



**REGULAR CITY COUNCIL MEETING
Tuesday, August 20, 2024; 6:30 P.M.
Bennettville Public Safety Complex**

Minutes

1. CALL TO ORDER Mayor Fowler
2. INVOCATION AND PLEDGE OF ALLEGIANCE Rev. James E. Smith
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
4. APPROVAL/CORRECTION OF MINUTES
 - A. **Regular Council Meeting; Tuesday, July 16, 2024-** Mr. Davis moved that we approve the Regular Council Meeting minutes for Tuesday, July 16, 2024. Seconded by Mr. Abraham. The motion passed unanimously.
5. PUBLIC REQUESTS/ PRESENTATION OF PETITIONS
 - A. **Employees Anniversaries-** Mrs. Angela Ward announced Employee Anniversaries:
 - Tammy King (Human Resources)- 27 years
 - Angela Ward (Administration)- 26 years
 - Lori O’Tuel- (Purchasing) -12 years
 - Jerusha McArthur (Tourism, Parks & Recreation)-5 years
 - Jaharra Garves (Tourism, Parks & Recreation)- 3 years
 - Donald Morgan (Water Treatment)- 3 years
 - Robert Tryon (Police)- 2 years
 - B. **New Hires & Promotions** - Mrs. Angela Ward announced New Hires & Promotions:
 - Tracie Lee- Accounts Payable Clerk
 - Jerry McClain-Custodian at Tourism, Parks & Recreation
 - David McClain-Sanitation/Motor Equipment Operator
 - James Johnson-Sanitation Worker/Operator

- Jason Tompkins-Police Corporal
- Morris Patrick Smith- Gas Line Foreman (Promotion)

- C. **Crooked Creek Study Update- Hanna Engineering-** Mr. Mike Hanna gave an update on Crooked Creek. Crooked Creek has been overflowing for decades. Previous Administrations hadn't acted on finding a solution to benefit the Shady Rest and Richardson Park areas. These two neighborhoods always hit worse than most areas. Whether it's the dam breach or natural causes. Hanna stated, "We are currently in the middle of a study of the creek. It's an awful long study. It's about 50,000 acres of floodplain, we have identified everything all across lands we have inserted all this into our hydraulic model at this point. It's not going to be an overnight success. It's going to be other grants that we're going to have to apply for so the federal government to help us make improvements to the channel, so we are looking at those now." The study started late last year and by the end of this year, there would be a significant update on the next steps. "At one point and time, it was an eight to nine- to ten-foot-deep channel probably one hundred feet wide, today It's a two to four-foot channel sixty feet wide so it doesn't carry nearly as much water as it originally intended, but there are places you can see the bottom of the creek, so it's only got two to three feet water flowing over it where used to have ten feet water flowing over it. That's my primary opinion, my model hasn't shown me that yet, but I'm sure it will." Hannah said they applied for and were turned down for a million-dollar grant because the results of the study need to be seen first. "Another opinion of mine is the City of Bennettsville, if the City of Bennettsville becomes the primary stakeholder in the future maintenance of Crooked Creek, we haven't done that yet. We're just studying it right now. So, the city would have to take a step forward and say, we hereby are responsible for Crooked Creek. The first thing you need to do is obtain some land on both sides that you have control of. Right now, one of our sides of the creek is private property. I can't spend a dime on private property. I can't even access it. So, I've got to have control of both sides of the creek so that I can do the improvement because I'm entering an elevated and I want to make this beautiful. I'm picturing an elevated walkway that you can go out and take a morning walk on. It's got a nice bank down into the water, but I control both sides, and I can do improvements. I can go cut grass with city equipment. The trees and the alligator weed out of the creek with some success but if I don't have access to one side, it makes it very difficult to maintain if you walk down any part right now, you will see any number of 30-inch oak trees have fallen over into the creek and are limiting the flow going down the creek. I beg you to find a way where you can legally get that oak tree out of the water without having some major equipment. So, I want you to be able to reach over from the bank that you control. Take those trees out. Let's plant some reasonable trees, not full of monument trees, but ornamental trees that we can maintain throughout the next fifty years., but that's an opinion that is not proven, but that's where we're headed."
- D. **One (1) Year in Review: Address to the Community-** Mr. William C. Simon, Jr. (City Administrator) addressed and covered a few things that citizens have heard about and have questions about in the past year. "We are doing this for a positive fix. So, at some point, somewhere, we're going to all be able to get on the same page and move the city forward," Mr. Simon stated. "There are a lot of things posted on social media, all things are in the media. A lot of things are out there by word of mouth, and I'll tell you, being your city leader, we need explanations and clarification on a

lot of this.” He thanked the Mayor for allowing him to address everyone. Mr. Simon started by saying, “As your city leader, I will always serve as I promised from day one, I will serve with integrity and honesty and make sure that we have an inclusive government. Now, we’re not a perfect government, things are going to happen, and quite honestly, I’m super excited to see people engaged now.”

Simon said when he took the job a little over a year ago citizens weren't as engaged with the City Government. “we have a lot going on in Bennettsville and I want to make sure that we stay on the same page.”

Simon said, “Regardless of what I do as a city leader, if people don’t know the state of the city then they won’t know how far we’ve come. So, the mistake that I’ve made is I’m trying to celebrate and tell you how far we’ve come, but I was assuming that we all know where we were and that’s not the case. When we talk about the things that have gone on in our finances, you need to know some of the issues we’ve had over the past five or six years.” He went on to say that Informing people and clarifying things is key, but he will not be doing that on Facebook or any other type of social media platforms. He covered a few things that have been seen in the media and on social media. He addressed some of those issues. “When I look at the past administration, I have to question how things were handled because I’m assuming something that all of you know and all of you are aware of,” Simon said. Mr. Simon welcomes the community to visit him at City Hall and ask questions so that they can be informed about what’s really going on in the city.

6. PUBLIC COMMENTS

During Public Comment, residents of flooding neighborhoods were very vocal about their frustrations with the flooding, the issues with the creek, and the lack of solutions.

Jessica Williams- Discuss the appearance of how downtown Bennettsville looks and what can be done to help make it look better. After her return of 15 years, she sees that the city is falling apart. The Fire Department, cleaning sidewalks. She doesn’t feel that one department should carry the whole burden. “Why do you need to clean the sidewalks when there is nothing to see?” She ended by saying, there is nothing beautiful to see, we have dilapidated buildings, and wasp nests in light fixtures. There’s nothing here for the community to do. We need buildings cleaned up, and lamp posts globes need to be replaced.

Mr. Williams -stated, “Many vehicles are coming through the city from out of State. Everyone says that money is needed for improvement, not true, we need people to come together and work together.” Why is consistency not there and no accountability is there? The City Council is responsible for this City, and you can start on your street.

Mardene Spears -Discussed having a community event in September in the Richardson neighborhood. She has spoken with the Mayor and Mr. Simon, to give the kids something to do. She’s asking for help from Council members as well. Council member Davis stated that he would help in any way she needs.

Scott Johnson- Has lived on Usher Street for 35 years, Shady Rest/Richardson Park, sorry for your property loss Mr. Johnson said. However, it has rained in his house, which has caused some damage. He has his pump to remove trash from the drain. Police came to evacuate, he called Administration, and no one returned his call, 2 weeks later, still backed up.

Nan Flemming “In the Pee De Region you can expect bad weather every 3 years as a result of climate change. Mr. Simon, you were not here when all this happened. I was here for most of it as most of you were. I am so glad Mr. Hanna was here to lay out what The City of Bennettsville can do and what the City of Bennettsville cannot do. We know it is a problem,

so we need to get the state government involved. We're going to have extreme weather. Whatever needs to be done, there is money out there to do it." "One day the dam is going to breach, and it's going to be like Hurricane Katrina in New Orleans." She ended by saying, "We don't need to be pointing fingers, we need to get busy."

Shameka Simmons stated, "You cannot hold Mr. Simon responsible for something that has been going on for many years. The community needs to assist with preparing for storms." She thanked Councilman Davis and Councilman Abraham for the care packages given to the residents of the flooded area and for helping prepare sandbags to help with the flooding.

Willie Covington is asking for City Council to work together to help the community. He states that it has been flooding for many years and they get no help. Families have lost food, furniture, and belongings. The Shady Rest area looks like a jungle, and I'm asking the City to clean up this area. You are tearing down old houses, but not keeping the area clean, therefore all types of animals are in and out of the community.

John Boston resides on McDuffie Street. He's been staying in his home for 46 years. Now he has to replace his air conditioner unit and all ductwork. He will have to replace all of the damages himself. He stated that some of the council members sit up there like they are not concerned about their concerns.

Dr. Carolyn Prince stated "There will not be confidence in City Administration until people understand where the money went. I'm not saying people stole money, but a forensic audit. It's different from a regular audit." They come in and look at every piece of paper, every purchase order, every invoice, every check. There is not going to be confidence in you all until that's done. Now, this little sheet (she passes them around) smoking mirrors, divergence, okay? Claim what y'all doing with the ARP money. You move things around and nobody knew what was going on. You didn't tell council. They didn't vote on nothing. About the ARP money, USDA, and other kinds of money. He moved money around and things did not get funded that the council approved to be funded. Now, at the top, it said got funds in 2021, 2022. So, why you got this whole list on the side pending for 2025? Where is that money? So, we think money was spent on the wrong things, privileged things, and not the kinds of things these departments have asked for. You all were here except Mr. Jennings when we did that. We said we got this money. I remember when Mr. Davis was saying, "Get what, say what you need because this is the time to get what you need. A lot of departments, he said himself, he cut departments. Have you been to the Community Center lately? Those chairs. There's too much competition with other buildings for rent, cheaper, and better things." Her time was up, and she continued to talk.

Pamela Best stated "It's as worse as it's ever been. I made sure I covered up all my stuff. Someone particularly tried to get me fired. I don't know why, but I think you need to meet with me afterward because of these two. I feel funny coming in and speaking on Shady Rest and Richardson Park because I do not live there. I only work there." "You talk about grants, grants, and grants It's up to y'all (Pointing at Council members) to find the grants for these people. Not these people finding grants for you. You got a million dollars on Covid. What did you spend the Covid money on? (Citizens in the audience started speaking out of order) There were dead fish in Richardson Park ditches and Shady Rest ditches. So, what does that tell you? It's stopped up somewhere. Every resource should be put on Crooked Creek right now." (Time was up and the gavel was hit, she continued to talk).

Helen Hayes stated she is not able to live in her home right now because it's been destroyed by all of the flooding that's been happening over time. She asked, "Why is a neighborhood being destroyed by water constantly? The only neighborhoods in Bennettsville being destroyed by water constantly."

Theodore Douglas stated he lives on McLeod Street and he's the first one to leave when the water comes up above the creek. The last flood left him with 12 inches of water throughout

his house. At one point he could do the work himself to repair his home, but now he has gotten too old, and he needs help. As of tonight, he has yet to move back into his home.

7. SECOND READING AND PASSAGE IN FULL OF ORDINANCES
No Business
8. FIRST READING AND ADVERTISEMENT OF ORDINANCES
No Business
9. GENERAL BUSINESS DISPENSED BY MOTION
No Business
10. REPORTS AND INFORMATION PRESENTATION
 - A. **Natural Gas Rate Increase Update-** Mr. Simon gave a brief update on the Natural Gas increase update. There will be a slight increase in this rate over time. Phase 1, 2, and 3.
 - B. **Grants Update-** Miss. Brittany Jones gave an update on all Active Projects, Reimbursements, Submitted & Awaiting Awards, Pending DOT Projects, Upcoming Applications, and In-House Projects.
 - C. **Finance Committee Update-** Mr. Jennings gave an update on the last meeting that was held. They will be doing an audit for the first 3 months. The committee will be making contact.
 - D. **Audit vs. Forensic Audit (Information Only)** -Information from the Municipal Association explaining audit versus forensic audit.
 - E. **Business Report (Information Only)** Those who are either opening up new businesses here or coming to Bennettsville to do business and get this.
11. COMMUNICATION BETWEEN CITY COUNCIL AND CITY ADMINISTRATOR
 - A. **Salary Survey Implementation Plan of Action-** Mr. Simon gave an update on the survey. He stated, “ We are batting around ideas and the finance committee, as well right now. Administration is sort of working internally on a recommendation that will come before the finance committee, but in a nutshell, the Salary Survey has come back. It has indicated that we have some departments or positions that are not paid at market value and that we probably need to do something to get those positions at market value. A lot of those positions reside in the Public Works Department, Fire Department, and a few in the Police Department
12. NON-AGENDA ITEMS FROM COUNCIL

Gregory Scott-Thanked all employees who celebrated anniversaries. He also thanked the citizens for coming out and letting us know how they feel. He said we need to not point fingers, but we need to start working together. He ended by giving his condolences to Councilman Davis, due to the death of his brother.

Tyron Abraham-Thanked all employees for assisting in preparing before & after Hurricane Debbie. He said it was a great opportunity to be together and to work together. It was a positive experience to help the citizens who were present. Mr. Abraham asked, “What is the purpose and procedure of our Executive Session?” “The reason I’m saying this is because there have been different incidents in which council members are in Executive Sessions discussing issues, and the next minute, they are putting it out on social media”, Abraham said. He said, “I have a problem with that, if we vote in Executive Session then the information needs to stay unless

we say so.” Mr. Abraham had a copy of the minutes from June 20, 2023. “Is when I ask for a financial audit because you had an administrator that had been in office working for over 30 years. Okay, he was retired, and then we had Mr. Simon coming aboard. At that time, no actions were taken. So now council members are requesting an audit. But why? Anytime this is a business, anytime you have a business, you clear the books on the one that’s outgoing and when the new person comes aboard, he starts fresh. How can we say we want an audit now?” “There was another incident, and I want to address this because I feel like it’s more than right and if I’m saying anything that’s not right, then you make sure you let me know.

On July 7th I saw a video that was put out by Councilman Taylor and Councilman Weaver. Okay, that was fine. I had no problem, go to the media, but what my problem is that one of the council members stated to you (the Mayor) that they made a mistake. They weren’t sure, right? Okay. So, my problem is if that council member wasn’t sure why did they still go with the story? Because it affects all of us. Also, who it affects the most was Mr. Simon. I’m about trying to do what’s right and if I’m saying anything that’s wrong, please give everybody the opportunity to make sure I’m saying it right. It’s not right, It’s not right. I’m ready to move forward. It’s like we’re at a standstill. I listen to the citizens talk. What are we doing? I think we have a great council, if we come together. We can’t do it by ourselves.” “When the last Administration was working for the city, the council didn’t “Nic-pic” him. “Why is it happening now, I have a problem with it.”

William Jennings- Thanked all employees and welcomed all new employees in the Finance Department. He stated, If he could be of any help, he would.

Allen Taylor- Asked Mr. Simon about part-time employees having take-home vehicles. He didn’t think that was appropriate. He addressed a couple of things that were discussed. He started by saying, “I’ve been called out before in private and public too. As far as videos, I’m an elected official, and the constituents in my district and who I choose to speak to, I have a right to do so. Our attorney has advised us to do so. So, I will continue to do that, and I can appreciate council members being okay with me being a District 3, council member. So, I will continue to speak to the media. I 100% agree that we need a forensic audit. I agree that we go back past Mr. Simon. I’m not singling you out, sir. It protects you and it protects us. We’ve had some Financial Department issues over the last few years, and I don’t think we should wait.” I just want to make sure that everything we can account for it and the citizens believe it.

Tyrone Davis- Thanked all of the citizens, the Fire Department, and all the agencies that came out during the flooding. The morning of the flooding he got out and rode around praying that it wouldn’t happen, but within the hour the second dam breached. “How do we get grants?” “I didn’t take this job just to sit down. I took it because I wanted to make a difference. I live in it too; my house sits higher.” Mr. Davis went on to say, “We have got to attack our upper officials. That’s’ whose going to get the job done.” “We must work together. There are things that haven’t been done. It ain’t the time to come in here and talk about it. It’s the time when you can help the Administrator, but when you come piling things up on him that’s not the way to go. Another thing, We need to give him all the power! Turn him loose and let him do his job! We come together and don’t give him no credit, none! You don’t give him any credit! You just pile it on, pile it on, and pile it on (hitting the table) and he still holding this city together. Nobody else was willing to come here. We did applications for 4-5 months. We finally found somebody that wanted to come to him and be here. We steady working against him, it’s just the truth of the matter. Let him go, and if he don’t do the job take the rings out of his mouth, and let’s get rid of him. Let’s see what he can do. That’s my thing and that’s the reason why we can’t come together because you won’t let him do his job! That’s plain and simple. Everything you keep throwing at him every time you turn around. He came in here; it was tore

up from the floor up! The city is tore up! It's got to tear up and blow up before you can give it up! Some people got to go! Mr. Simon, do your job or you'll lose your job. Plain and simple. Call it out the way it is. We need help in Shady Rest. We need help in Richardson Park. All the drainage is full." He ended by thanking some of the agencies, and businesses, who stepped in like JT Salvage, and Marlboro County Government.

Wanda Weaver-Said she had a couple of things and might not be popular afterward. "I've got to get it off my chest and this is the time to do it. I am happy to see everybody here tonight. All the citizens. I'm going to start off with the forensic audit. Everybody knows Dr. Prince and I didn't see eye to eye a lot when she was here. We need a forensic audit. Yes, but I don't think the city can afford it right now. So, I'm like Allen, I'd like it on record that I think anytime a new financed person comes in if it was me, have those books cleared before I touch them because I don't want anything coming back on me that somebody else did. As far as the Fire Department pressure washing the sidewalks, I sent an email to Mr. Simon and asked him to stop that immediately. Mr. Simon responded to me and said, no problem. We can explore other methods." "Mr. Abraham, I'm on the Public Works Committee also. We haven't had a meeting all year. My impression was you were in charge. You call one, it got canceled." Ms. Weaver stated, "In response to Mr. Simon, this is us, but also in response to Mr. Abraham, I did talk to Jodie Barr. I will talk to him again if he comes to me. He came to me with information that he got from a FOIA request. I didn't give any information that came out of any meeting to him. He gave it to me told Mr. Simon and I told Mr. Fowler but before that interview, I want to tell you about it before it comes out on the air, left field. Maybe I shouldn't but I did. Then, the very next day, Mr. Simon sends a letter to HR, Mayor Fowler talking about how he was concerned cause based on my actions, Mr. Barr's going to do a negative story on him. I have stood up for Mr. Simon's character many times, many times. So, the memo statement whatever. It's not the one that you did, Mr. Simon because it feels like I'm being targeted for leaking information. I'm not doing that. Until this council works together as a team, not going behind each other's back, trying to figure out what to do next. It's not going to work." Ms. Weaver also stated, "I was also told I should stand up at this meeting and apologize to Mr. Simon for talking to the media. I am not going to stand up and apologize to Mr. Simon. I did what I thought needed to be done. I was transparent and I was honest in what I said. Jody Barr and Tonya Brown come to me with the information they have that is public information that they get through a FOIA request. I will look at it. Let's be clear on that. I have a right to speak to the media just like anybody else does." She ended by saying to the citizens that come in continuously, Pamela Best has been coming to every meeting since she has been on council. The issue she's continuing to come about needs to be looked into. Then she stated, "I don't understand what she wants. I'll be honest because she's been in here so many times."

Mr. Simon- Stated, "Regarding the whole video Jody Barr thing. I have no problem with you. I didn't ask for any apology from you or Mr. Taylor. I'll just say this, I want to be crystal clear Let's just all be careful with how the media approaches and the intention. I understand what you're saying as far as you were shocked because he presented you with some invoices that you had never seen. But the other side of that you all don't see any invoices. It's not your process. Until all of you specifically request to see invoices, that have always been in operation issue because if you think that's the only invoice of that magnitude that we sign off on, oh, it's a lot and if y'all want to see those on a monthly basis, I can give them all to you. So, to have the media to represent that as it was something that you were supposed to get and didn't get. Ultimately does look bad on the Administrator. Yes, and so in the video when you were saying, no, I haven't seen these. While I was watching the video, I'm saying, well, no you won't. You didn't request them, and you don't normally get invoices and so I'll just say, just be careful with how the media want to represent it because that's what he was going for. He spoke with

both of you, and he was like, oh, have you seen these invoices? Look at this. This is ridiculous. Look at this and you can say, no I haven't seen these. No. He seen them because he did a FOIA." The story represented Mr. Simon in a bad way, like he was hiding something from everybody else and he wasn't. He stated, "All of you seen her contract. All of you seeing the details of the contract. I think Mr. Jennings initially or when did the revised contract, the extension, he said, let's make sure we try and pay attention to her hours. That's one of the that's the extent of oversight that you guys mentioned in her first contract and the extension. You see how the media totally represented that the wrong way because the both of you appeared to be surprised by something." Ms. Weaver then said, "It was like it was kept from us." Mr. Simon said, "That wasn't on me. That was on the journalist that interviewed." Mr. Taylor stated, "Prior to the interview with him when I seen those invoices we were also not told some other things that happened in months before she was hired. You were not even aware of those things. So, I'm not getting into that, but I'm saying we felt vetting was a thing. So, if I was shown invoices and you weren't aware of it cause you didn't do it correctly, we have every right to ask that. We have the oversight over you." Mr. Simon said, "I'm not challenging that, but we are talking two different things here. I'm not being combative. I want to make sure we all leave here, so it doesn't happen again. We're talking two different things, invoices and vetting her. It was clear that you guys were presented invoices, and it appeared that I should have given you those invoices. That's a separate conversation. Now, regarding vetting her. I vetted her my way. I don't vet people using social media and other stories that are unresolved or unclaimed because I have to be sensitive to myself and other people even in my position who may decide to go somewhere else, and they see negative YouTube stories and they make decisions off that. I am very firm and fair because I understand that companies go through things, and I think you have to investigate. So, let's not vet it on one end, and then we see information to make a decision. If you see information, continue to vet. Look into the information you follow and see if it truly wasn't a fraction. Let's see if it truly did end in some sort of legal case or some sort of termination based off the information you found. Now we going to talk vetting, let's vet it all the way. I don't want to go back and forth. I'm done with it."

Mayor Fowler -Thanked the citizens for coming out. He also thanked those who helped out with preparing sandbags.

13. 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.