

THE OLANTA TOWN COUNCIL MEETING

Thursday, April 7, 2022 - 6:30 P.M.

Town of Olanta Town Hall

103 Park Avenue, Olanta, SC 29114

PRESENT:

Michael W. Welch, Mayor

Levi Mims, Mayor Pro-Tem

Jennifer Kennedy, Council Member

Josh Jones, Council Member

In compliance with the Freedom of Information Act, a notice of the regular meeting of the Olanta Town Council was posted on the door of the Olanta Town Hall. A notice of the regular meeting was also provided to members of the public requesting copies.

CALL TO ORDER, INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Welch called the meeting to order and thanked everyone for their attendance. Council Member Kennedy gave the invocation. Mayor Welch led the Pledge of Allegiance to the American Flag.

APPROVAL OF AGENDA – April 7, 2022 REGULAR TOWN COUNCIL MEETING

Mayor Welch requested a motion for Council to approve the agenda of the March 3, 2022, regular meeting of the Olanta Town Council. Council Member Jones made a motion for Council to approve the agenda of the April 7, 2022, regular meeting of Town Council. Mayor Pro-Tem Mims seconded the motion, and the agenda was approved unanimously.

APPROVAL OF MINUTES – March 3, 2022 TOWN COUNCIL MEETING

Mayor Welch requested a motion for Council to approve the minutes as presented for the March 3, 2022 town council meeting. Mayor Pro-Tem Mims made a motion to approve the minutes. Councilman Jones seconded the motion. The minutes for the March 3, 2022 meeting was approved unanimously.

Special Recognition: Yard of the Month

Council discussed the Yard of the Month with a few suggestions. After doing so, it was decided that Vickie Morris was yard of the month.

PEE DEE COALITION AGAINST DOMESTIC ASSAULT

April, being the month of Child Abuse/Sexual Assault Month, Harriet Rose and Asia McFadden spoke on behalf of the non-profit, volunteer organization. They spoke of their medical services, counseling for women, men and children. Victims of sexual assault, domestic assault and anger management with 24-hour crisis intervention. They offer counseling for individual or group and much more. They ask the community to be aware and know they were there to help.

Old Business

Mayor Welch updated council on the water meter project by saying as soon as Fortiline works out their final numbers, we were in the final stages.

The Sewer Rehab Project. The contractor will return in coordination with Duke Energy on April 20 for the final main line repair. As soon as material arrives, the Powell Road & Avondale lift station will be repaired and Smith Loop manholes will be sprayed.

SRF Grant Lift station. Construction has started on Alice Myers and then they will do the wiring and plumbing on the new well.

New Business

RESOLUTION FOR ARPA FUNDS

Mayor Welch attended a Meeting of the Mayors in which they discussed the Resolution for ARPA funds. The resolution was read, and Mayor Welch requested a motion for Council to approve, Councilmember Kennedy made a motion and Mayor Pro-Tem Mims seconded. It was approved unanimously.

CHARLIE RAINES BUILDING DEMO

Tony Evans with A to Z, was the only one to give a price of \$14,000.00 on the demolition of the Charlie Raines building and the old well site. Mayor Welch requested a motion for Council to approve, Councilmember Kennedy made a motion and Mayor Pro-Tem Mims seconded. It was approved unanimously.

FISCAL YEAR 2023 BUDGET UPDATE

Mayor Welch informed the council that he had started the budget.

WATER RATE INCREASE DISCUSSION

Mayor Welch discussed the rate increase saying the sewer would not increase and the water would be an average of \$35.00 a month and an industrial rate will be added.

Mayor Welch requested a motion for Council to approve, Councilman Jones made a motion and Councilmember Kennedy seconded. It was approved unanimously.

Mayor Welch ask Ms. Jean to check with Mr. Peterson to see if we needed an ordinance or if we only were to notify the public 2 months in advance.

EMPLOYEE INSURANCE INCREASE DISCUSSION

Mayor informed the council that the State of South Carolina had informed the towns there would be an increase in insurance rates beginning in January 2023 of 18.2%. That would be around \$100.00 per employee. We have 3 people, and the town would be paying this increase.

ORDINANCE

Discussion of ordinance began. Mayor Welch and Council members discussed:

These ordinances are attached.

Sec. 1-9 Town Seal

Sec. 1-10 Amendments to Code of Ordinances

Sec. 2-58 To secure an Independent Audit...Annual instead of quarterly

Sec. 2-79 Meetings of Council; time; type.

Sec. 2-83 Duty to attend meetings

Sec. 2-84 Leaving meetings

Sec. 2-203 Entered in book

Sec. 2-297 State of emergency pay scale. Section (c)

Sec. 2-357 Election

Sec. 2-360 General Duties

Mayor Welch ask Ms. Jean to check with Mr. Peterson, town attorney for guidance and clarification on how we should proceed with this.

MAYORS FINANCIAL REPORT

Report attached.

Mayor Welch informed the council that Heritage would be having an increase from \$14000.00 to \$18025.00. This is for all of our IT needs, Back-up, Firewalls, assistance, etc.

The Mayor and Council concluded, they would shop prices.

WATER AND SEWER REPORT

Mayor Pro Tem Mims said there was nothing to report.

PUBLIC SAFETY & RECREATION REPORT

Chief Horton had nothing to report.

GATHERING SPOT BUILDING UPDATE

Mayor Welch said they should start working on this soon.

EVENTS REPORT

A dicussion of a possible 4th of July event.

Also, Mayor Welch informed the council of a phone call discussing the renters business license, where he was asked why the town was doing this. He told the caller we were doing it because we could and that most of our renters live out of town. The state mandates also that we do this.

PUBLIC COMMENT

None:

ADJOURN

There being no further business to come before Council, Mayor Welch asked for a motion to adjourn. Council Member Kennedy made a motion to adjourn, and Mayor Pro-Tem Mims seconded the motion. There was no opposition to the vote, the meeting was adjourned.

★ Sec. 1-9. Town seal.

(a) The town shall have a common seal, which shall be affixed to all ordinances passed by the town council, to all deeds of real estate executed on behalf of the town and to all notes, bonds and other evidences of indebtedness executed in behalf of the town.

(b) The seal is described as follows: The town seal shall consist of two concentric circles, between which shall be written "Town of Olanta," "Olanta, S.C." with star symbols, and within the inner circle shall be written "1908," "Incorporated" with a diamond symbol.
(Code 1972, § 1-9)

★ Sec. 1-10. Amendments to Code of Ordinances.

(a) All ordinances adopted subsequent to this Code that amend, repeal or in any way affect this Code, may be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed chapters, sections and subsections, or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the Code by omission from reprinted pages affected thereby.

(b) Amendments to any of the provisions of this Code may be made by amending such provisions by specific reference to the section number of this Code in substantially the following language: "That section ___ of the Code of Ordinances of the Town of Olanta, South Carolina, is hereby amended as follows:...." The new provisions shall then be set out in full as enacted.

(c) If a new section not heretofore existing in the Code is to be added, the following language may be used: "That the Code of Ordinances of the Town of Olanta, South Carolina, is hereby amended by adding a section, to be numbered ___, which section shall read as follows:...." The new section shall then be set out in full as enacted, and the sections of the ordinance may be renumbered to accomplish such intention.

(d) All sections, articles, chapters or provisions desired to be repealed shall be specifically repealed by section, article or chapter number, as the case may be.

Sec. 1-11. Supplementation of Code.

(a) By contract or by town personnel, supplements to this Code shall be prepared on an annual basis. A supplement to the Code shall include all substantive, permanent and general parts of ordinances passed by the council during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages that have become obsolete or partially obsolete; and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of adoption of the latest ordinance included in the supplement.

(b) In preparing a supplement to this Code, all portions of the Code that have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

Sec. 2-56. Authorization of issuance of bonds.

The town council shall authorize the issuance of bonds by a bond ordinance subject to such restrictions and limitations as may be prescribed by law.
(Code 1972, § 2-31)

Sec. 2-57. The enactment of ordinances.

The town council shall enact ordinances of every nature and kind, not prohibited by the statute law or state constitution or of the United States Constitution.
(Code 1972, § 2-32)



Sec. 2-58. To secure an independent audit.

annual - yearly

The town council shall provide for an independent quarterly audit of the books and business affairs of the town and for a general survey of town business.
(Code 1972, § 2-33)

Sec. 2-59. General health and welfare.

It shall be the responsibility of the town council to provide for the general health and welfare of the town in accordance with the statute law of the state with reference to the general police powers now granted to municipalities.
(Code 1972, § 2-34)

Sec. 2-60. Hearings to be held.

It shall be the responsibility of the town council to hear all charges, preferred against any officer of the town by the mayor, and to pass judgment thereon. If the finding is guilty, it shall be their duty to pass such sentence as may be meet and just. Said officer may be removed or suspended by council.
(Code 1972, § 2-35)

Secs. 2-61—2-78. Reserved.

ARTICLE III. COUNCIL MEETINGS AND PROCEDURES*

DIVISION I. GENERALLY



Sec. 2-79. Meetings of council; time; type.

The regular meeting of the town council shall be held in town hall on the first Tuesday of each month. The time shall be 8:00 p.m. unless another hour is specified. All meetings shall be open to the public, unless, in the unanimous opinion of the mayor and council members, a closed meeting is deemed in the best interest of the town.
(Code 1972, § 2-40)

***State law references**—Council meetings generally, S.C. Code 1976, § 5-7-250; council to determine its own rules and order of business, S.C. Code 1976, § 5-7-250(b).

Sec. 2-80. Special meetings.

A special meeting may be called by the mayor in case of an emergency or when, in his judgment, the good of the town requires it. The mayor shall call extra or special meetings when requested in writing by at least one-third of the members of the council.

(Code 1972, § 2-41)

Sec. 2-81. Minutes of council meetings.

The minutes of all meetings of the council, except during executive session, shall be kept by the town clerk and treasurer and shall be recorded in a book designated as, "The Minutes of Town Council of Olanta."

(Code 1972, § 2-42)

Sec. 2-82. Executive sessions.

The town council may be called into executive session by the mayor at any time when extraordinary circumstances dictate.

(Code 1972, § 2-43)

Sec. 2-83. Duty to attend meetings; penalty for failure.

It shall be the duty of the council members to attend the regular meetings of the council and, when notified, to attend all extra or special meetings called by the mayor. Any council member failing or refusing to attend these meetings without sufficient excuse shall pay a fine as council may impose.

(Code 1972, § 2-44)

Sec. 2-84. Leaving meeting without permission.

Any member leaving the council chamber during a meeting without permission of the mayor shall be fined \$1.00 and, should his leaving the chamber cause any suspension of business, he shall be fined \$5.00, unless excused in either case.

(Code 1972, § 2-45)

Secs. 2-85—2-111. Reserved.

DIVISION 2. RULES OF ORDER AND PROCEDURE**Sec. 2-112. Quorum; lack thereof.**

A majority of the council members elected shall constitute a quorum to do business. If a quorum of council members fails to appear within 15 minutes after the hour appointed for a council meeting, no member shall be required to attend longer.

(Code 1972, § 2-50)

Sec. 2-181. Attendance at committee meetings.

It shall be the duty of each member of a standing committee to attend all meetings of the committee of which he is a member.

(Code 1972, § 2-77)

Secs. 2-182—2-200. Reserved.

DIVISION 4. ORDINANCES AND RESOLUTIONS*

Sec. 2-201. For the benefit of the town.

It shall be the duty of the council to pass, from time to time, such ordinances as in their judgment shall best promote the interest of the citizens and property holders of the town, and to diligently and actively see to the enforcement of these and all ordinances of the town.

(Code 1972, § 2-80)

Sec. 2-202. Style.

The style of all ordinances shall be as provided in section 1-10.

(Code 1972, § 2-81)

Sec. 2-203. Entered in book; certificate of publication.

The clerk and treasurer shall enter the original ordinance into the minute book of the town as passed by the council. A copy shall be inserted into the Code of Ordinances, and shall be indexed. Due proof of the publication of all ordinances requiring publication by the certificate of the publisher or printer, shall be procured by the clerk, and attached to the minutes of the meeting at which the final reading and ratification was made. The date of passage shall be appended and the addition shall be attested to by the clerk.

(Code 1972, § 2-82)

Sec. 2-204. Notation of amending and repealing.

The clerk-treasurer shall write on the indices pages of each chapter of this Code, if any part therein has been amended or repealed, as the case may be, the terms "amended" or "repealed" with a reference to the section number where the amending or repealing ordinance can be found. When such amending or repealing shall change the subject matter, such notation should be made in the index at the appropriate places.

(Code 1972, § 2-83)

*State law reference—Form and procedures for introducing and passing ordinances, S.C. Code 1976, § 5-7-270.

Now, therefore, pursuant to the authority vested in me by the town council by ordinance, chapter 2, article III, division 3, section 2-289, and pursuant to the police power vested in the Town of Olanta by the Legislature of the State of South Carolina, I do hereby proclaim that a state of emergency exists in the Town of Olanta, and in order to minimize the dangers to life, limb and property, I do hereby authorize, order and direct:

THAT every law enforcement officer of the Town of Olanta and all persons in authority do whatever may be necessary to maintain peace and good order.

I do further order, until subsequently determined that the need for such restriction is no longer necessary, that a curfew be and the same is hereby proclaimed in the Town of Olanta to commence at ___ p.m. this day of _____, 20___, and to expire at ___ a.m. of each following day to commence and terminate at those times on subsequent days until hereinafter ordered.

During the hours of the curfew as set forth herein, those persons within the Town of Olanta shall remain within their homes and all businesses shall close during the hours named. Those persons having business of an emergency or essential nature shall continue as if under normal conditions but first shall obtain clearance from the chief of police of the Town of Olanta.

The chief of police of the Town of Olanta is hereby authorized to issue such directives as may be necessary to implement this order.

_____, 20___.

Mayor

(Code 1972, § 2-129)

Sec. 2-297. State of emergency pay scale.

(a) Upon the declaration of a state of emergency, the mayor shall have the power to approve overtime pay for all town employees at time and a half.

(b) This shall be paid until the mayor has declared that the state of emergency has ended.

★ (c) This does not include normal working hours of 8:00 a.m. to 4:00 p.m.
(Ord. of 6-10-2001, § 2-130)

Do we have to state ~~the~~ what the normal hours are - that could change.

Secs. 2-298—2-327. Reserved.

ARTICLE V. OFFICERS AND EMPLOYEES OF THE TOWN

DIVISION I. GENERALLY

Sec. 2-328. Inclusion in state retirement system.

All employees of the town shall be and are hereby included in the state retirement system.
(Code 1972, § 2-140)

Secs. 2-335—2-356. Reserved.

DIVISION 2. TOWN CLERK AND TREASURER

Sec. 2-357. Election.



A town clerk and treasurer shall be elected by the town council at the first meeting of organization or as early as practicable thereafter.
(Code 1972, § 2-150)

This position is & has been hired by the mayor.

Sec. 2-358. Bond.

The town clerk and treasurer, prior to entering upon the performance of the duties of the office, shall enter into an approved bond in such sum as prescribed by council, conditioned for the faithful and honest performance of the duties of such office.
(Code 1972, § 2-151)

Sec. 2-359. Subject to orders, directions, etc.

The town clerk and treasurer shall be subject to the orders and directions of the town council and to such penalties as the council may prescribe.
(Code 1972, § 2-152)

Sec. 2-360. General duties.



(a) The town clerk and treasurer shall be the general accountant for the town. He shall keep a complete set of books and accounts, which shall comprise all of the financial transactions of the town through the various departments under their respective appropriations. The clerk shall attend all meetings of town council, shall take minutes thereof, and record the same in a suitable book, and keep an index book in connection therewith, in which shall be indexed the subject matter of important matters in the proceedings of council, with a reference to the page of the record book where such matters appear, and shall lay before the council all communications and other papers addressed to it through him. He shall have the proceedings of council promptly published in a local newspaper when so required by council, and he shall have the charge and be responsible for the preservation of all papers, records and documents of every description pertaining to the town, and shall so arrange and file all such papers in packages or cases as will facilitate access to them, arranging and filing same according to their subject matter, and numbering the packages or cases numerically.

(b) He shall also keep an index book, in which shall be entered alphabetically the names or subject matter of such paper and documents, and the number of the package or case in which the same are to be found; shall issue all notices, personal and general, which the interest, convenience, laws and orders of the town require in the administration of its government; and he shall communicate to the council all information he may acquire which may contribute to the efficiency of the government and the welfare of the people.

(Code 1972, § 2-153)

Most of our information is on computers and back-up is done on a daily basis.

CD2:23

How should we do or word this