TOWN OF HEMINGWAY

MINUTES OF MEETING ON DECEMBER 12, 2019

 110 SOUTH MAIN STREET AT 6:00 P.M.

**Present:** Mayor John Michael Collins, George Sutton-Mayor Pro-Tem, Keith Baxley, Charlie Carter, Jimmy Chinnes, Solomon Lewis, Bennett Cox, Joseph Lee-Town Administrator, Samantha Lewis-Town Clerk, Ken Laster, Jonathan Laster, Officer Lambert, Dale Johnson, , Greg Askins, Kendall Washington, Denise Santoro, Mike Hanna-Hanna Engineering, Buck Graham-SC DHEC, Dayne Coker, Mary Pope, Blake Miller and Sabra Poston

**Public Hearing on Water and Sewer Rate Increase to Exclude Large Heavy Industrial Users was called to order at 6:00 p.m. by Mayor Collins.**

**Invocation and Pledge of Allegiance**

There were no comments from the public.

**Council Meeting was called to order at 6:05 p.m. by Mayor Collins.**

**Approval of Minutes of Meeting:** Approval of minutes of meetings for November 14, 2019 was motioned by Mr. Sutton and it was seconded by Mr. Carter and it carried unanimously.

**Persons Appearing Before Council:** Mayor Collins read the procedures for addressing council.

A) Dayne Coker-Mrs. Coker thanked council for giving her the opportunity to speak to them. She recently torn down a house located on the corner of South Main Street and Anderson Boulevard. They always had trouble with mold and mildew and had a sump pump in the basement to help with the moisture. The contractor that torn the house down, showed her there was three feet of water under the house. They bogged their equipment down twice, once in the front yard and once in the back yard. There are ditches that need to be cleaned out around this lot and the lots on the street. The culvert hasn’t been cleaned out in years. She gave council pictures. She stated that her house is located across the road and her yard is also spongy. They have installed dehumidifier and other things to keep the moisture out of their house. There was previously a ditch along Anderson Boulevard, see pictures, but is no longer there. There is debris and grown over. She is asking council to have these cleaned out and back in working order for the drainage in that area. The second thing she spoke on was the speeding on South Main Street. She has had a car run into her house before. She states that living on the corner of South Main Street and Anderson Boulevard can be scary. The speeding has gotten out of control on this end of town. The log trucks make her house rumble as they pass by. There is a lot more traffic in the area since Family Dollar has moved there. A lot of the out-of-towners are the blame for the speeding. She states that the residents in the area are courteous. She asks for a study to slow the traffic down. She stated that maybe caution lights or something stating that they are coming into town. This is for the safety of the residents and houses. She also thanked the Town for the sponsorship of the Christmas Festival. Mr. Carter stated that traffic is a problem and speeding also. Mr. Lewis agreed with Mr. Carter. Mayor Collins told Mrs. Coker that they will look into this situation.

B) Dale Johnson stated that he isn’t ready at this time. He would like to adjourn until the next council meeting. He wished council a Merry Christmas.

C) Ms. Santoro stated that she is still working on pamphlets. She is working with Williamsburg County and Kingstree to educate families on how courtrooms actually work. She wants to start classes here in Hemingway but has to figure out how to get the money to do it. They would go to various parts of the county to educate people. She feels she needs to reach out to other communities. She is trying to make Williamsburg County one of the best counties in America. We have to have them educated.

**Old Business:** A) Mayor Collins stated that Hemingway had a great weekend. There were approximately 1500 people at the Christmas Festival, and it was then topped off with the parade on Sunday. B) Mr. Lee stated that a question about business owners voting in Town elections. Mr. Lee stated that he got Greg Askins, Town Attorney, to look into it. Mr. Askins stated that the answer is no. No business owners have the right to vote in the town elections. It is a state constitution.that you must reside in a municipality, but you must live and reside in it for 30 days prior to the election. Example of why this is a law is you can have a vacant store and then put a business in there with 10, 15, 20 people and they will all have a right to vote. Business owners can have other means of having rights in the town by joining a rotary club, lion’s club, even some municipalities allow business owners to be part of the planning commission. State would have to do a referendum to change the statute and it would possibly have to go before the supreme court or district court. Mr. Dale Johnson stated that Mr. Askins said that it can and can’t be done. He asked if there is still a possibility of it getting changed. Mr. Askins stated that it is a possibility, but it is slim to none.

**2nd Reading on Water/Sewer Rate Increase for Large Commercial User Outside of the Town of Hemingway:** The second reading is to amend the Public Utilities Ordinance concerning fees for water and sewer dated April 13, 2017, new rates for water and sewer were put in place for the large commercial users outside of town. By Ordinance recently passed, a fourteen percent across the board increase in water and sewer rates were put into place. Council realized that the rate for the largest commercial users outside of town was amended in April of 2017, and therefore should be excluded from the fourteen percent increase across the board. Therefore, the Amendment dated April 13, 2017, of 19.1A of the Public Utilities Ordinance concerning fees for water and sewer and more particularly for larger commercial users outside of town shall remain in full force and effect and shall not be subject to the fourteen percent across the board increased passed in 2019. Mr. Carter made the motion to accept the 2nd reading on this ordinance and it was seconded by Mr. Cox and it carried unanimously.

**Buck Graham-SCDHEC**: Mr. Graham thanked mayor and council for the opportunity to speak. DHEC has started a new department of Office of Rural Water. This office will work with rural water and wastewater facilities that are not in compliance. A lot of facilities are struggling to stay afloat. The systems are like cars, if you don’t take care of them they will fall apart. The Town of Hemingway’s system looks really nice and Ken is doing a really good job at keeping it up. The department is helping to get folks funded. He stated that if Ken was to retire, someone will need to keep the water and sewer project in the fore front. If you have to raise rates from time to time to get the repairs or the system running smoothly, then it has to be done. He stated that he uses Hemingway as an good example.

**Mike Hanna-Hanna Engineering**: Mr. Hanna states that it takes a lot of money to keep the systems running. The bids for the ECA/TMH Removal System came in. We are in violation of the TMHs and a new well has to be drilled at ECA. He would like the Town to award the new project to RWF Construction in the amount of $1,072,984.50. This amount includes the base bid plus alternates 1 and 2. The total price, including all non-construction costs to complete this project will be $1,193,984.50. With this approach, the Town would have a shortfall in funds of $196,084.50 in which the Town would have to commit for the project. These funds could possibly be provided by Rural Development on an upcoming project. Several councilmembers asked about getting the funding back and Mr. Hanna said he feels very positive that we can get this funding. Mr. Baxley stated that it doesn’t matter if we do or not it has to be done. Mr. Sutton made the motion to commit to the awarding of the contract to RWF and it was seconded by Mr. Chinnes and it carried unanimously. Mr. Hanna asked to go forward with the funding of the ECA WTP, Flannagan Bypass Pump, Industrial Park Generator and ECA WTP Generator. Mr. Sutton stated that sooner or later we will have to do this anyway, so we need to go ahead and do it and he made the motion to proceed and Mr. Carter seconded it. There are a lot of money available since Hurricane Florence and Dorian. There is a flood drainage study and for generators. Council said for Joe and Ken to work with Mike on these.

**Finklea Sewer Repair:** A sewer repair on Broad and Main Street is needed. The problem will cost around $14 to $15,000. The biggest cost is that it is under the sidewalk. Mr. Baxley stated that we don’t have no choice. Mr. Baxley made the motion to do the repairs and it was seconded by Mr. Lewis and it carried unanimously.

**Administrator’s Report:** a) We got new figures from the MASC. Our rates will be lower next year. SCMIT insurance is as low as it can go. And the SCMIRF insurance is for cars, equipment, buildings. Our cost for this insurance is $8000 lower. b) There is a bill in the legislature H4431 that will not be good for the Town. He is asking council to sign the letter of support and asking Governor to not sign the Bill. This bill will pass the tax burden from businesses to the individual citizens of SC.

**Executive Session: SECTION 30-4-70 (a) (1) DISCUSSION OF EMPLOYMENT, APPOINTMENT,**

**COMPENSATION, PROMOTION, DEMOTION, DISCIPLINE, OR RELEASE OF AN EMPLOYEE, A STUDENT, OR A PERSON REGULATED BY A PUBLIC BODY OR THE APPOINTMENT OF A PERSON TO A PUBLIC BODY; HOWEVER, IF AN ADVERSARY HEARING INVOLVING THE EMPLOYEE OR CLIENT IS HELD, THE EMPLOYEE OR CLIENT HAS THE RIGHT TO DEMAND THAT THE HEARING BE CONDUCTED PUBLICLY. NOTHING CONTAINED IN THIS ITEM SHALL PREVENT THE PUBLIC BODY, IN ITS DISCRETION, FROM DELETING THE NAMES OF THE OTHER EMPLOYEES OR CLIENTS WHOSE RECORDS ARE SUBMITTED FOR USE AT THE HEARING.** Mayor Collins made the motion to go into executive session and it was seconded by Mr. Chinnes and it carried unanimously.

No actions were taken in executive session.

Mayor Collins made the motion to adjourn the meeting and it was seconded by Mr. Cox. The meeting was adjourned at 7:05 p.m.

Sincerely

Samantha Lewis

Town Clerk