greene to call and see about getting out of the lease adding that Council had already voted to turn off the power and water last month. Councilman Nordeen asked if the Technology Center committee members needed to look into the suggestion to move the computers to the Civic Center which would still need someone to oversee it. Mr. Keenan stated that he would call Mr. Rosenthal and ask how long he needs to pick up his computers. Mrs. Keenan stated that Council thinks City owns the computers. Councilman Shaw stated that no one knows who owns the computers. Councilman Braswell stated that he did not mind looking into it. City Clerk Sanders asked about the people who regularly rent the Civic Center and are aware of the conditions and still rent it and provide revenue. Mr. Keenan asked how much the revenue was. City Clerk Sanders stated that it was anywhere from \$200.00 to \$400.00 or \$500.00 per month. Mr. Keenan stated that the City is paying \$1200.00 per month at the Technology Center. Mrs. Keenan stated that the City would still be paying \$1200.00 per month and now losing the \$400.00 per month. [Inaudible] Councilman Nordeen stated that he thought the suggestion needed to be looked at it. City Clerk Sanders asked if Mr. Rosenthal had absolutely and irrevocably said he would not pay the rent. City Clerk Sanders asked if the possibility that Mr. Rosenthal would help the City exist. Mayor Dunbar stated that he thought it did, but that the May 5th deadline was the problem. City Clerk Sanders stated that May 5th had passed and some people were not happy, but wanted to know if the possibility existed to still approach Mr. Rosenthal. Mayor Dunbar stated that he wants to know what everyone else wants to do with the Technology Center. Councilman Shaw stated that he did not want it to be a burden on the City. Councilman Braswell asked if the Mayor was referring to the Technology Center proper, as in itself. Councilman Braswell stated that he loved the idea of getting computers into people's hand, but that he did not want it to cost so much. Mayor Dunbar stated that he understood. Councilman Braswell stated that this is where he was coming from in the beginning. Mayor Dunbar stated that the City is stuck with the rent, but wanted to suggest paying the rent. Councilman Shaw stated that he wanted to call and try to negotiate something. Mrs. Keenan stated that the doors are wide open and the City can start paying now and at the end of the lease the City would owe \$4800.00. Mayor Dunbar stated that the leaseholder had been working with the City. Councilman Braswell agreed. An unidentified person stated that the leaseholder was working with them because no one else wanted to rent the facility. Councilman Braswell stated that he had spoken with the leaseholder. Mrs. Keenan stated that the leaseholder would take any money he gets. Mayor Dunbar stated that the man indicated that he wants his money, but understands what the City is going through. Mrs. Keenan stated that the landlord understands that there are not people standing in line to move in. Councilman Braswell stated that Council understood that too. Mrs.

Keenan continued by saying one should look at how many holes there are empty at the building and the landlord will be glad to get whatever he can get. Mrs. Keenan asked who would run it and how many computers had been turned over. Mayor Dunbar stated that quite a few had been sold. Mrs. Keenan asked for specifics. Mr. Keenan stated that nobody knows. Mayor Dunbar stated that he did not have an exact number, but that five shipments of computers had been received. Mr. Keenan stated that the building is full. Councilman Shaw stated that there was no money made because all one could charge was the cost of upgrades. Mrs. Keenan asked if the computers were free when they were first received. Mayor Dunbar affirmed. Mrs. Keenan stated that anything made should have been a profit or at least kept it running, so either someone was not doing their job right, they were not making money or they were not turning over computers. Mrs. Keenan stated that the Technology Center was not even breaking even. Mayor Dunbar stated that during the transition from the Bush to Obama Administration, everything stopped. Mrs. Keenan stated that this was just in the last five months and wanted to know what happened the first two years. Mayor Dunbar stated that there were records and money was made. Mr. Keenan stated that there was a sign out there for free computers. [Inaudible] Mr. Keenan stated that no agreement would be come to. Mrs. Keenan stated that the motion had been withdrawn. Councilman Shaw stated that it should be taken up in the next meeting and in the mean time City Administrator Greene could check about settling the lease. [Inaudible] Councilman Shaw stated that the worst that could happen was that the landlord would say no. Ms. Simons stated that she had made a presentation last August detailing how poorly the records were kept and showed that from April to August only \$400.00 had been made. Ms. Simons stated that these figures were for last year and did not know if anything had been done since adding that the subcontractor had resigned and the Technology Center had been in a holding pattern since. Mayor Dunbar thanked Ms. Simons. Councilman Shaw stated that he was for checking into settling the lease and if it cannot be settled, it has to be paid and should be used for the summer. Councilman Shaw stated that some use should be gotten out of the building for the rest of the lease. Mayor Dunbar stated that this was basically what was happening. Councilman Shaw stated that it was so cluttered that it needed to be cleared. Mayor Dunbar stated that he had not been in the Technology Center in a while. City Clerk Sanders suggested putting everything on one side. Mayor Dunbar stated that as far as he knew the computers were on one side and a classroom was set-up on the other. Councilman Braswell stated that it was still set-up as a classroom. Councilman Shaw stated that one had to go in the storage side to get to the classroom side. [Inaudible] Councilman Shaw stated that the kids could use the internet. Mayor Dunbar stated that the Technology Center was usable now. Councilman Shaw stated that if the City could not get out of the lease, it should make good use out of the building for the rest of the lease. Mr. Gene Smith stated that the City could start liquidating the computers. Councilman Shaw stated that the City had to confirm who owns the computers first. City Administrator Greene stated that Mr. Rosenthal should be told to back an 18-wheeler up and load them up. An unidentified person asked about a work session. Councilman Shaw stated that if the City has to pay for it, the summer camp should use it and maybe something would materialize during that time. City Administrator Greene stated that there is no one to reprogram the computers that are there and will cost money. Mayor Dunbar stated that the City might be able to get rid of them in bulk. [Inaudible] City Clerk Sanders told the Mayor that the transcriptionist would be confused. Mayor Dunbar called for order. Chief Kellems stated that he did not know anything about the library until today and realized that it was months or even a year away, but with only paying \$2400.00 per year on that building, wanted to know what the County would do with that building. Mayor Dunbar and City Clerk Sanders replied that the building was privately owned. Chief Kellems compared \$2400.00 per year to \$1200.00 per month. Councilman Braswell stated that there was a possibility of renting it. Chief Kellems stated that this was down the road. Councilman Shaw stated that he understood that there would be computers in the library. Chief Kellems stated that this would be a facility on Main Street that could serve as a Technology Center. Mayor Dunbar stated that it was a possibility and added that the long term plan is to have computer workstations throughout the library, but that these would be run by county library personnel and not available after-hours. [Inaudible] An unidentified person suggested furnishing some of the computers to the library. Mrs. Keenan stated that the computers would be outdated by the time the library is ready.

Councilman Shaw stated that the computers are outdated already because computers are obsolete the day you buy them. Mayor Dunbar stated that Council would look at it next month and stated that City Administrator Greene would look into the lease. [Inaudible]City Clerk Sander asked what happened with the motion. Councilman Shaw stated that he withdrew it. Mrs. Keenan stated that Council could make a motion to adjourn anytime now. Mayor Dunbar asked for additional comments.

Adjournment

Motion to adjourn by Councilman Braswell, second by Councilman Shaw. All in favor. Approved.

Mayor's Signature

Date

City Clerk's Signature

Date