

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

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Monday, July 20, 2009

**1. Welcome**

Mayor Pro Tem Williams welcomed everyone to and called the meeting to order at 7:00 p.m.

**2. Invocation**

Mayor Pro Tem Williams offered the invocation.

**3. Pledge of Allegiance**

**4. Roll Call for the Record**

Present: Rex Nordeen, Eartha Rogers, Terrance Williams, Deborah Maddox, Anthony Shaw

Absent: Vernon Dunbar, Daniel Braswell

**Others Present**

Assistant City Clerk Courtney Moseley, City Administrator L. C. Greene, Chief Mike Kellems, Donald Perry, Chief Alesia Parks, Gene Wood, Phillip Scott, James Garland, Gene Clark, Belinda Henderson, Roger Henderson, Serena Collins, Tommy Brock, Hank Rowland, Prestic Faulk, Charlie Faulk, Eric Shydle.

Mayor Pro Tem Williams welcomed everyone again to the meeting.

**5. Public Speakers**

Mayor Pro Tem Williams stated Council would like to go back to those procedures of requiring speakers to be on the agenda. Mayor Pro Tem Williams asked if anyone had any questions. Tommy Brock's first question regarding the police department is why the community does not have law enforcement on duty from 3:00 a.m. to 6:00 a.m. or later? Chief Parks responded by saying the department was short-handed, and do not have adequate employees to cover shifts, with three full-time and one part-time. Secondly, Mr. Brock asked about the shooting incident within the police department in April stating that City Council did not know of this until recently. Chief Parks responded that the shooting was an accident and had been documented and placed in the officer's employee file. She further stated if there had been property damage or

injuries the incident would have been reported to the Mayor and Council. Thirdly, Mr. Brock asked if all law enforcement officers got a pay raise this year? Chief Parks stated they did not receive pay raises.

Mayor Pro Tem Williams asked if there were any other questions. Prestic Faulk asked if consideration to accept Fiscal Year 2007-2008 city audit was going to be considered and if the public could get copies or have access to it once it is approved? Mayor Pro Tem Williams stated it was on the agenda and it would be made available.

Mayor Pro Tem Williams called for a motion to amend the agenda. ***Motion to amend agenda under new business to review resignation of Officer Hess by Councilman Shaw, second Councilwoman Maddox.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.***

#### **6. Approval of Financial Statements June 2009**

a) Mayor Pro Tem Williams called for a motion. ***Motion to approve the budget of June 2009 by Councilman Nordeen, second by Councilwoman Rogers.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.***

#### **7. Approval of Council Minutes**

a) Mayor Pro Tem Williams called for a motion. ***Motion to approve the minutes for June 1, 2009 – Special Meeting by Councilwoman Rogers, second by Councilman Nordeen.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***3 in favor. Approved with Councilwoman Maddox and Councilman Shaw opposed due to not being present in the council meetings.***

b) Mayor Pro Tem Williams called for a motion. ***Motion to approve the minutes for June 8, 2009 – Regular Meeting by Councilwoman Maddox, second by Councilwoman Rogers.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.***

c) Mayor Pro Tem Williams called for a motion. ***Motion to approve the minutes for June 19, 2009 – Special Meeting by Councilman Nordeen, second by Councilman Shaw.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***3 in favor. Approved with Councilwoman Maddox and Councilwoman Rogers opposed due to not being present at council meeting.***

#### **8. Old Business**

a) **Final Reading:** Ordinance for CPW Bond - \$885,000. City Administrator, L.C. Greene read the ordinance. Eric Shydle, CPW attorney, listed changes to ordinance in Section 212, Page 7 of Resolution. First, the borrower was changed to Branch Banking and Trust Company, who offered a lower interest rate of 3.28%. In addition, BB&T would do a fully funded loan at closing with the same requisition procedure where the Town and CPW sign off on it. It is held in an account so it will accrue interest the day of closing. Mr. Shydle also stated because the borrower was changed, CPW was asked to pass a new resolution to reflect the date of July 14,

and asked for this to be approved. Mr. Shydle asked for any questions. Councilman Nordeen asked about the date? Mr. Shydle explained he had just received the date and inserted it in the document. Mayor Pro Tem Williams asked if there were any other questions. Mayor Pro Tem Williams called for a motion. ***Motion to approve the ordinance for CPW on Final Reading by Councilman Nordeen, second by Councilwoman Maddox.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.***

## **9. New Business**

a) Appointment of Mr. Richard Posey as member of City Zoning Appeals Board – nominated by Councilman Nordeen. Mayor Pro Tem Williams called for a motion. ***Motion to approve the appointment of Mr. Richard Posey to City Zoning Board of Appeals by Councilman Shaw, second by Councilwoman Rogers.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.***

b) Consideration of agreement with SC Department of Juvenile Justice for the Detention of Juveniles. City Administrator, L.C. Greene stated if the police department arrest juveniles that will held a few days and are taken to DJJ, they will bill the City \$50.00 per day. Mayor Pro Tem Williams asked if this was an annual agreement. City Administrator Greene stated it was between all cities and towns and counties. ***Motion to approve the agreement between the SC Department of Juvenile Justice and the City of New Ellenton by Councilwoman Rogers, second by Councilwoman Maddox.*** Mayor Pro Tem Williams called for a vote. ***All in favor.*** Mayor Pro Tem Williams asked if there were any questions. Councilman Nordeen asked if this was figured in the budget. City Administrator, L.C. Green stated it was not. It is only a precaution to include it.

c) Consideration to accept Fiscal Year 2007-2008 City Audit as presented by Mr. Tim Cornelison, Auditor. Mayor Pro Tem Williams stated Auditor gave a good report. Mayor Pro Tem Williams called for a motion. ***Motion to approve Fiscal Year 2007-2008 City Audit as presented by Tim Cornelison, Auditor by Councilwoman Maddox, second by Councilwoman Rogers.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.*** Mayor Pro Tem Williams stated citizens can receive a copy of the audit. City Clerk Moseley stated audit could possibly be uploaded to website. She also stated a hard copy would also be available.

d) Consideration of awarding contract to J&R Electrical Contractors for 22KW generator for Fire Department. Chief Kellems presented three bids for back-up generator at fire department. J&R Electrical at \$16,500.00 including labor, materials, and equipment with generator. Chief Kellems also stated all three bids did not include gas lines. A gentleman with SCE&G stated there would be no charge for connecting to natural gas, a new tap would be provided and meter installed for the back-up generator. Chief Kellems stated he wanted to use the excess from last year's budget, when fire fees were raised, to help pay for the generator. City Administrator, L.C. Greene asked about an automatic turn on switch to the generator? Chief Kellems responded it does have automatic turn on switch. Chief Kellems stated additions to utility or gas bill would be marginal. Chief Kellems also stated the price would cover diesel, natural gas, or propane and it was decided to go with natural gas. Mayor Pro Tem Williams asked about ISO's standards for generators regarding size. Chief Kellems stated a load test was performed on generator and it

pulled 126 amps and a 22KW generator would push continuous 160 amps. Councilwoman Rogers stated there were three bids, with the highest being \$23,845.57. A second bid at \$18,200.00, and the third bid being \$16,500.00 with J&R Electrical Contractors. ***Motion to approve the purchase of the emergency generator for the Fire Department not to exceed \$16,500.00 by Councilwoman Rogers, second by Councilwoman Maddox.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.***

e) Amendment to the agenda. Officer Hess requested the Council to accept his resignation. Mayor Pro Tem Williams called for a motion. ***Motion to accept Officer Hess' resignation by Councilman Shaw, second Councilwoman Maddox.*** Mayor Pro Tem Williams asked if there were any questions. Mayor Pro Tem Williams called for a vote. ***All in favor.***

### **10. Report from Police Chief**

Chief Parks submitted stats for the month of June. Property actions ceased due to lack of manpower. Mayor Pro Tem Williams asked about response to applications for vacancies. Chief Parks stated she received several applicants and will choose at least five to interview and present to the Council. Mayor Pro Tem Williams stated once applicants are chosen a special council meeting will be held. An unidentified speaker asked how many vacancies there are? Chief Parks stated two. Mayor Pro Tem Williams thanked Chief Parks for her report and asked if there were any questions. Councilwoman Maddox wished to clarify Chief Parks' statement on ceasing action on property cases, stating they are just being put on hold and will start back up once the department is back to full staff..

### **11. Report from Fire Chief**

Chief Kellems apologized for not having stats for month of June. Chief Kellems attended the S.C. State Firefighters Association Convention at Myrtle Beach. Chief Kellems stated he has received one bid for the retention pond at the Civic Center. Luc Goddard and McGahee Enterprises gave three different quotes. Chief Kellems stated they could dress up top shelf of the pond leaving it the same size. Dress up the crush and run area with stone costing approximately \$800.00 and putting in a fence. The fire department would buy fence if they could get the city workers to install it. Chief Kellems stated that filling in two-thirds to make it a certain size was also suggested. Chief Kellems stated if it was filled in, if a Civic Center is ever built it would have to be dug up. The last suggestion was filling it completely in and placing a cast iron frame and grade on box where water would still drain to it. Those two figures were \$4,000.00 and \$5,500.00. Chief Kellems stated if it was left the size it is now he could repair the washers on top, touch up stone, dirt and level it out to place a fence. This was estimated around \$800.00 to \$1,000.00 and then a fence would need to be installed. Councilman Nordeen asked if there was a certain kind of fence that could be put up? Mayor Pro Tem Williams suggested speaking with Streets and Roads Superintendent, Curtis Murphy. ***Motion to accept the proposal to upgrade retention pond at the Civic Center not to exceed \$1,000.00 by Councilwoman Rogers, second by Councilwoman Maddox.*** Mayor Pro Tem Williams called for a vote. ***All in favor.*** Chief Kellems stated a window was broken on the front of the Civic Center. It was the right side bottom window. Mr. Hank Rowland asked why money keeps being spent on the retention pond. Chief Kellems responded when the fire station was being built Aiken County would not approve the plans without a retention pond. Mayor Pro Tem Williams thanked Mr. Rowland.

## **12. Report from Recreation Director**

Mr. Perry stated the recreation department lost a lot of equipment from storm damage. Mr. Perry stated there is a need for portalets and a make-shift concession stand. Football registration needs to begin now. The School Board needs to be met with. Mr. Perry was assured that fencing and scoreboards would be put up. The restrooms and concession stand is not expected to be repaired until baseball season next year. Mayor Pro Tem Williams stated if beginning registration inform Ms. Moseley and Ms. Sanders to begin paperwork as soon as possible. The City will have to purchase uniforms if needed. Mr. Faulk asked if the School Board does not give the fencing and scoreboards in time what will Mr. Perry do to ensure it is done? Mr. Perry stated he was going to hold them to their word. Mayor Pro Tem Williams stated in order to provide the kids a safe environment the games would have to be played in Aiken or Jackson.

## **13. Report from Committees**

**a) Administration:** Vernon Dunbar, Terrance Williams

No report given.

**b) Fire Department:** Eartha Rogers, Debbie Maddox.

Councilwoman Maddox has no report. Councilwoman Rogers has no report. Chief Kellems emphasized the need to put 'inside the City' fire fee on the tax notice at \$12.00 per year. A special meeting will be set up to discuss it.

**c) Police Department:** Terrence Williams, Vernon Dunbar, Anthony Shaw

Mayor Pro Tem Williams has no report. Councilman Shaw requested something be put in place should there be any future firearm discharge incidents. For instance, require that a report is written and the Council notified in timely manner. Mayor Pro Tem Williams stated the Commissioners, Council, and Chief should meet and write up something. Mayor Pro Tem Williams stated Chief Parks handled incident professionally.

**d) Streets and Roads and Parks:** Eartha Rogers and Daniel Braswell

Councilwoman Rogers praised the Streets and Roads crew for a good job. Councilwoman Maddox stated she is to be contacted about the street lights. Councilwoman Maddox stated there are many street lights on Main Street that are out. An unidentified representative from Aiken Electric stated that the City needs to flag street lights that are out so his crew can go out and check them. Councilwoman Maddox suggested marking the lights with orange tape and if anyone knows of any lights out to contact Ms. Sanders or Ms. Moseley and give a location so it can be flagged. Mayor Pro Tem Williams asked Chief Parks to have officers write down or tag a light if they see one out.

**e) Sewer and Sanitation:** Vernon Dunbar, Rex Nordeen, Anthony Shaw

Councilman Nordeen stated he visited with Danny Lowe. Councilman Nordeen briefed the others on leak in the liner that was repaired. He also stated leaks will continue because of age of liners. Councilman Nordeen stated that the City needs to be ready because when the liner fails the sewer system will be lost. Councilman Nordeen stated he has viewed DHEC reports for the last three years. Everything has been acceptable, except for bugs kept in the first pond. Mr. Danny Lowe forwarded a report to Council stating Thermafab patched hole in the liner. Mr.

Lowe was informed by Thermafab the liner needed to be replaced. City Administrator, L.C. Green stated the liner alone costs \$47,840.00. It was estimated at \$95,000.00 to \$100,000.00 to replace the liner. City Administrator, L.C. Greene stated if the liner breaks DHEC will shut down wastewater plant. City Administrator, L.C. Greene stated he is working with the State to see if they can help with funding.

**f) Recreation:** Terrance Williams, Debbie Maddox, Rex Nordeen  
Councilman Nordeen has no report. Mayor Pro Tem Williams asked Mr. Perry to find out what equipment and everything is needed for football season as soon as possible.

**g) Technology Center:** Vernon Dunbar, Daniel Braswell, Anthony Shaw  
No report.

**14. Executive Session**

Not needed.

**15. Adjournment**

Mayor Pro Tem Williams thanked everyone. *Motion to adjourn by Councilwoman Rogers, second by Councilwoman Maddox. All in favor. Approved. Meeting adjourned.*

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**Mayor's Signature**

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**Date**

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**Municipal Clerk Signature**

\_\_\_\_\_  
**Date**