



REGULAR CITY COUNCIL MEETING
Tuesday, July 16, 2024; 6:30 P.M.
Bennettsville Public Safety Complex

Minutes

1. CALL TO ORDER Mayor Fowler
2. INVOCATION AND PLEDGE OF ALLEGIANCE Bill Jennings, Jr.
3. ROLL CALL
District 1-Wanda Weaver
District 2- Tyrone Davis
District 3-Allen Taylor
Mayor Leith Fowler
District 4-William “Bill” Jennings, Jr.
District 5- Tyron Abraham
District 6- Gregory Scott-**Not present**
4. APPROVAL/CORRECTION OF MINUTES
 - A. **Regular Council Meeting; Tuesday, June 18, 2024-** Mayor said table for next meeting.
Regular Council Meeting w/Corrections; Tuesday, May 21,2024-Mr. Taylor moved that we approve the Regular Council Meeting minutes for Tuesday, May 21, 2024. Seconded by Mr. Jennings. Motion passed unanimously.
5. PUBLIC REQUESTS/ PRESENTATION OF PETITIONS
 - A. **Employees Anniversaries-** Mrs. Angela Ward announced Employee Anniversaries: Johnny Roscoe, Water & Sewer, 10 years; Charmonique Bunton, Utility Billing, 5 years; Brantley, Gas, 9 years; Chester Polson, Planning & Zoning, 11 years; Wiiliam B. Parrish, Fire, 6 years; Luther Lynh, Public Works, 2 years; Howard Mumford, Public Works, 2 years
 - B. **New Hires & Promotions**
New Hires
Tatianna Blue, Police Officer
Billie Morrow, Police Officer
Promotions
James Moore- Sanitation Worker/Operator- Public Works Department
Patrick Smith- Gas Line Foreman- Gas Distribution Department

- C. **Bennettsville Citizens Academy Update**-First Session was held last week. Mr. Simon apologized for the mix-up. The location was changed, so a few people went to the old location. An orientation was given, and they had a great time. It is not too late for citizens who want to join the Academy. Reach out to Mrs. Lucas or someone at City Hall and we can get you registered. First Session spent time on governance. Governance from the perspective of citizens. The class was very vocal, and we would like more people to join.

6. PUBLIC COMMENTS

Sandy Grooms- Stated, "It was brought to my attention that my address was amended out of the city limits and I'm trying to figure out when that happened, how that occurred, and why?" I have paid city taxes since 2011 when the house was built. I have paid city taxes on my vehicles at that property, and I even looked at my 2023 tax assessment just to be sure and I paid, and I paid city taxes on it as well. I voted in the city. I'm trying to figure out what I need to do to get it fixed or if it can't be corrected and I'm considered in the county, we need to figure out an effective date because I would like a refund if I paid city taxes and I've been in the county." She then stated her address: 312 North Kinney Circle.

Carolyn A. Prince- Stated, "I am still waiting for the 2024-2025 budget. I strongly suggest it be available online and the city's webpage. It was approved at the end of April, it's now July. The citizens and I should know how their tax money and utility fees are used, especially with the increase in fees. I'm amazed at the new charges when there is no service provided. Our property, I ask for utilities to be on. Only for repairs to get done. We didn't need garbage, sewer, water or gas, but I got charged for those, \$51.00. Suppose I never activate that house for rent occupancy. You've taken my money. Citizens and several council members and I are still asking for a Forensic Audit for the 2023-2024 fiscal year. Funds allocated and approved by council purposes in specific departments were not made. Council, did you vote when the budget was amended to shift these and other funds around? I remember doing those kinds of things previously. Next, "Please, somebody, tell me who authorized to hack and mutilate a 40ft, 30- year- old Leland Cypress tree on private property? According to your ordinance, which is 95, I'm sorry, 96. I should have been informed with the with a reason and given 60 days to correct the problem, didn't happen. King Street is a state road, maintained by the state, recently resurfaced and I appreciate that even though there's no sidewalk on my side of the road. This majestic tree is dying this happened in March. So, I'm asking the city to remove the tree at your expense and provide me with funds to replace a small similar type tree to replace what was mutilated. There's no call for that. I find out that, oh yeah, there's not been a vehicle accident on this corner in 69 years. I moved there in fifty-six. It's not been an accident. I want to know who made a complaint about vision at that intersection and it's a bust intersection, but it goes from Munnerlyn across to Murchison onto Main Street. So, I do have some other comments, but my time may be up." She then placed copies of something on Ms. Weaver table).

James Garlington-Stated, "As Ms. Grooms stated, I have the same problem she has. I live at 305 North Kinney Circle, been there since 14, bought the house. Paid city tax on the house, the land, the land right next to it. Land across the street and then I'm told that I'm not in the city limits. All I want to know is, am I in the city limit or am I not? If I have a

choice, I'll stay out. That's up to y'all to decide. I don't want to come up here and request to be in the city, but I was in the city when I bought it. Now I'm told, I'm not in the city. Y'all just need to figure out Am I or am I not? I'm going to request to be in the city, but if I'm not, I definitely want my money back. Thank You."

Yvette Douglas-Stated, "Today, if it wasn't so sad and pitiful, it would be laughable about what is taking place in here. All of a sudden, everybody from Kinney Circle has this epiphany about not being in the district. Maybe they didn't know but one such thing for sure, your councilman knew that you are wasn't in the district and that he wasn't either. I've been coming here for over six months and how dare you insult my intelligence. Now you can bring your whole neighborhood if you want. You all voted on the map. Ignorance is no excuse of the law. You have an attorney here. I suggest you exercise him because there is an ordinance. I guess you all thought you did your big one last meeting by, "voting him in the district". You can't do that and then you have the nerve to have it down as a Second reading. Well, you know what? That's just the welcome I need for y'all to do. To go online and go on record that you annexed him in. Even if you annex him in, he still wouldn't be in his district. He'll be in Ms. Weaver district. Can you tell me you all are going to sit here, and you don't know the law? That's why when you're running for positions, they need to be qualifications. If you're a doctor, there's qualifications, if you're a lawyer, there's qualifications. It is more qualifications than who can have the best cookout and give the blacks folks the best hot dogs so they can get in the seat. This is ridiculous! You all are shameful! This is embarrassing and you ought to be ashamed of yourself. You know this man is corrupt from the day he was sitting in these seats. He's an illegitimate board member. He's voting on things he has no business to, and I can't take it. The Ethics Committee and you're being investigated and imma go a step further. If you go along with this foolishness about putting a man in a district who y'all voted on the map and you knew clearly, he was out of his district. Those steps you should have took before. So, you go on record, go on Facebook Live and do it. That's all we are waiting on is tonight for you to have a Second Reading and vote on it and I promise you, I told you, imma do something the devil ain't going to do and that's leave you alone."

7. SECOND READING AND PASSAGE IN FULL OF ORDINANCES

A. Amendment of Ordinance 23-08-01 [REDISTRICTING]- Mr. Simon gave a recap on the redistricting map that was approved on August 1, 2023. He stated, "It showed Councilman Taylor's home located outside of the city boundary. Mr. Taylor has since then presented documentation showing the annexation of his property at North Kinney Circle into District 3. This amendment will allow the boundaries of the redistricting map to be adjusted to include the property into District 3. The First Reading of this amendment was approved on June 18, 2024, and it is before you tonight for consideration.

Mayor Fowler asked Attorney King, "Is it was okay to move forward with this?"

Attorney King replied, " Absolutely, so and just to clarify one, the folks who this will be responsive to some of the folks who were speaking tonight. You weren't de-annexed. You have always been a part of the city limits since you first got annexed years ago. What happened is with our new voting district map, some

residents got left out of that voting district map. It didn't change their status as a member of city limits. They were still a member of the city limits. They were just left off the voting district map. So, the motion, the amendment, was to amend that voting district map to now include residence. So, their status has a part of city limits haven't changed, has never changed. It's just that the voting district map needs to be amended to include those landowners. If that makes sense to you. So, there is not a proven action to annex these properties in, that's been done. It's just to amend the voting district matter."

Approving Action: Ms. Weaver made a motion to approve the amendment to have Mr. Simon do what he needs to do to include 308 North Kinney Circle. Seconded by Mr. Jennings. Those in favor were Mr. Jennings, Mayor Fowler, and Ms. Weaver. Mr. Davis sustain. He then said, My comment is, "I just want it done right, that's all I ask." Mr. Abraham opposed. His reason was, "No doubt that Councilman Taylor was annexed into the city limits, but after the 2020 Census report and the new restricting map show Councilman Taylor outside his district. When that was first noticed, it should have been handled. It should have been taken care of right then. My concern is can council be challenged on our decision, If we approve this? Since that map was done by the state. I just need more clarity on how we can resolve this issue for the best interest of the citizens and Councilman Taylor."

Withdrawing Motion: Mr. Jennings made a motion to withdraw the vote until we get a representative, statement from a representative. Seconded by Mr. Davis. Motion carried. Mr. Taylor did not vote. Ms. Weaver did not vote stated, "It's just going around in circles."

- B. Amendment of Ordinance 152.045 [SIGN REGULATIONS]-
Amend the sign regulation to include "*Signs must not contain profanity or abusive language.*" The first reading of this amendment was approved on June 18, 2024.

Approving Action: A motion to approve the amendment to ordinance 152.045 to add: "Signs must not contain profanity or abusive language." Moved by Mr. Davis. Seconded Mr. Abraham. Motion passed unanimously.

8. FIRST READING AND ADVERTISEMENT OF ORDINANCES
No Business

9. PASSAGE OF RESOLUTIONS

- A. Bennettsville Police Department Law Enforcement Assistance and Support Agreement- A resolution to allow the Chief of Police to enter into an agreement with the Clio Police Department on behalf of the Bennettsville Police Department for the purpose of securing to each other the benefits of mutual aid in the event of natural disaster, disorder, special events, emergency situations, and any other law enforcement activities.

Approving Action: A motion to allow the Chief of Police to enter into an agreement with the Clio Police Department based on the terms of the agreement.

Moved by Mr. Jennings. Seconded by Mr. Taylor. Motion passed unanimously.

10. GENERAL BUSINESS DISPENSED BY MOTION

- A. Memorandum of Agreement (MOA) South Carolina DJJ- Memorandum of Agreement (MOA) for the provision of secure detention services with the South Carolina Department of Juvenile Justice's (SCDJJ) Detention Center for fiscal year 2024-2025.

Approving Action: A motion to approve the Administrator to execute an agreement with the South Carolina Department of Juvenile Justice based on the terms in the memorandum of understanding. Moved by Mrs. Weaver. Seconded by Mr. Taylor. Motion passed unanimously.

11. REPORTS AND INFORMATION PRESENTATION

- A. Natural Gas Summary- Mr. Simon stated, "In the light of being as transparent as we can, we need to do that with our citizens as well. I'm sure all of you are always encouraging that." An internal assessment was done and there were some challenges that were found in our Natural Gas Department. We did find that there are some meters that are not working. This is important because we purchase gas and then we distribute it. So, we need to make sure that we are getting what we purchased. Some commercial meters were not working or not working properly. Which does not allow us to regas usage on a daily basis and that's something we know we need to do. You need to know what your usage is on a daily basis to even begin calculating your losses and other things that you can calculate as you reach these volumes. We did meet with our representative just so you know. I put a presentation in there and he is available to meet with all of you. He's helping us assess our system and will ultimately make recommendations to us so that we can make improvement to our gas system. Those improvements will include new meters, more modern meters, updated software where we can look at usage on a daily basis. We can see what's coming in and out of our system on a daily basis and be able to do whatever internal calculations we need. So, that the numbers are fair to everyone. It's fair to us to know what we're purchasing and fair to our customers to know what they're getting."

Ms. Weaver stated "It says, we found out earlier this year that meter readers were not reading meters associated with city facilities aspect of staffing stated that previous administration asked them not to read those meters. We have resumed reading those meters in February. So, how much money did we lose?"

Mr. Simon stated "To make sure our public is not alarmed. Weren't talking about all meters. There were some specific meters that we use on a city facilities."

Ms. Weaver, replied, "I know there was a business that was not being read and I questioned that last year, and I know that business uses gas." Mr. Abraham asked, "Was the Finance Director in charge of making supervising those meters?" Mr. Simon replied, "Yeah, at the time. We had Utility Billing up under Finance Department." Mr. Jennings asked, "How is it now because obviously we've known meters were defective, evidently?" How are we checking the meters? I mean,

somebody got to notice that reading didn't look correct?" Mr. Simon replied, " We did a session on that internal process, and I come to find out that we didn't have any internal control. Now, again I don't want to alarm the public. It doesn't mean that we're not reading, but you have to have internal control or quadrant control in place. So, when those meter readers come in and use devices for the most part, adopt those devices. At some point, a person in charge needs to go look at those readings and see if there are any anomalies."

Mr. Jennings asked, "Somebody knows when they aren't reading a meter. Who's that person supervisor? I'm not pointing a finger, but who is that meter reader answering to? They should be the one to know about the meter." Mr. Simon replied, "The meter reader answers to our Utility Billing Manager. No, I'm not going to name them." Ms. Weaver stated, "I have one of my people in my district send me a picture of their water meter. How are those read? If their water meter was read, they did a heck of a job because it had that much dirt in it (demonstrating with her hands)."

- B. Natural Gas Temporary Rate Increase- A temporary rate increase has been issued for natural gas purchases. We purchase gas and we distribute it. We purchase gas at X cost, and we pass that cost on to our customers. We don't inflate that cost of anything to try and make money. We may look at other charges associated with delivering of services and a charge for it, but for the most part we pass it on. The natural gas has gone up temporarily.
- C. Financial Services Solicitation- Recommendations from the Municipal Association.
 - Sheheen, Hancock & Godwin, LLP, CPA's
 - Greene Finney Cauley, LLP, CPA's
 - McGregor & Company, LLP, CPA's
- D. Lawsuit Filed- Information in packet.
- E. Department of Public Utilities Hiring Recommendation-Applications in packet.

12. COMMUNICATION BETWEEN CITY COUNCIL AND CITY ADMINISTRATOR

- A. Business Report
 - Mercedes Taylor – Rentals (NC)
 - Todd's Home Repair – General Contractor (FL)
 - Platinum Kutz – Barber Shop (120 Liberty Street)
 - Floyd Roofing – General Contractor (805 E. Main Street)
- B. PRO Housing Grant Update-We did not receive the grant.
- C. Community Pollinator Planters- Miss. Brittany Jones gave an update on receiving the Community Pollinator Planters and what they will be used for.
- D. Firestone Completion
- E. Rural Infrastructure Authority Wastewater Treatment Plant
- F. Bennettsville Citizens Academy- Gave an update on first meeting.
- G. Animal Control Update
- H. Transparency Efforts from Administration -Mr. Simon stated, "Our transparency efforts from Administration. I'll just say to our community, I hear you. I hear the things that our community is talking about. I see the things they want to see. I

hear about the things they want us to improve upon and I think it all starts with transparency. When there are rumors of people just saying different things, we make attempts to defer or refer to the City of Bennettsville for accurate information. We do need to do a better job putting our financial information on our website. That needs to include all of our audits and budgets.”

13. NON-AGENDA ITEMS FROM COUNCIL

Mr. Abraham-Thanked Jaharra Graves and her staff for the Fireworks Show. He then thanked all departments that assisted. He thanked the Bennettsville Downtown Christmas Committee and the Fire Department. Next, he said, “ At the last meeting I requested a plan from Chief Kevin Miller. What is his plans for the community engagement involvement. I was told that would have to be through the Public Safety and I haven’t heard anything and wanted to get an update.” Lastly, he thanked the citizens. Without the citizens , it wouldn’t be no city. I appreciate them. He thanked all employees.

Mr. Jennings-Gave an update on Finance Committee Meeting that was held last night. It said it was very productive. He stated, “The Finance Committee was going to request Mr. Simon and the Mayor to call a Special Meeting in the next couple of weeks.”

Mayor Fowler- Thanked the Administration for the monthly reports that were in the packet and customers always come first.

Mr. Taylor- Stated, “The Police Department has done a couple of things this past month with the open house. They were down in Firestone too. Next, we are going to try and have a meeting this week but due to conflicts and schedules none of us could get together this week.”

Mr. Davis-Thanked all city workers and the Police Department for slowing down the speed in some areas. Continue working together. Everybody’s not going to agree, but we need to be more understanding, making sure that we do something we know we are doing right. Lastly, he though the Firework Show was amazing, and everybody had a good time. He thanked Mr. Simon because he has a tough task and he’s doing a good job.

Ms. Weaver- Stated, “She hated to lose Mrs. McQueen from Recreation and Dominica Stuckey. I hate losing them. She wanted to know when the Architectural review Board meets again. Another 18-wheeler is continuing to park on Oakwood St. She wanted an update on the Main Street Project. Lastly, she gave a shout out to Elizabeth Munnerlyn for updating the outside of her building. The tennis court needs to be touched up and the basketball court on Mcleod St.

14. ADJOURN
Mayor Fowler

Public Comment Policy:

Citizens desiring to speak at any regular meeting must provide a written request to notify the City Clerk prior to the agenda deadline. Citizens interested in commenting at a regular meeting shall sign in to speak and limit comments to no more than 3 minutes.

Mission Statement: To utilize all available resources for the development of plans, programs, and projects to improve services to the citizens of Bennettsville and establish and maintain an active role in economic and community development.