

TOWN OF ANDREWS MONTHLY COUNCIL MEETING

SHERIFFS DEPARTMENT SUB-STATION COURT ROOM

110 NORTH MORGAN AVE.

ANDREWS, SC 29510

SEPTEMBER 16, 2010 @ 6:00PM

AGENDA

(Revised)

- 1) INVOCATION**
- 2) PLEDGE OF ALLEGIANCE**
- 3) ROLL CALL**
- 4) APPROVAL OF MINUTES**
- 5) MONTHLY BANK STATEMENTS – FOR INFORMATION ONLY**
- 6) CITIZENS COMMENTS (3 MINUTES ONLY)**
- 7) SWEARING IN OF POLICE CHIEF**
- 8) ADOPTION OF CDBG MATCHING RESOLUTION**
- 9) APPEARING BEFORE COUNCIL**
 - **WANDA CHARPING, CPA, ACCOUNTANT FOR THE TOWN OF ANDREWS**
- 10) NEW BUSINESS**
- 11) OLD BUSINESS**
 - **2ND READING OF AN ORDINANCE TO REAFFIRM THE ANNEXATION OF CERTAIN PROPERTY OWNED BY CALEDONIA TWO LLC INTO THE TOWN OF ANDREWS**
- 12) ADMINISTRATOR'S REPORT**
- 13) COUNCIL'S REPORT**
- 14) MAYOR'S REPORT**
- 15) ADJOURNMENT**

Town of Andrews

Monthly Town Council Meeting Thursday, September 16, 2010

Sheriff's Sub-Station

110 N Morgan Ave, Andrews, SC

The Town of Andrews met for their monthly Town Council Meeting on Thursday, September 16, 2010 at 6:00 pm. Mayor Giles presiding in compliance with the Freedom of Information Act, called the meeting to order at 6:07 pm.

Invocation was rendered by Council Member Thomas Alford.
Pledge of Allegiance was recited by everyone present.

Town Officials Present:

Mayor Rodney Giles
Council Member Terrance Middleton
Council Member Patsy Greene
Council Member Sid Ackerman
Council Member Angela Anderson (6:11 pm)
Council Member Michael Shaw
Council Member Thomas Alford

After roll call, motion was made by Council Member Sid Ackerman and was seconded by Council Member Michael Shaw to approve the minutes from the August 19, 2010 Council Meeting. Mayor Giles asked for a roll call: Middleton-yes, Greene-yes, Ackerman-yes, Shaw-yes, Alford-yes and Mayor Giles-yes. All in favor, motion carried.

The monthly financial statement was included in the Council's packet for information purposes only.

Citizen's Comment

There were no citizen's comments for this meeting.

Swearing In of Police Chief

Mayor Giles asked newly appointed Police Chief Jennifer Flowers to come forward for the swearing in ceremony. Chief Flowers' asked her pastor, Rev. Hardee to assist Mayor Giles in the swearing in. After the swearing in Council Members along with family and friends present congratulated Jennifer in her new position as Police Chief.

Resolution

Mayor Giles stated the next item to be handled was the adoption of the CDBG matching resolution, he asked Mrs. Morris to please read the resolution. Council Member Michael Shaw made the motion to Adopt the CDBG Matching Resolution and was seconded by Council Member Angela Anderson. Mayor Giles asked for a roll call: Middleton-yes, Greene-yes, Ackerman-yes, Anderson-yes, Shaw-yes, Alford-yes and Mayor Giles-yes. All in favor, motion carried.

New Business

Town Administrator Chelice Waites stated this was a reassessment year. Mayor and Council needs to decide if they want an increase on the millage for the upcoming tax year. She stated she discussed this with the Town's accountant Wanda Charping. Ms. Charping informed Ms. Waites she believed the Town would be fine without the increase in the millage. Council Member Michael Shaw made the motion to maintain the current millage for the new tax year and was seconded by Council Member Sid Ackerman. Mayor Giles asked if there were any questions before the vote. After discussion of the expense of the CDBG matching grant and being that the Town is already on a tight budget, Council Member Terrence Middleton made another motion amending the 1st motion asking Town Administrator to consult more with our account before making the decision and was seconded by Council Member Sid Ackerman. Mayor Giles asked for a roll call: Middleton-yes, Greene-yes, Ackerman-yes, Anderson-yes, and Shaw-no, Alford-yes and Mayor Giles-yes. Majority in favor, motion carried.

Old Business

The 2ⁿ reading of the Ordinance to Reaffirm the Annexation of Certain Property owned by Caledonia Two, LLC into the Town of Andrews was given. After discussion, Council Member Sid Ackerman made the motion to approve the 2nd reading of the Ordinance to Reaffirm the Annexation of the Property owned by Caledonia Two, LLC into the Town of Andrews and was seconded by Council Member Middleton. Mayor Giles asked for a roll call: Middleton-yes, Greene-yes, Ackerman-yes, Anderson-yes, Shaw-yes, Alford-yes and Mayor Giles-yes. All in favor, motion carried.

Administrator's Report

Town Administrator Waites informed Mayor and Council that there will be an Oversight Committee meeting at Georgetown County Water and Sewer District office on Tuesday, September 21st.

Ms. Waites stated that the chipper and old truck that Mayor and Council had approved to sell was partially successful. The old truck never sold, so Public Works Supervisor Eddie Shaw wanted permission to sell the truck for scrap. Council Member Ackerman made the motion to sell the old truck for scrap and was seconded by Council Member Alford. Mayor Giles asked for a roll call: Middleton-yes, Greene-yes, Ackerman-yes, Anderson-yes, Shaw-yes, Alford-yes and Mayor Giles-yes. All in favor, motion carried.

Ms. Waites stated that there will be a Public Hearing on September 20th at 6:00pm at Town Hall concerning the application for a fire truck for the Fire Department. Mayor Giles encouraged everyone to attend.

Administrator Waites stated that the renovations on the building on Main Street have started.

Administrator Waites reminded Mayor and Council that she will be out of the office from September 29th through October 5th due to the Leadership Conference.

Council Report

Council Member Patsy Greene questioned about Public Works getting more inmates to help clean up some areas of the Town that are in bad shape. She thought they were supposed to have already started. Mayor Giles asked Administrator Waites to please check with Mr. Eddie Shaw concerning this.

Council Member Alford stated that they were still working on the Veterans Day Program and Parade which will be November 6th. He asked that everyone please help support this event.

Mayor's Report

Mayor Giles asked if any of the department heads had any remarks. Police Chief Flowers stated the Police Department along with some of the churches in the area is organizing a Fall Festival for October 30th at the Andrews Recreation Gym. She also stated that she wanted to inform everyone of a Newsletter put out every month by the Andrews Church of God. Mr. Robert Stamper from the Andrews Fire Department spoke next encouraging everyone to attend the Public Hearing.

Mayor Giles thanked everyone that participated in the Clean Up Day. He also informed everyone of the meeting after Council Meeting for the concerns for the new Park Complex. He also informed everyone of jobs being offered by Sykes, a company in Kingstree. They will be at the Town Hall in October to take applications. He also stated that a new company, ITI Hydraulics, will be locating in the old Cannon Knits building.

Adjournment

Council Member Michael Shaw made the motion to adjourn the meeting at 6:45 pm and was seconded by Council Member Anderson.

ORDINANCE NO. 2010-09-05

AN ORDINANCE TO REAFFIRM THE ANNEXATION OF CERTAIN PROPERTY OWNED BY CALEDONIA TWO LLC INTO THE TOWN OF ANDREWS (THE "TOWN") PURSUANT TO SECTION 5-3-10 *ET SEQ.* OF THE CODE OF LAWS OF THE STATE OF SOUTH CAROLINA, 1976, AS AMENDED (THE "CODE")

Whereas, a proper petition for annexation was filed with the Town Council (the "Council") of the Town by the sole member of Caledonia Two LLC (the "Petitioner"), representing one hundred percent (100%) of the freeholders owning one hundred percent (100%) of the assessed value of that certain property hereinafter described (the "Property"); and

Whereas, minutes of the meetings of the Council on April 19, 2001 and June 21, 2001 evidence that Council gave final approval to an ordinance effecting the requested annexation of the Property, but the Town cannot locate a signed copy of such affirmative ordinance, nor any evidence that notice was filed with the Secretary of State, the S.C. Department of Transportation and the S.C. Department of Public Safety as required by §5-3-90, S.C. Code of Laws, 1976, as amended, together with the required written boundary description and plat describing the Property; and

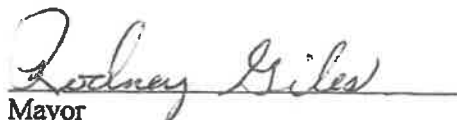
Whereas, the Town, at the request of the Petitioner, proposes to reaffirm the Town's annexation of the Property into the Town;

NOW, THEREFORE, BE IT ORDAINED, by the Council as follows:

Section 1: The annexation of that certain property, hereinabove referred to as the Property and more particularly described on Exhibit A attached hereto and hereby incorporated by reference herein as if Exhibit A were set out in this Ordinance in its entirety, pursuant to ordinance of the Town enacted June 21, 2001 is hereby ratified and affirmed, and it is hereby declared and ordained that said Property is hereby annexed into and shall become part of the Town effective as of June 21, 2001.

Section 2: All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Adopted this 16 day of September, 2010.



Mayor
Town of Andrews, South Carolina

Attest:


Clerk of the Town Council
Town of Andrews, South Carolina

MEMORANDUM OF UNDERSTANDING
With regard to Reaffirming Ordinance
Town of Andrews and Caledonia Two LLC

All parties have agreed to reaffirm the annexation of Caledonia Two LLC into the town limits of the Town of Andrews, reaffirming the initial approval June 21, 2001.

The town of Andrews, Caledonia Two LLC owner Bill Gregg and Georgetown County Auditor Linda Mock are in agreement that the property owner of Caledonia Two will pay the current town property millage rate for the back years of 2007, 2008, 2009 and all future years.

The amount of taxes pertaining to the difference in millage rate for the annexed parcel for each of the years of 2007, 2008, and 2009 are due in an amount of approximately \$5,400 for each of these three (3) years. Future annual amounts are dependent on the millage for the town of Andrews.

Upon receipt of corrected notices for these years, all taxes are immediately due and payable. Upon receipt of payment, the Georgetown County Stormwater Department will abate all fees for the above three (3) years and for future years as long as Caledonia Two LLC is annexed within the limits of the town of Andrews.

Agreed this 12th day of September, 2010.



Mayor, Andrews
Caledonia Two LLC
by 

Caledonia Two LLC

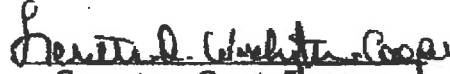


Georgetown County Auditor



Georgetown County Administrator


Georgetown County Assessor



Georgetown County Treasurer

EXHIBIT A
LEGAL DESCRIPTION

ALL those certain pieces, parcels, or tracts of land, in the County of Georgetown, State of South Carolina, containing in the aggregate 38.592 acres, more or less (not including Rosemary Avenue and a triangular lot west of S.C. Hwy. 41), and being and shown and delineated as Tracts A and B (containing 9.857 acres), Tracts C and F (containing 24.112 acres), Tracts D and E (containing 4.623 acres), and a triangular lot located on the western boundary of the right-of-way of S.C. Hwy. 41, west of Tract F, as shown on a plat of the same prepared for Caledonia Two, LLC by J. B. Ellis, Jr., Registered Land Surveyor 13849 dated June 18, 2000, and to be recorded in the Office of the Clerk of Court for Georgetown County (the failure to record said plat or to insert the recording data herein shall not affect the validity hereof), said property constituting Tax Parcels 2-124-101 and 6-1-89 through 96; together that portion of Rosemary Avenue designated as "Rosemary Closed" on the aforesaid plat; said property having the following metes, boundaries, and measurements, to wit:

TRACTS A AND B: Beginning at an iron at the northeasternmost corner of Tract B, which iron is located on the southern boundary of the right-of-way for Dogwood St. where the same corners with the western boundary of the right-of-way for the Seaboard Coastline Railroad; thence running along the right-of-way for the Seaboard Coastline Railroad from iron to iron as follows: S09°24'01"W-1029.13 feet; S09°59'50"W-102.70 feet; thence turning and running along Lot 11, Blk 79 N69°24'31"W-181.46 feet to an iron; thence turning and running along Lots 10, 9, 8, 7, 6, 5, 4, and 3 as shown on the aforesaid plat from iron to iron for the following distances: N13°14'31"W-2.21 feet; N24° 47'55"W-50.00 feet; N26°22'39"W-50 feet; N31°00'03"W-140.00 feet; N30°38'01 "W-39.97 feet; N34°31'05"W-62.41 feet; thence turning and running along Lot 2 as shown on the aforesaid plat N56°26'22"E-164.07 feet to an iron; thence turning and running along Lot 2 and Lot 1 as shown on the aforesaid plat N30°22'06"W-191.89 feet to an iron; thence turning and running along the eastern boundary of the right-of-way of Rosemary Avenue from iron to iron for the following distances: N27°47'30"E-294.67 feet; N24°55'00"E-100.00 feet; N17°05'00"E-100.00 feet; N13°54'00"E-30.00 feet; thence turning and running along the southern boundary of the right-of-way for Dogwood St. S71°22'03"E-352.39 feet to an iron at the point of beginning.

TRACTS C, D, E, F, AND "ROSEMARY CLOSED": Beginning at an iron located at the southeasternmost corner of Tract C as shown on the aforesaid plat, which iron is located on the northern boundary of the right-of-way for Dogwood St. where the same corners with the western boundary of the right-of-way for Seaboard Coastline Railroad; thence turning and running along the northern boundary of the right-of-way for Dogwood St. from iron to iron for the following distances: N71°22'03"W-348.00 feet; N71°05'59"W-50.33 feet; N71°22'03"W-73.50 feet; thence turning and running from iron to iron for the following distances: N11°20'48"E-133.95 feet; N72°22'58"W-194.77 feet; N10°17'07"E-61.27 feet; N11°23'59"E-73.07 feet; N06°20'19"E-73.96 feet; N04°12'07"E-75.05 feet; N10°20'43"E-32.99 feet; N01°51'17"E-148.03 feet; N02°34'21"W-225.37 feet; N07°07'02"W-166.17 feet; N08°36'17"W-73.72 feet; N08°36'17"W-65.35 feet; N75°32'29"W-218.84 feet to an iron; thence turning and running along the eastern boundary of the right-of-way for S.C. Hwy. 41 N08°37'26"W-213.77 feet to an iron; thence turning and running along property of John T. Osborne, as shown on the aforesaid plat N41°32'06"E-448.94 feet to an iron; thence turning and running along the southern boundary of the right-of-way for Stamper Road from iron to iron for the following distances: S62°43'46"E-411.26 feet; N87°38'51"E-483.38; thence turning and running along the western boundary of the

right-of-way for the Seaboard Coastline Railroad S09°28'27"W-1787.32 feet to an iron at the point of beginning.

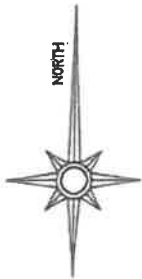
TOGETHER WITH a triangular lot shown on the aforesaid plat lying on the western side of S.C. Hwy. 41, immediately west of Tract F as shown on the aforesaid plat.

DERIVATION AS TO TRACT A AS SHOWN ON THE AFORESAID PLAT:

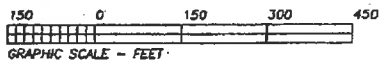
1. Deed of Anne Austin, May Watson and James B. Moore to Oneita Knitting Mills dated August 21, 1980, recorded August 21, 1980, in Deed Book 182 at page 870.
2. Deed of Anne Austin, May Watson and James B. Moore to Oneita Knitting Mills dated August 21, 1980, recorded August 21, 1980, in Deed Book 182 at page 874.
3. Deed of Town of Andrews dated August 9, 1980, recorded August 18, 1980, in Deed Book 182 at page 772.
4. Deed of Dixie P. May dated January 21, 1981, recorded January 23, 1981, in Deed Book 187 at page 348.
5. Deed of Town of Andrews to Oneita Knitting Mills, Inc. dated August 9, 1980, recorded August 18, 1980, in Deed Book 182 at page 776, as corrected by Corrective Deed dated August 29, 1980, recorded September 3, 1980, in Deed Book 183 at page 329.

DERIVATION AS TO TRACTS B, C, D, E AND F AS SHOWN ON THE AFORESAID PLAT:

1. Deed of Andrews Industrial Development Corporation to Oneita Knitting Mills dated July 13, 1978, recorded July 14, 1978, in Deed Book 160 at page 189.
2. Deed of Georgetown County, SC to Oneita Industries, Inc. f/k/a Oneita Knitting Mills dated December 1, 1997, recorded December 3, 1997, in Deed Book 827 at page 132.
3. Deed of Andrews Industrial Development Corporation to Oneita Properties, Inc. dated July 30, 1959, recorded July 30, 1959, in Deed Book 34 at page 226.
4. Deed of Oneita Knitting Mills to Oneita Properties, Inc. dated August 12, 1968, recorded August 14, 1968, in Deed Book 83 at page 154.
5. Deed of Florence Isokreit to Oneita Properties, Inc. dated October 29, 1960, recorded January 6, 1961, in Deed Book 43 at page 17.
6. Deed of C. Woodson Stamper and Rebecca L. Stamper to Oneita Properties, Inc. dated June 1, 1971, recorded June 17, 1971, in Deed Book 98 at page 457.



COURSE	BEARING	DISTANCE
L-1	S 75°35'59"E	211.27'
L-2	S 08°42'49"E	122.61'
L-3	S 05°07'07"E	99.21'
L-4	S 03°36'07"E	97.38'
L-5	S 00°07'07"E	97.54'
L-6	S 01°05'53"W	370.08'
L-7	S 68°54'07"E	5.00'
L-8	S 02°12'08"W	157.04'
L-9	S 03°44'36"W	143.39'
L-10	N 71°22'03"W	73.50'
L-11	N 11°20'48"E	133.95'
L-12	N 72°22'58"W	194.77'
L-13	N 10°17'07"E	61.27'
L-14	N 11°23'59"E	73.07'
L-15	N 08°20'19"E	73.96'
L-16	N 04°12'07"E	75.05'
L-17	N 10°20'43"E	32.99'
L-18	N 01°51'17"E	148.03'
L-19	N 02°34'21"W	225.37'
L-20	N 07°07'02"W	185.17'
L-21	N 08°36'17"W	73.72'



Acreages:

Tracts A & B: 9.857 Ac.
Tracts C & F: 24.112 Ac.
Tracts D & E: 4.623 Ac.

Total Acreage: 38.592 Acres

Closed portion of Rosemary Avenue
not included in acreage.

State of South Carolina
County of Georgetown
Tax Parcels: 2-124-101

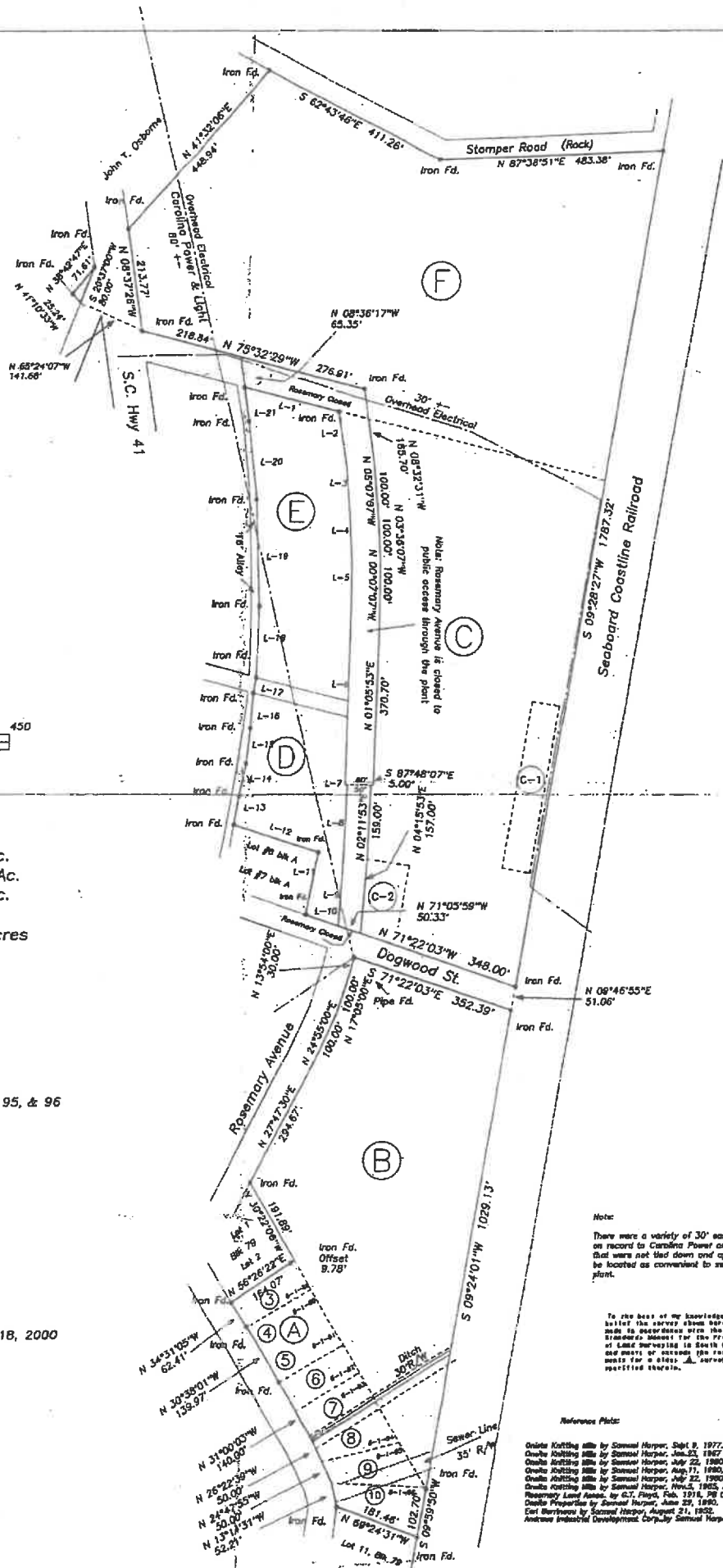
Lots: 6-1-89, 90, 91, 92, 93, 94, 95, & 96

Boundary survey for:

Caledonia Two, LLC

Survey Completed: June 18, 2000

J. B. Ellis, Jr.
J. B. Ellis, Jr.
Reg. Land Surveyor 13849
415 East Main Street
Kingstree, South Carolina 29555
(843) 354-8872.



Note:
There were a variety of 30' easements on record to Carolina Power and Light that were not tied down and appear to be located as convenient to serve to plant.

To the best of my knowledge and belief the survey shown herein was made to meet the needs of the client and is not intended to be used for any other purpose. I am not responsible for any errors or omissions in this survey or for any consequences thereof.

Reference Maps:

Orlando Kitting site by Samuel Harper, Sept. 9, 1977, PB 88 pg 85.
Orlando Kitting site by Samuel Harper, Jan. 22, 1987, PB 88 pg 85.
Orlando Kitting site by Samuel Harper, July 22, 1987, PB 88 pg 85.
Orlando Kitting site by Samuel Harper, Aug. 17, 1988, PB 8 pg 82.
Orlando Kitting site by Samuel Harper, July 22, 1990, PB 8 pg 23.
Rosemary Land Annex, by G.T. Floyd, Feb. 1916, PB C pg 43.
Orlando Kitting site by Samuel Harper, Aug. 29, 1990, PB 8 pg 85.
Earl Harrison by Samuel Harper, August 21, 1992.
Andrew Industrial Development Corp. by Samuel Harper, Aug. 5, 1992, PB 1 pg 22.