TOWN OF ESTILL
COUNCIL MEETING AGENDA
April 08, 2020
6:00 pm

**** The meeting will be held electronically via ZOOM and later uploaded to YouTube as well as our Website and Facebook pages for the Public to view.**

1. Call Meeting to Order
2. Invocation
3. Pledge of Allegiance
4. Approve March 11, 2020 Council Meeting Minutes
5. Approve March 20, 2020 Emergency Council Meeting Minutes
6. Approve April 08, 2020 Council Meeting Agenda

7. OLD BUSINESS

    A. Ordinance 03-2020 Operating & Capital Budget Amendment -2nd Reading

8. NEW BUSINESS

    A. Department Reports
        Police Report
        Safety & Recreation Report
        Fire Department Report
        Public Works Report
        Water & Wastewater Report
        Administration Report

    B. March 2020 Income Statement

    C. Ordinance 07-2020 Amending Ordinance 05-2020 Emergency Curfew.

    D. Mayor's report related to emergency purchase of PPE (Personal Protection Equipment)

    E. Ordinance 01-2020 Amending Ordinance 08-2015 related to Buildings Unfit for Human Habitation. 1st Reading.

    F. Ordinance 02-2020 An Ordinance to provide for Curfew in Times of Emergency, To Change Curfew for Minors and to Impose Penalties for Violation of Curfew. 1st Reading

    G. Ordinance 06-2020 An Ordinance to Provide for Prohibition of Loitering; To Regulate Noise and to Regulate the Public Consumption of Alcohol. 1st Reading

    H. Resolution 2020-01 Ratifying a Certain COVID-19 Related Executive Order Issued by the Mayor on March 25, 2020.

    I. Resolution 2020-02 Authorizing the Movement of Funds from BB & T Account number 000XXXX827190 in the Amount of $20,000.00 to be Deposited in the Palmetto State Bank Fire Department Special Account number XXXX-3734 for the Purchase of Bunker Gear for the Fire Department.

J. Resolution 2020-03 Declaring certain Town Property as Surplus

K. Public Comment (received via email, drop box or mail)

L. Executive Session -Contract: Bull Durham Bids for Repairs
Personnel:

Legal:

M. Regular Session -Contract: Bull Durham Bids for Repairs
Personnel-

Legal

Adjourn

Note: Council may take action on matters discussed in executive session.

MAYOR:
CORRIN F. BOWERS, III

COUNCIL:
DWANDA BOLDEN
JOE N. HADWIN, JR.
CHARLES SAVINO
TAMMY SOLOMON

Town Council Meeting Minutes
March 11, 2020

The Town Council Meeting was called to order by Mayor Bowers at 6:01pm

Invocation
The Invocation was given by McDonald Hamilton.

Present
Mayor C. Bower, Councilwoman D. Bolden, Councilman C. Savino, Councilman Jody Hadwin Jr., Town Administrator Caryn Miller, Clerk Treasurer Edna O'Banner, Town Lawyer, Martin Harvey.

Absent: Mayor Pro Tem Tammy Solomon.

Pledge of Allegiance
The Council stands and recites the Pledge of Allegiance.

Approve February 12, 2020 Council Meeting Minutes
Mayor C. Bowers asked for a motion to Approve February 12, 2020 Council Meeting Minutes. Mayor C. Bowers recognize Councilman Savino. The Motion was offered by Councilman Savino; with a second by Councman Hadwin. Council voted 4-0 in favor of the motion.

Approve February 19, 2020 Council Special Called Meeting Minutes
Mayor C. Bowers asked for a motion to Approve February 19, 2020 Council Special Called Meeting Minutes. Mayor C. Bowers recognize Councilman Savino. The Motion was offered by Councilman Savino; with a second by Councilman Hadwin. Council voted 4-0 in favor of the motion.

Approve March 11, 2020 Council Meeting Amended Agenda
Mayor C. Bowers asked for a motion to Approve March 11, 2020 Council Meeting Amended Agenda by adding Police Dept. Personnel to executive session. Mayor C. Bowers recognized Councilwoman Bolden. The Motion was offered by Councilwoman Bolden; with a second by Councilman Hadwin. Council voted 4-0 in favor of the motion.

Old Business
None

New Business
Department Report

Police Report- Chief M. Collins gave his standard monthly report which has been submitted to council. Coucilman Hadwin asked if the officers were fully equipped for the Covid 19 with hand sanitizer. Chief Collins stated that the Police dept. was fully equipped for Covid-19 with hand sanitizer and disinfectant. Councilman Hadwin told Chief Collins to make sure that they have some Clorox wipes. Councilman Hadwin also asked Chief Collins if he or the officers checked on the street lights and Chief Collins stated that he have a partial list of the documents on his desk.

Safety & Recreation Report- V. Strong gave her standard monthly report which has been submitted to council. Councilman Hadwin asked Mrs. Strong if she could compile a list of users of the Bull Durham that paid versus the non-payer.

Fire Department Report – Fire Chief L Toone gave his standard monthly report which has been submitted to council. Councilman Savino stated to Chief Toone to be careful if the firefighters have to respond along with EMS to calls. Chief Toone stated that you really do not know what may come or what you have to do.

Public Works Report/Water & Wastewater Report – McDonald Hamilton gave the standard monthly report that has been submitted to council. The debri pickup was suspended due to the rain. He stated that there was some debri on Lawton and it does not meet the criteria for pick-up. Mr. Hamilton said the safety Director came to the shop and did a class with the employees and gave information to them about Covid – 19. Water read are going on- Degler came and pump out the well and now the pump is ready to be dropped back into the well.

Per Mr. Hamilton, a young lady name Ebony Douglass is sponsoring a youth mentoring group who would like to pick-up litter on the side of the road and bag them up. Mr. Hamilton stated that once the litter is bagged and dropped they will pick them up.

Mr. Hamilton stated that the light at the Bull Durham was replaced. Per Mayor, Mr. Hamilton need to report the pole across from SE & KE to find out who the pole belong to, whether it belongs to Dominion or CSX.

Administration Report- Edna O'Banner introduced the new Town Administrator and she stood and told the citizen a little about herself and informed Mayor and Council of her plans for the Town of Estill. She stated that she meet with all the businesses and department heads.

Mayor Bowers welcome Ms. Miller along with Councilman Savino and Councilman Hadwin.

February 2020 Income Statement

Mayor Bowers asked for a motion to approve February 2020 Income Statement as information only. Mayor C. Bowers recognized Councilman Savino. The Motion was offered by Councilman Savino; with a second by Councilwoman D. Bolden. Council voted 4-0 in favor of the motion.

Public Comments

Mr. Ronald Winn- Citizen of the Town of Estill and stated he has been going to the center for five years. Mr. Winn expressed his concerns for the Senior Citizen Building and water being backed-up to the center. He stated the Seniors are on fixed income and if the town can reach out to the Dept. of Agriculture and lobbyist to bring money in to dig a well. He stated if council can possibly help with the water, because he and his fellow citizens are distressed about it. Mayor thanks Mr. Winn and stated that he would be glad to talk to him about his concern and he will take this as information.

Executive Session

Mayor enters into Executive Session at 6:22pm

Mayor C. Bowers asked for a motion to enter into Executive Session. Mayor C. Bowers recognize Councilman Hadwin. The Motion was offered by Councilman Hadwin; with a second by Councilwoman Bolden. Council voted 4-0 in favor of the motion.

Mayor Exit Executive Session and returned to Regular Session at 7:00 pm

Mayor Bowers asked for a motion to exit Executive Session and return to Regular Session. Mayor C. Bowers recognize Councilman Savino. The Motion was offered by Councilman Savino; with a second by Councilwoman D. Bolden, Council voted 4-0 in favor of the motion.

Personnel: Bull Durham: Employee Rental will be tabled until further notice.
Police Dept.: Council gave the Town Administrator the okay to talk to the Police Chief.

Adjourn

Mayor C. Bowers asked for a motion to adjourn. Mayor Bower recognized Councilman Savino. The motion was offered by Councilman Savino with a second by Councilman Hadwin. Council Voted 4-0 in favor of the motion.

Mayor Bowers adjourn the meeting at 7:30 pm

ADOPTED this 08th Day of April 2020

_____

Corrin F. Bowers III., Mayor

_____

Tammy Solomon, Mayor Pro Tem

_____

Dwanda Bolden, Councilwoman

_____

Charles Savino, Councilman

_____

Joe Hadwin Jr., Councilman

ATTEST:

_____

Edna O'Banner, Clerk Treasurer

Emergency Council Meeting Minutes
March 20, 2020

The Emergency Council Meeting was called to order by Mayor Bowers at 5:00 pm.

Present
Mayor C. Bowers, Councilwoman D. Bolden, Councilman C. Savino, Town Administrator Caryn Miller, and Clerk Treasurer, Edna O'Banner.

Absent: Mayor Pro Tem, Tammy Solomon, Councilman Joe Hadwin, Jr.

Approve Ordinance 04 – 2020 An Emergency Ordinance to temporarily suspend the normal operating procedures of Estill Town Council meetings and to authorize the Estill Town Administrator to develop and enact a plan in order to ensure continually in the delivery of government services in light of the COVID-19 outbreak; and matters related therefore.

Mayor C. Bowers asked for a motion to Approve, Ordinance 04 – 2020. Mayor C. Bowers recognized Councilman C. Savino. The Motion was offered by Councilman C. Savino; with a second by Councilwoman D. Bolden. Council voted 3-0 in favor of the motion.

Adjourn

Mayor C. Bowers adjourn the meeting at 5:15 pm

ADOPTED this 08th Day of April 2020

_____

Corrin F. Bowers III., Mayor

_____

Tammy Solomon, Mayor Pro Tem

_____

Dwanda Bolden, Councilwoman

_____

Charles Savino, Councilman

_____

Joe Hadwin Jr., Councilman

ATTEST:

_____

Edna O'Banner, Clerk Treasurer

ORDINANCE 03 - 2020

(STATE OF SOUTH CAROLINA
(ORDINANCE TO AMEND OPERATING & CAPITAL BUDGET
(FISCAL YEAR 2019-2020

BE IT ORDAINED, by the Estill Town Council that the budget for the municipality be amended to incorporate by (revenues) and (expenditures) as part of this Ordinance.

General Fund Operating & Capital Budget Revenue	**TOTAL**	**$ 1,525,520**
General Fund Operating & Capital Budget Expenditures	**TOTAL**	**$ 1,525,520**
Operations & Maintenance (O & M) Operating & Capital Budget Revenue	**TOTAL**	**$ 2,291,347**
Operations & Maintenance (O & M) Operating & Capital Budget Expenditures	**TOTAL**	**$ 2,291,347**
Refuse Fund Operating & Capital Budget Revenue	**TOTAL**	**$ 117,898**
Refuse Fund Operating & Capital Budget Expenditures	**TOTAL**	**$ 117,898**
Projected Revenue All Funds 2019 - 2020 Operating & Capital Budget	**TOTAL**	**$ 3,934,765**
Projected Expenditures All Funds 2019 - 2020 Operating & Capital Budget	**TOTAL:**	**$ 3,934,765**

WHEREAS, revenues and expenditures shall continue to comprise the total revenue and spending for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020; and,

WHEREAS, the rate of property taxation shall remain at 159 mills (0.159); and,

WHEREAS, the Local Option Sales Tax Credit Factor shall remain at 0.001529; and,

WHREAS, property taxes, utility rates, and refuse rates shall continue to be based upon

SO ORDERED AND ORDAINED, the 11th day of March 2020 by the Estill Town Council being duly and lawfully assembled.

First Reading: March 11, 2020

Second Reading: April 08, 2020
Effective Date: April 08, 2020

ORDINANCE 03 – 2020

_____
Corrin F. Bowers, III, Mayor

_____
Tammy Solomon, Mayor Pro-Tem

_____
Dwanda Bolden, Councilwoman

_____
Charles Savino, Councilman

_____
Joe Hadwin Jr., Councilman

Attest:

_____
Caryn Miller, Town Administrator

(Seal)

To: Mayor and Council
From: Chief – Mark A. Collins
Date: 3/31/2020
Re: **March**
Monthly Report

The Estill Police Department Monthly Report for *March* is as follows:

BOND MONEY

Case List Breakdown by Disposition	**46**
1	Bond Forfeiture
2	Guilty Bench Trial
3	Tried In Absence
20	Not Guilty Bench Trial
20	Nolle Prossed

Arrestee Report 4	
4	Arrests

Community Service Report	**0**
0	Persons

Warning Tickets	
25	Tickets

Victim Advocate Report	
8	Victims

Incident Report Total	**8**
3	Simple Assault
0	Civil Disturbance
1	Burglary/Breaking & Entering
3	Vandalism of Property
1	Larceny - All Other
0	Weapon Violation
0	Disorderly Conduct
0	DV 1st
0	Counterfeiting/Forgery
0	Robbery
0	Murder

	Traffic Ticket Total 89
12	Speeding Less Than 10 MPH
0	Disorderly Conduct
0	Following Too Close
52	Speeding Between 10 - 25 MPH
0	Passing Unlawfully
0	Operating Uninsured
0	Faulty Equipment
0	Failure to Stop for Stop Sign
25	Other Violation
	Driver's License Violation
0	Vehicle in Unsafe Condition
0	Driving Under Suspension
0	Driving Under the Influence

1 Warrant(s) served this month

1 Codes citation(s) issued

Public Works& Water Department Monthly Report 3/31/2020

Bull Durham Center is close for engagement at this time. Continue mowing of the library, Mowing and trimming walking trail, Dogwood Park, Base ball field, Best Manufactory yard, other parks and Town Hall. The pickup rout for leaf and limbs on 2nd and 4th week each month is ongoing.

Public Works& Water Department Monthly Report 3/31/2020

Working as needed for water leaks, mowing, trimming and work orders jest to keep the town looking good .And at the same time practicing Self Distance washing hands using sanitizer. Until further notices I have someone in every day and on call weekends.

1. Reading water meters, rereads and NO CUT OFF DUE TO THE CORONA VIRUS
2. Repair 9 water lines and 26 sewer calls

Maintaining of 3 water wells 7 lest station each week and waste water treatment plant.

3. 28 work orders completed from the Town hall.

McDonald
Hamilton

Public works Superintendent

Update: 3/13/20
E-mail Mrs. Miller on 3/13/20 @ 4:30pm
cc: Mrs. O Banner

2020 BULL DURHAM CENTER RESERVATIONS

Shontasha Adkins	Shontasha Adkins	(803)702-2031	2/2/2020	2:00PM	4:00PM	Birthday Party	N&W Tra
Thomas Owens	Thomas Owens	(803)942-0472	2/8/2020	3:00PM	7:00PM	Repast	Palmettc
Estill Police Dept	Dashawn Manor	(803)942-0499	2/10/2020	6:30PM	8:00PM	Community Forum	Palmetto/l
Jasmine Ellis	Jasmine Ellis	(843)802-5435	2/15/2020	9:00AM	2:00PM	Fish Fry	Winthrop Park
Ann Dunbar	Ann Dunbar	(803)942-5898	2/22/2020	3:00PM	7:00PM	Birthday Party	Palmetto
Estill Fire Dept	Jodi Hadwin	(803)942-2828	2/29/2020	9:00AM	3:00PM	Class	Palmetto/l
LCAA HeadStart	Georgia Beckett	(803)625 9681	3/6/2020	9:00AM	1:00PM	Recruitment Fair (Cancel Ground Wet)	N&W Trai
Deloris Bryant	Deloris Bryant	(803) 942-5906	3/7/2020	7:00PM	11:00PM	Birthday Celebration	Palmetto
Estill Police Dept	Officer Manor	(803)942-0499	3/9/2020	9:00AM	5:00PM	Crime Prevention Class	Palmetto/L
Estill Police Dept.	Officer Manor	(803)942-0499	3/10/2020	9:00AM	5:00PM	Crime Prevention Class	Palmetto/ l
Estill Fire Dept	Jody Hadwin	(803)942-2828	3/21/2020	9:00AM	2:00PM	CSX Training Cancel	Love Oak
Yvette Holman	Yvette Holman	(803) 842-7730	3/28/2020	6:00PM	11:00PM	Birthday Party	Palmetto
Estill Police Dept.	Officer Manor	(803)942-0499	4/1/2020	9:00AM	12:00Noon	Training for Law Enforcement and Judges	Live Oak
South Carolina Promise Zone	Julia Dempsey	(803)709-3205	4/7/2020	9:00AM	1:00PM	Business Development Training	Palmetto
Sintaysha Singleton	Sintaysha Singleton	(803)942-4191	4/18/2020	3:00PM	12:00PM	Wedding	Palmetto/L
Shandra Housey	Shandra Housey	(803)842-9387	4/25/2020	6:00PM	10:00PM	Talent & Fashion Show	Palmetto
Shamika Williams	Shamika Williams	(803)842-2914	5/8/2020	7:30PM	11:30PM	Vow Renewal	Palmetto
TIMS Class	Jody Hadwin	(803)942 2828	5/9/2020	9:00AM	1:00PM	Class	Palmetto
Annette Jones	Annette Jones	(803)398-6498	5/28/2020	8:00PM	12:00PM	Graduation Party	Palmetto
Donnashia Graves	Donnashia Graves	(803)842-7933	6/27/2020	5:00PM	9:00PM	Wedding	Palmetto
Mary Monroe	Mary Monroe	(803)842-1403	7/25/2020	6:00PM	11:0PM	Birthday Celebration	Palmetto
Brandi Speed	Brandi Speed	(864)634-0565	10/29/2020	6:00PM	10:00PM	Wedding	Palmetto

TOWN OF ESTILL

Blue denotes Friday
Yellow denotes Saturday
Red denotes Sunday

Revised 11/21/2017

Prepared by Vonzetta M Strong Safety/Recreation Director

Update: 3/13/20 SMC

BULL DURHAM CENTER RESERVATIONS

2020

Thomas Owens	(803)942-0472	2/8/2020	3:00PM-7:00PM	400.00	400.00	0	2/5/2020	Palmetto
Estill Police Dept	(803)942-0499	2/10/2020	6:30PM-8:00PM	0	0	0	0	Palmetto/LO
Ann Dunbar	(803)942-5898	2/22/2020	3:00PM-7:00PM	400.00	400.00	0	2/04/2020	Palmetto
Estill Fire Dept	(803)942-2828	2/29/2020	9:00AM-3:00PM	0	0	0	0	Palmetto/LO
Deloris Bryant	(803)942-5906	3/7/2020	7:00PM-11:00PM	400.00	400.00	0	2/18/2020	Palmetto
Officer Dashawn Manor	(803)942-0499	3/9/2020	9:00AM-5:00PM	0	0	0	0	Palmetto/LO
Officer Dashawn Manor	(803)942-0499	3/10/2020	9:00AM-5:00PM	0	0	0	0	Palmetto/LO
Jody Hadwin	(803)942-2828	3/21/2020	9:00AM-2:00PM	0	0	0	0	Live Oak
Yvette Holman	(803)842-7730	3/28/2020	6:00PM-11:00PM	450.00	450.00	0	3/10/2020	Palmetto
Officer Dashawn Manor	(803)942-0499	4/1/2020	9:00AM-12:00 Noon	0	0	0	0	Live Oak
Julia Dempsey	(803)709-3205	4/7/2020	9:00AM-1:00PM	0	0	0	0	Palmetto
Sintaysha Singleton	(803)942-4191	4/18/2020	3:00PM-12:00PM	850.00	500.00	350.00	3/31/2020	Palmetto/LO
Shandra Housey	(803)842-9387	4/25/2020	6:00PM-10:00PM	400.00	150.00	250.00	4/7/2020	Palmetto
Shamika Williams	(803) 842-2914	5/8/2020	7:30PM-11:30PM	400.00	150.00	250.00	4/20/2020	Palmetto
TIMS Class	(803)942-2828	5/9/2020	9:00AM-1:00PM	0	0	0	0	Live Oak
Annette Jones	(803)398-6498	5/28/2020	8:00PM-12:00PM	400.00	150.00	250.00	5/8/2020	Palmetto
Donnashia Graves	(803)842-7933	6/27/2020	5:00PM-9:00PM	400.00	150.00	250.00	06/09/2020	Palmetto
Mary Monroe	(803)842-1403	7/25/2020	6:00PM-11:0PM	450.00	150.00	300.00	7/7/2020	Palmetto
Brandi Speed	(8640634-0565	10/20/2020	6:00PM-10:00PM	400.00	150.00	250.00	10/09/2020	Palmetto

Cancel

April 6, 2020

Town of Estill Agenda Item A

Administrator Report for March 2020

1. The Lawton Avenue CDBG Project has been closed out
2. The Spring CDBG Water Improvement Grant Application is in progress. We will be addressing Areas 3 and 4 on the attached Map. We requested a waiver for the match and were granted a reduction to 5% which is great news. Due to the COVID-19 issue we will not be able to do the canvasing required until this clears up. However, we are doing all we can to get things in place ahead of time so we don't have to scramble to get it all done at once when this crisis is over.
3. The CDBG Demolition Grant for the Church Street area is moving along. We are waiting to hold the hearings in front of the Appeals Board and once that is done we can put it out to bid.
4. The CDBG Demolition Grant for the Morrison Area is ready to go as well. Letters to the property owners will go out as soon as Ordinance 01-2020 is adopted on Second Reading.
5. I will have a meeting with the Engineers this week and will report on it at the next meeting.
6. I have been working with the Town Attorney on a request for a Hunting Lease for our spray fields. I need Council's guidance as to how much we want to charge for the Hunting Lease.
7. The Town Attorney is reviewing several documents sent to us related to a Tower Lease Agreement. This will probably come to you next month.
8. I have revamped the Bull Durham rental paperwork as requested last month and have attached the changes. Since this was an Administrative Policy, the Town Attorney advised that it does not have to go for a vote. However, I would like for the Council to look at it and make any changes they if need be.
9. We have started the Budget process and are getting the Department Requests. Maia is getting the projections prepared and we will move forward to getting you a suggested budget on time.

Attachments: Changes to the Bull Durham rates

Recommendation: Approval of the new rates as an Administrative Policy

Presented by: Caryn Miller, Town Administrator

BULL DURHAM CENTER

380 RAILROAD AVENUE NORTH
ESTILL, SC 29918
(803) 625 – 3243

RECEPTION/EXHIBIT HALL APPLICATION AND CONTRACT

Please type or print in blue or black ink. Complete all sections. Applications received without an authorized signature and/or correct payment will not be processed.

1. Organization Information

Organization Name_____ Date_____

Address_____ City, State, Zip_____

Telephone (_____) _____ E-mail Address_____

RENTAL PURPOSE_____

2. Contact And Mailing Information

Primary Contact Person's Name _____ Title_____

E-mail_____ Cell phone (_____) _____

Address (if different from above) _____

3. Space Reserved

Please Check One:

☐ Palmetto Reception Hall (maximum persons allowed = 297) Maximum seating available = 292

☐ Live Oak Exhibit Hall (maximum persons allowed = 297) Maximum seating available = 292

4. Reservation Details

Date(s) of Event_____ Event Time: _____ to _____(not to exceed four hours except special requests; including clean-up)

Set up Date:_____ Set-up Time: _____ to _____

Clean-up Time: _____ to _____

Total Time Requested _____ (including set-up, event, and clean-up)

5. Fees All rentals except Gov't exempt includes a Town of Estill staffing fee

☐ Local, State, Federal Government (fee exempt) + staffing cost and cost of special requests & variances

☐ Non-Profit (501(c)3 Rental $150.00 Deposit +$400.00 Rental fee ~~+ staffing cost and cost of special requests & variances~~

☐ Private Rental $150.00 Deposit +$400.00 Rental fee ~~+ staffing cost and cost of special requests & variances~~

☐ For-Profit Rental $150.00 Deposit +$600.00 Rental fee ~~+ staffing cost and cost of special requests & variances~~

6. Payment Method

☐ Check Cash ☐

Deposit: Date: RCVD BY:_____

TOTAL RENTAL FEE $_____

Please make all checks payable to: Bull Durham Center Revenue

RECEPTION/EXHIBIT HALL APPLICATION AND CONTRACT (cont.)

PROCEDURES AND GUIDELINES

Procedures for Reserving Palmetto Reception Hall or Live Oak Exhibit Hall

1. All reservations for the Reception or Exhibit Hall use must be made through the designated Town official.

2. Cash and Checks are accepted for reservations and payments. A reservation, paid by check, is not confirmed until the check clears the bank. If final payment is made by check, such payment is not final until the check clears the bank.

3. The date and time of event must be set when making the reservation.

4. All sections of this application must be complete before a reservation will be considered.

5. A one hundred fifty ($150) dollar ~~non-refundable~~ deposit is required to reserve a hall. **The Deposit will be refunded to Renter upon inspection of the facility after use. The deposit will not be refunded if damage is found or the premises are not left clean.**

6. The reservation is considered confirmed after the request has been approved and the deposit has been received, accepted and credited to Bull Durham Center Revenue Account.

7. **Full payment must be received fourteen (14) business days prior to the event during business hours (9:00 a.m. until 4:00 p.m.). If full and final payments have not been credited to the Town of Estill by seven (7) business days prior to the event, the event will be cancelled by the Town of Estill.**

8. All cancellations must be submitted in writing **at least _____ days prior to the event**. The ($150) deposit is non-refundable **unless proper notice of cancellation is received**. For cancellations, the event may be rescheduled **and the deposit transferred to the rescheduled date upon request from Renter.**

9. **The Town Council reserves the right to reject any application for use of the Bull Durham Center; without condition.**

Guidelines for Use of Reception or Exhibit Hall.

1. The maximum number of persons allowed in the Palmetto Reception Hall is two hundred ninety seven (297).

2. The maximum number of persons allowed in the Live Oak Exhibit Hall is two hundred ninety seven (297).

3. The Town of Estill staff will make every effort to provide adequate time to set up. However, access to the Reception Hall/Exhibit can only be guaranteed two (2) hours prior to the event.

4. The Town of Estill shall make an effort provide a secure environment for all events. However, the Town of Estill does not indemnify the renting party against calamity, natural or man-made. The Town of Estill does not provide security guards for your event.

RECEPTION/EXHIBIT HALL APPLICATION AND CONTRACT (cont.)

PROCEDURES AND GUIDELINES

5. Rental of Palmetto Reception Hall includes the use of the galley. Use of the Live Oak Lobby, Live Oak Conference Rooms and Palmetto Computer Lab is not included when renting the Reception or Exhibit Hall. The Live Oak Galley and Live Oak Lobby can be made available for use by special request.

6. The rough set-up, rough arrangement, and take down and storage of tables and chairs are the responsibility of the Town of Estill Staff. Any additional tables and chairs are the sole responsibility of the rental party.

7. The set-up and delivery of all floral arrangements, decorations, table linens, glassware and all other accessories are the sole responsibility of the rental party.

8. The rental party is responsible for final set-up of tables and chairs. The rental party is responsible for clean-up. It is the obligation of the rental party to leave the facility in the same condition as found. Indoor garbage cans will be provided for your use. The rental party is to dispose of all garbage by removing the plastic garbage bag from the container and placing it in the outdoor garbage cans provided.

9. The provision of audio/visual equipment is the sole responsibility of the rental party.

RECEPTION/EXHIBIT HALL APPLICATION AND CONTRACT (cont.)

RULES AND REGULATIONS

1. All events must end by 12:01 a.m. including clean-up, except by New Year's Eve. The facility shall be cleared of all persons and restored to its original condition by 12:01 a.m.

2. NO SMOKING is permitted in the Bull Durham Center.

3. Minors (persons below the age of 18) may attend your event; however, they must be fully supervised. Running, horseplay, loud and boisterous behavior are not allowed.

4. Musical entertainment is permitted but must not be amplified beyond the building interior.

5. The Reception/Exhibit Hall cannot be rented for the purpose of political events, except those sponsored by the Democratic, Republican or Independent Party.

6. The Reception/Exhibit Hall cannot be rented for the purpose of holding religious services except those of a social nature and sponsored by a religious organization. (i.e. pastor's appreciation, church anniversary).

7. The Reception/Exhibit Hall cannot be rented for the purpose of hosting nightclub events.

8. Fund raising events are permitted at the facility, but will be classified as a commercial rental.

9. The rental party will be responsible for all costs incurred for catering, decorations and entertainment.

10. Town Staff cannot and will not recommend caterers, florists, etc.

11. Nothing may be attached to the walls, floors, chairs, tables or ceiling. No nails, tape, staples or fasteners may be used on walls, floors, ceilings, tables, chairs, or support columns, etc.

12. The rental party agrees to assume responsibility for any injury to persons attending the event. The rental party is also responsible for the loss of any personal property resulting from the action or inaction of guests. The rental party agrees to assume responsibility for any damage to building or grounds caused by anyone attending or present on the premises as a result of the event.

13. The Town Council must approve any requested variances or appeals from the above policies. Any variance or special request must be received by the Town Council, in writing, at least seven (7) business days, prior to the event date.

14. The Town Council reserves the right to approve or disapprove any rental request subject to its rental policy.

15. Gambling is not allowed within the Exhibit/Reception Hall nor anywhere on the premises; which includes the parking lot.

RECEPTION/EXHIBIT HALL APPLICATION AND CONTRACT (cont.)

ALCOHOL POLICY

1. Alcoholic drinks such as beer, wine, champagne, mixed drinks and liquor are permitted.

2. Alcohol may be consumed within the Reception/Exhibit Hall only. Alcohol consumption shall not be allowed on outdoor premises nor the Bull Durham Center parking lot; except by prior written approval of the Town Council.

3. Alcohol MAY NOT be sold on the premises of the Bull Durham Center.

4. Alcohol may not be "brown bagged" or brought into the premises by individuals.

5. All alcohol must be served by the rental party or caterer.

6. Any arrangements for the serving of alcoholic beverages must comply with all state and local ordinances, licenses and laws.

7. Persons under the age of twenty-one (21) may not be served any alcoholic beverages.

8. If you intend to serve alcoholic beverages at your function without the services of a full service caterer, you must designate an individual to serve alcohol.

9. You must provide a copy of the required permits and/or licenses to the Town of Estill one week prior to your event or the event will be cancelled.

10. ANY violations observed by the Town of Estill staff will require the party to stop serving alcohol immediately.

11. Rental parties are strongly encouraged to purchase alcohol liability event insurance from a reputable insurance provider. The Town of Estill does not indemnify the renter nor guests against legal action resulting from alcohol or drug -induced impairment, misdemeanor or criminal activity.

LAYOUT & SEATING REQUEST

Theatre Style

Chairs arranged to form a square, rectangle or concave. No tables.
A podium is available by request only
Two presenter tables are available by request only

Number of chairs requested =

Communal Style

Chairs are arranged to form a circle

Number of chairs requested =

Lecture Style
Chairs and/or tables are arranged to form square, rectangle or concave
Seating on one side of the table only
A podium is available by request only
Two presenter tables are available by request only

Number of chairs requested =

Banquet Style
Chairs and/or tables are arranged to form a square, rectangle or concave
Seating on both sides of the table
A podium is available by request only
Two presenter tables are available by request only

Number of chairs requested =

Other

GENERAL TERMS

Force Majeure

The total performance of this agreement is subject to Acts of God, war, disaster, labor disputes, civil disorder or other matters of an emergency nature that would make it illegal or impossible to provide the facilities and hold a successful event on the part of the Town of Estill or the renter. Either party may terminate this agreement if one or more of the conditions stated above occur without any penalty being imposed.

Severability

The unenforceability or invalidity of any of the provisions of this agreement shall not affect the enforceability of validity of any other provision of the agreement.

Headings

The headings in this agreement have been asserted as a matter of convenience. If there is any conflict between the headings and the text, the text will control.

Waiver

The failure of either party to insist on strict compliance with any of the terms of this agreement shall not be deemed a waiver of that term or condition.

Controlling Law

This Agreement is subject to the laws of the State of South Carolina and in all respects this Agreement shall be construed, interpreted, enforced and governed in accordance with the laws of the state of South Carolina.

Complete Agreement

This Agreement is complete in its entirety and represents the entire agreement between the Parties. This Agreement supersedes all other verbal or written agreements made prior to this Agreement.

RECEPTION/EXHIBIT HALL APPLICATION AND CONTRACT (cont.)

RESERVATION DETAILS & SPECIAL REQUESTS

Details/Special Requests/Comments/Variances

By signature below, I acknowledge that I have reviewed and agree to the preceding terms and conditions and have the authority to enter into this agreement. By signature, I acknowledge that the Town has the right to reject any application for the use of the Bull Durham Center; without condition. By signature, I acknowledge that the Town has the right to terminate any event that violates the tenants of this agreement or that is otherwise illegal or presents a clear and present danger to the renter, guests and/or residents of the Town of Estill.

Print Name _____ Title _____

Signature _____ Company _____

Date _____

For Office Use Only

Hall Assigned_____ Deposit Paid ~~(non-refundable)~~ _____ Staff Initials_____ Date:_____

Date Assigned_____ Final Payment Date_____

Staff Initials_____ Final Payment Paid_____ Staff Initials_____

TOWN OF ESTILL
GENERAL FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
	REVENUES				
1	Operating Grants	13,819.04	233%	5,919.00	(7,900.04)
2	Non-Operating Grants	145,000.00	67%	215,825.00	70,825.00
3	Property Taxes	424,527.49	97%	436,691.00	12,163.51
4	Vehicle Taxes	36,074.99	64%	56,745.00	20,670.01
5	Business License	22,205.79	44%	50,000.00	27,794.21
6	MASC	482.54	0%	141,500.00	141,017.46
7	Court Fines	28,830.53	22%	129,100.00	100,269.47
8	City Ordinance Fines	2,075.00	72%	2,900.00	825.00
9	Victim Advocate Fines	2,160.25	33%	6,600.00	4,439.75
10	Traffic School Fees	140.00	**	-	(140.00)
11	Aid to Subdivision	24,182.58	52%	46,064.00	21,881.42
12	LOST - Property	63,820.74	50%	127,196.00	63,375.26
13	LOST - Municipal	34,470.23	58%	59,000.00	24,529.77
14	Merchants Inventory Tax	11,189.88	75%	14,920.00	3,730.12
15	Accommodations Tax	-	0%	18,500.00	18,500.00
16	Franchise Fees	2,625.38	2%	139,400.00	136,774.62
17	Miscellaneous Income	4,384.88	292%	1,500.00	(2,884.88)
18	Donations Income	1,260.00	42%	3,000.00	1,740.00
19	Fax & Copy Machine Use Income	45.00	18%	250.00	205.00
20	Building Rental Income	9,725.00	97%	10,000.00	275.00
21	Short-Term Vendors	1,570.00	79%	2,000.00	430.00
22	Admission Fees Income	85.00	24%	350.00	265.00
23	Interest Income - Bank Accts	100.43	72%	140.00	39.57
24	Proceeds from Sale of Assets	1,851.00	29%	6,300.00	4,449.00
25	Transfers IN	10,000.00	97%	10,300.00	300.00
26	Loan Proceeds - Internal Debt	-	0%	14,000.00	14,000.00
	TOTAL REVENUES	**840,625.75**	**56%**	**1,498,200.00**	**657,574.25**

TOWN OF ESTILL
GENERAL FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
	EXPENSES				
	ADMINISTRATIVE				
27	Bonuses	270.75	100%	271.00	0.25
28	Payroll	23,489.54	74%	31,912.00	8,422.46
29	Payroll Tax - FICA	1,817.75	74%	2,462.00	644.25
30	Workers Compensation	716.25	18%	4,000.00	3,283.75
31	Retirement	2,544.10	54%	4,699.00	2,154.90
32	Contract Labor	400.00	**	-	(400.00)
33	Supplies	4,917.20	273%	1,800.00	(3,117.20)
34	Insurance	11,861.93	116%	10,200.00	(1,661.93)
35	Fuel	2,841.15	95%	3,000.00	158.85
36	Administrative Fees	20,000.00	57%	35,000.00	15,000.00
37	Legal	16,487.25	101%	16,368.00	(119.25)
38	Audit Services	14,100.00	99%	14,300.00	200.00
39	Bookkeeping Services	7,046.58	76%	9,216.00	2,169.42
40	Other Professional Services	8,744.32	416%	2,100.00	(6,644.32)
41	Training and Workshops	918.73	40%	2,300.00	1,381.27
42	Telephone	8,731.73	87%	10,000.00	1,268.27
43	Per Diem - Employees	3,264.00	99%	3,288.00	24.00
44	Lodging	5,132.62	43%	12,000.00	6,867.38
45	Office Supplies	1,675.60	60%	2,814.00	1,138.40
46	Postage	2,275.48	114%	2,000.00	(275.48)
47	Dues and Subscriptions	5,847.46	117%	5,000.00	(847.46)
48	Membership Dues	813.20	81%	1,000.00	186.80
49	Advertising	2,345.81	156%	1,500.00	(845.81)
50	Dog Pound	3,749.00	75%	5,000.00	1,251.00
51	Bank Charges	196.46	52%	380.00	183.54
52	Finance Charges	148.89	**	-	(148.89)
53	Beautification	816.80	82%	1,000.00	183.20
54	Econ. Development - Unclassified	1,401.50	1%	205,825.00	204,423.50
55	Donations	150.00	25%	600.00	450.00
56	Taxes	452.21	**	-	(452.21)
57	Repairs and Maintenance	5,145.74	172%	3,000.00	(2,145.74)
58	Lease Maintenance	4,949.34	134%	3,685.00	(1,264.34)
59	Land Lease	756.00	130%	582.00	(174.00)
60	Meals for Staff	426.31	17%	2,500.00	2,073.69
61	Miscellaneous Expense	-	0%	1,500.00	1,500.00
	TOTAL ADMINISTRATIVE	**164,433.70**	**41%**	**399,302.00**	**234,868.30**

TOWN OF ESTILL
GENERAL FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
	POLICE				
62	Bonuses	1,082.92	182%	596.00	(486.92)
63	Payroll	251,993.01	65%	388,026.00	136,032.99
64	Overtime	53,944.83	142%	38,073.00	(15,871.83)
65	Payroll Tax - FICA	22,065.20	70%	31,667.00	9,601.80
66	Payroll Tax - SUTA	448.00	**	-	(448.00)
67	Workers Compensation	35,849.25	72%	50,000.00	14,150.75
68	Employee Insurance	42,641.67	71%	60,123.00	17,481.33
69	Retirement	50,446.87	66%	76,996.00	26,549.13
70	Contract Labor	3,355.00	186%	1,800.00	(1,555.00)
71	Utilities	1,154.65	115%	1,000.00	(154.65)
72	Supplies	3,522.72	88%	4,000.00	477.28
73	Uniforms	1,953.36	65%	3,000.00	1,046.64
74	Insurance	29,013.06	142%	20,500.00	(8,513.06)
75	Fuel	27,431.46	78%	35,000.00	7,568.54
76	Training and Workshops	380.00	25%	1,500.00	1,120.00
77	Inmate Housing	75.00	2%	3,500.00	3,425.00
78	Victim Advocate Expense	2,069.70	31%	6,600.00	4,530.30
79	Dispatching	24,655.95	76%	32,514.00	7,858.05
80	Telephone	17,007.47	77%	22,000.00	4,992.53
81	Per Diem - Employees	1,000.00	45%	2,200.00	1,200.00
82	Lodging	843.00	42%	2,000.00	1,157.00
83	Office Supplies	193.36	18%	1,100.00	906.64
84	Postage	47.55	4%	1,300.00	1,252.45
85	Dues and Subscriptions	4,046.19	96%	4,219.00	172.81
86	Bank Charges	18.00	**		(18.00)
87	PD Equipment	14,050.33	113%	12,419.00	(1,631.33)
88	Equipment/Capital Improvements	2,341.00	**	-	(2,341.00)
89	Donations	300.00	**	-	(300.00)
90	Repairs and Maintenance	16,986.88	49%	35,000.00	18,013.12
91	Lease Maintenance	1,821.38	152%	1,200.00	(621.38)
92	Meals for Staff	114.77	42%	275.00	160.23
93	Motorola Radios Lease	8,350.38	100%	8,350.00	(0.38)
94	PD Vehicles Loan	8,068.32	75%	10,758.00	2,689.68
	TOTAL POLICE	**627,271.28**	**73%**	**855,716.00**	**228,444.72**

TOWN OF ESTILL
GENERAL FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
	MUNICIPAL COURT				
95	Bonuses	108.30	100%	108.00	(0.30)
96	Payroll	27,478.92	72%	38,080.00	10,601.08
97	Overtime	17.85	3%	562.00	544.15
98	Payroll Tax - FICA	2,062.64	73%	2,821.00	758.36
99	Workers Compensation	-	0%	160.00	160.00
100	Employee Insurance	11,257.26	55%	20,449.00	9,191.74
101	Retirement	4,278.54	71%	6,013.00	1,734.46
102	Fuel	340.05	**	-	(340.05)
103	Other Professional Services	2,600.00	108%	2,400.00	(200.00)
104	Training and Workshops	1,319.76	132%	1,000.00	(319.76)
105	Court Expense	19,484.05	26%	75,992.00	56,507.95
106	Per Diem - Employees	650.00	217%	300.00	(350.00)
107	Lodging	1,199.92	**	-	(1,199.92)
108	Office Supplies	131.04	26%	500.00	368.96
109	Postage	271.50	54%	500.00	228.50
	TOTAL MUNICIPAL COURT	**71,199.83**	**48%**	**148,885.00**	**77,685.17**
	FIRE				
110	Bonuses	5,540.96	201%	2,761.00	(2,779.96)
111	Payroll	2,025.00	75%	2,700.00	675.00
112	Bonuses for Volunteer Firemen	10,318.00	103%	10,000.00	(318.00)
113	Payroll Tax - FICA	577.48	138%	418.00	(159.48)
114	Workers Compensation	4,200.25	70%	6,000.00	1,799.75
115	Employee Insurance	(17.08)	**	-	17.08
116	Retirement	315.09	75%	420.00	104.91
117	Supplies	460.33	230%	200.00	(260.33)
118	Insurance	4,293.73	82%	5,256.00	962.27
119	Fuel	432.87	87%	500.00	67.13
120	Training and Workshops	65.00	**	-	(65.00)
121	Telephone	2,010.44	56%	3,600.00	1,589.56
122	Repairs and Maintenance	844.31	5%	15,400.00	14,555.69
123	Lease Maintenance	236.83	118%	200.00	(36.83)
	TOTAL FIRE	**31,303.21**	**66%**	**47,455.00**	**16,151.79**

TOWN OF ESTILL
GENERAL FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
	FALL FESTIVAL				
124	Payroll	1,346.40	135%	1,000.00	(346.40)
125	Payroll Tax - FICA	103.00	134%	77.00	(26.00)
126	Fall Festival Expense	10,663.19	82%	13,000.00	2,336.81
	TOTAL FALL FESTIVAL	**12,112.59**	**86%**	**14,077.00**	**1,964.41**
	BUILDING and GROUNDS				
127	Utilities	11,869.22	79%	15,000.00	3,130.78
128	Utilities - Library	4,797.45	79%	6,100.00	1,302.55
129	Supplies	43.20	22%	200.00	156.80
130	Pest Control	1,216.59	38%	3,200.00	1,983.41
131	Repairs and Maintenance	6,368.94	85%	7,500.00	1,131.06
	TOTAL BUILDING and GROUNDS	**24,295.40**	**76%**	**32,000.00**	**7,704.60**
	TOTAL EXPENSES	**930,616.01**	**62%**	**1,497,435.00**	**566,818.99**
	SURPLUS/(DEFICIT)	**(89,990.26)**		**765.00**	

TOWN OF ESTILL
OPERATIONS and MAINTENANCE FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
	REVENUES				
1	Non-Operating Grants	368,855.00	86%	430,178.00	61,323.00
5	Water Sales	631,136.37	81%	777,240.00	146,103.63
6	Sewer Sales	783,430.48	77%	1,013,880.00	230,449.52
7	Impact Fees	-	0%	600.00	600.00
8	Reconnect Fees	15,175.00	98%	15,500.00	325.00
9	Account Establishment Fees	210.00	140%	150.00	(60.00)
2	Penalties	25,562.63	143%	17,911.00	(7,651.63)
3	Returned Check Fee	280.00	160%	175.00	(105.00)
4	Land Rental Income	10,445.00	72%	14,510.00	4,065.00
10	Miscellaneous Income	751.90	**	-	(751.90)
11	Interest Income - Bank Accts	48.32	121%	40.00	(8.32)
12	Interest Income - Other Investment	1,719.77	143%	1,200.00	(519.77)
13	Proceeds from Sale of Assets	3,962.82	**	-	(3,962.82)
	TOTAL REVENUES	**1,841,577.29**	**81%**	**2,271,384.00**	**429,806.71**
	EXPENSES				
	WATER & WASTEWATER				
14	Bonuses	8,511.93	1428%	596.00	(7,915.93)
15	Payroll	262,139.46	71%	368,020.00	105,880.54
16	Overtime	2,219.43	56%	3,941.00	1,721.57
17	Payroll Tax - FICA	19,606.46	70%	27,885.00	8,278.54
18	Workers Compensation	17,237.75	74%	23,360.00	6,122.25
19	Employee Insurance	27,267.59	83%	33,028.00	5,760.41
20	Retirement	36,546.37	63%	57,877.00	21,330.63
21	Contract Labor	18,400.00	292%	6,300.00	(12,100.00)
22	Utilities	70,276.75	64%	110,000.00	39,723.25
23	Supplies	6,279.00	42%	15,000.00	8,721.00
24	Uniforms	8,856.20	89%	10,000.00	1,143.80
25	Chemicals	9,238.75	58%	16,000.00	6,761.25
26	Lab. Analysis	12,681.46	83%	15,280.00	2,598.54
27	Insurance	26,005.20	144%	18,000.00	(8,005.20)
28	Fuel	11,233.78	112%	10,000.00	(1,233.78)
29	Administrative Fees	20,000.00	57%	35,000.00	15,000.00
30	Legal	11,051.34	101%	10,912.00	(139.34)
31	Audit Services	12,000.00	106%	11,300.00	(700.00)
32	Bookkeeping Services	6,940.33	75%	9,216.00	2,275.67
33	Consulting - WWTP	45,887.49	67%	68,400.00	22,512.51
34	Other Professional Services	1,077.50	35%	3,100.00	2,022.50
35	Training and Workshops	260.00	26%	1,000.00	740.00

TOWN OF ESTILL
OPERATIONS and MAINTENANCE FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
36	Telephone	7,102.73	65%	11,000.00	3,897.27
37	Per Diem - Employees	194.00	15%	1,300.00	1,106.00
38	Lodging	273.28	55%	500.00	226.72
39	Office Supplies	523.54	39%	1,353.00	829.46
40	Postage	2,311.60	72%	3,200.00	888.40
41	DHEC Permits	10,638.50	79%	13,410.00	2,771.50
42	Dues and Subscriptions	903.00	47%	1,904.00	1,001.00
43	Advertising	1,070.19	214%	500.00	(570.19)
44	Bank Charges	460.34	92%	500.00	39.66
45	Finance Charges	89.42	**	-	(89.42)
46	Equipment/Capital Improvements	806.65	19%	4,350.00	3,543.35
47	Water & Sewer Capital Improvements	348,855.00	85%	408,028.00	59,173.00
48	Engineering	-	0%	28,000.00	28,000.00
49	Safety	-	0%	1,360.00	1,360.00
50	Repairs and Maintenance	136,416.90	65%	211,000.00	74,583.10
51	Lease Maintenance	1,626.96	90%	1,815.00	188.04
52	Equipment Rental	-	0%	500.00	500.00
53	Miscellaneous Expense	-	0%	3,000.00	3,000.00
54	Interest on Debt	43,605.89	52%	83,733.00	40,127.11
55	Revenue Bond Principal	245,000.00	100%	245,000.00	-
56	2014 Backhoe Loader Principal	7,472.80	75%	9,936.00	2,463.20
	TOTAL WATER & WASTEWATER	**1,441,067.59**	**76%**	**1,884,604.00**	**443,536.41**
	STREETS				
57	Bonuses	54.15	50%	108.00	53.85
58	Payroll	29,604.50	65%	45,760.00	16,155.50
59	Overtime	618.75	**	-	(618.75)
60	Payroll Fall Festival	505.42	101%	500.00	(5.42)
61	Payroll Tax - FICA	2,175.87	65%	3,365.00	1,189.13
62	Workers Compensation	10,262.50	86%	12,000.00	1,737.50
63	Employee Insurance	6,075.19	56%	10,790.00	4,714.81
64	Retirement	4,531.57	64%	7,120.00	2,588.43
65	Street Lights - Utilities	42,935.82	64%	67,000.00	24,064.18
66	Street Signs - Utilities	896.35	62%	1,440.00	543.65
67	Supplies	1,459.74	29%	5,000.00	3,540.26
68	Chemicals	-	0%	3,000.00	3,000.00
69	Insurance	9,291.50	109%	8,500.00	(791.50)
70	Fuel	9,267.32	77%	12,000.00	2,732.68
71	Equipment/Capital Improvements	-	0%	7,725.00	7,725.00
72	Repairs and Maintenance	14,938.67	100%	15,000.00	61.33

TOWN OF ESTILL
OPERATIONS and MAINTENANCE FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
73	Equipment Rental	-	0%	2,000.00	2,000.00
74	Decorations	3,000.00	86%	3,500.00	500.00
75	Miscellaneous Expense	-	0%	1,500.00	1,500.00
76	Lawnmowers 8/18 Note Payable	12,716.21	99%	12,892.00	175.79
	TOTAL STREETS	**148,333.56**	**68%**	**219,200.00**	**70,866.44**
	TOTAL EXPENSES	**1,589,401.15**	**76%**	**2,103,804.00**	**514,402.85**
	SURPLUS/(DEFICIT)	**252,176.14**		**167,580.00**	
	DEBT SERVICE FUNDS				
77	Depreciation Account	27,000.00	75%	36,000	
78	Contingency Account	43,200.00	75%	57,600	
		70,200.00	**75%**	**93,600.00**	

TOWN OF ESTILL
REFUSE FUND
INCOME STATEMENT FOR PERIOD ENDING 03/31/2020
Expected percentage 75%

		MAR YTD ACTUAL	% BUDGET	ORIGINAL BUDGET	REMAINING BUDGET
	REVENUES				
1	Sanitation Collections	88,279.79	75%	117,853.00	29,573.21
2	Interest Income - Bank Accts	21.34	47%	45.00	23.66
	TOTAL REVENUES	**88,301.13**	**75%**	**117,898.00**	**29,596.87**
	EXPENSES				
3	Refuse Disposal	62,509.85	76%	82,500.00	19,990.15
4	Yard Waste Disposal	2,539.80	40%	6,300.00	3,760.20
5	Insurance	1,321.99	78%	1,700.00	378.01
6	Fuel	30.16	2%	2,000.00	1,969.84
7	Audit Services	3,000.00	136%	2,200.00	(800.00)
8	Bookkeeping Services	3,484.34	76%	4,608.00	1,123.66
9	Bank Charges	35.00	**	-	(35.00)
10	Repairs and Maintenance	1,235.75	25%	5,000.00	3,764.25
11	Miscellaneous Expense	100.00	5%	2,000.00	1,900.00
	TOTAL EXPENSES	**74,256.89**	**70%**	**106,308.00**	**32,051.11**
	SURPLUS/(DEFICIT)	**14,044.24**		**11,590.00**	
	RESERVE FUNDS				
12	Contingency Account	6,300.00	75%	8,400.00	
		6,300.00	**75%**	**8,400.00**	

Ordinance No. 07 - 2020

STATE OF SOUTH CAROLINA	)
	) AN EMERGENCY ORDINANCE TO AMEND
COUNTY OF HAMPTON	) EMERGENCY ORDINANCE 05-2020
	) TO DELETE SECTION 2, PARAGRAPH 2;
	) AND RENUMBER THE REMAINING PROVISIONS
TOWN OF ESTILL	)

AN EMERGENCY ORDINANCE TO PROVIDE FOR A CURFEW DURING THE COVID-19 PANDEMIC

WHEREAS, the World Health Organization has declared a world-wide pandemic from the COVID-19 virus, which has brought death to thousands in the United States and over 100 in South Carolina; and

WHEREAS, in spite of Presidential pronouncements and gubernatorial encouragement that citizens avoid being in groups of more than 3 persons, and that individuals should maintain a distance of at least 6 feet apart, and in spite of Town Council's enactment of an emergency operating ordinance for the government of the Town of Estill, members of the public continue to attend public gatherings, the most recent of which involved discharge of firearms between the hours of Midnight on Saturday March 28 and Midnight Monday, March 30; and

WHEREAS, Town Council deemed it appropriate in a special called meeting on April 2, 2020, to enact Emergency Ordinance 05-2020 imposing a curfew within the town limits in an effort to protect the health and safety of the citizens in the Town of Estill whether or not they find it necessary to protect themselves, and that such constitutes and emergency as defined by S. C. Code Section 5-7-250; and

WHEREAS, Council has determined that the paragraph of the Ordinance relating to the prohibition of possession of firearms during the curfew is unnecessary, in that South Carolina law already makes it a crime to carry a pistol without a permit, and Town ordinances prohibit discharge of firearms within the town limits;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL:

The Emergency Ordinance 05-2020 is amended so as to delete paragraph 2 from Section 2 and renumber succeeding paragraphs. As amended the Ordinance shall read.

Section 1. A state of emergency exists in the Town of Estill that affects the health and safety of the people.

Section 2. A curfew is hereby imposed upon the Town from Nine O'Clock p.m. until 5:30 O'Clock a.m., during which it shall be unlawful for any person subject to the curfew to:

(1) Be present or travel upon any street, alley, roadway or public property, unless such travel is necessary to obtain medical assistance; or
(2) Sell, possess, or consume beer, wine, liquor, or intoxicating beverages of any kind upon any street, alley, roadway or public property during curfew times.

Section 3. Upon conviction of violation of any provision of this Ordinance, a person shall be subject to a fine not to exceed Five Hundred Dollars, or imprisonment in jail for not longer than thirty days, or both.

Section 4. This ordinance shall expire 60 days from the date of its original enactment.

Done and entered by two-thirds majority vote of Town Council this 8th day of April, 2020.

DONE AND ENTERED THIS _____ DAY OF APRIL, 2020

_____
Mayor

ATTEST:

_____
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

ORDINANCE 01-2020

STATE OF SOUTH CAROLINA	)	
	)	AN ORDINANCE TO AMEND ORDINANCE
COUNTY OF HAMPTON	)	08-2015 SO AS TO BETTER REGULATE
	)	PUBLIC NUISANCES AND UNFIT
TOWN OF ESTILL	)	DWELLINGS WITHIN THE TOWN OF ESTILL AND TO PROVIDE PROCEDURES FOR ENFORCEMENT AND PENALTIES FOR VIOLATION AND OTHER ASPECTS THEREOF:

WHEREAS, beginning in 2009, Town Council has heretofore determined that public nuisances can substantially degrade residential and business areas within the Town leading to rural blight and deterioration. They often violate health, safety, sanitation, and/or the economic value and preservation of properties; and

WHEREAS, Town Council has further heretofore determined that such nuisances warrant the enactment of regulations and procedures to adequately address such nuisances; and

WHEREAS, Town Council adopted Ordinance 03-2009, amended by Ordinance 05-2010, further amended by Ordinance 07-2013, and most recently by Ordinance 08-2015, determining on each occasion that the adoption and enforcement of such ordinances will steadily improve the general safety, welfare, health, and properties of the citizens of the Town of Estill; and

WHEREAS, the adoption of Ordinance 08-2015 did not change the terms and conditions of Ordinance 07-2013 except that it relegated authority to conduct hearings on petitions for Orders to Repair or Demolish from the Town's Zoning Board of Appeals to the Municipal Court; and

WHEREAS, Town Council has determined that the Board of Zoning Appeals is the more appropriate arbiter of issues involving buildings determined to be unfit for human habitation; and

WHEREAS, Town Council has the authority to enact an ordinance regulating buildings unfit for human habitation pursuant to South Carolina Code of Laws 1976, Sections 31-15-10, et. Seq., as amended in addition to other authority of the Council;

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF ESTILL COUNCIL DULY ASSEMBLED:

Section 1. Ordinance 08-2015 is repealed.

Section 2. The following is adopted with respect to dwellings in the Town of Estill charged with being unfit for human habitation.

ARTICLE I
NUISANCES AND UNFIT DWELLINGS – GENERAL

§ 1.1 Definitions

A. **Abate/Abatement**: Action to terminate, stop cease, repair rehabilitate, replace, demolish, correct or otherwise remedy nuisance activity, condition, premises, or conduct by such means and in such manner as to bring the activity, condition, premises or conduct into compliance whit the laws or regulations of the Town of Estill and/or the State of South Carolina or in such manner as is necessary to promote the health, safety or general welfare of the public.

B. **Dilapidated**: Falling to pieces, broken down, shabby and neglected

C. **Town**: Town of Estill, South Carolina

D. **Building Official**: Town Building Inspector or a designee of the Town Administrator who with proper credentials who acts in such capacity on his behalf.

E. **Owner**: The owner or owners of any real or personal property, lots, parcels or areas within the Town.

F. **Premises or Real Property**: In context any location, building structure, residence, garage, room, shed dwelling, lot, parcel, land or portion thereof, whether improved or unimproved

G. **Private Property**: Includes but is not limited to yards, grounds, driveways, entranceways, passageways, parking are□s, work areas, storage areas, recreation areas and vacant or wooded lots and land owned by private individuals, firms, corporations, partnerships, institutions or organizations.

H. **Public Nuisance (Nuisance Activity)**: Any condition, instrumentality or machine located in a building or on premises (old washing machines, dryers, refrigerators, freezers and etc.), which constitutes a health hazard and/or which is or may be unsafe or dangerous by reason of inability to appreciate the peril therein, and/or which may be reasonably expected to attract children to the premises and risk injury by playing with, in or on it.

I. **Public Street**: A right-of-way for vehicular travel which has been dedicated or accepted or declared public by any city, county, or state. The term "street" also means

highways, roads, avenues, boulevards, lanes, drives, parkways and other vehicular travel ways.

J. **Responsible Party or Person**: Any individual, business or entity responsible for creating, causing, maintaining or permitting the nuisance activity, premises, condition or conduct; and includes, but is not limited to, the property owner (both real and personal), tenant, lessee, possessor, or occupant of real property, the president or other officer of the corporation, a business owner or manager of a business. The owner, occupant or the agent of any owner or occupant of lots, parcels or areas within the Town.

§ 1.2 Unlawful Property Nuisance

It is unlawful for any person owning, renting, leasing, occupying, managing, having charge, or possessing any real or personal property in the Town to maintain such premises or property in such a manner that violate health, safety, sanitation, and/or the economic value and preservation of surrounding properties.

It is unlawful for any person owning, renting, leasing, occupying, managing, having charge or possessing any real or personal property in the Town to allow a building, structure or portion thereof to remain in a dilapidated or dangerous condition determined to be unsafe or unsuitable for human occupancy. Such conditions include but are limited to:

1. Inadequate or inoperable mechanical, electrical, plumbing, or sanitation;
2. Lack of sound and effective exterior walls or roof covering to provide weather protection;
3. Lack of structural integrity, including deteriorated or inadequate foundations, joints, vertical or horizontal support;
4. Broken, missing or inoperable windows or doors constituting a hazardous condition or a potential attraction to trespassers;
5. Broken, deteriorated or substantially defaced structures presenting a risk to public safety;
6. Building conditions that do not comply with the Building Codes adopted by the Town.

§ 1.3 Abandoned Buildings, Structures and Manufactured Homes

Any abandoned building, manufactured home, or structure that violates health, safety, or sanitation requirements or otherwise tends to diminish the economic value of surrounding properties include, but are limited to:

1. An unoccupied and unsecure building or structure;
2. A partially constricted, partially reconstructed, or partially demolished building or structure where work is abandoned for a period of 180 consecutive days after the time the work is commenced;
3. A damaged or partially destroyed building or structure not removed or repaired within 180 days after the the damage or destruction, or, if the

removal or repair cannot reasonably be accomplished with 180 days, upon which removal or repair has not been commenced within such period and prosecuted diligently toward completion.

4. A manufactured home that is damaged, extensively deteriorated, does not have approved utilities, water and septic service, or is deteriorated and is being used as a storage unit.
5. Any property maintained in a condition so defective, substantially defaced, or in a state of such deterioration, disrepair or neglect that it causes a health, safety, sanitation, public nuisance and/or affects the economic value of surrounding properties, include, but are not limited to:
    a) The accumulation of dirt, litter, refuse, trash or debris in carports, parking areas, driveways, front yards, rear yards, outside vestibules, doorways of buildings, the adjoining sidewalk or alley no longer than 30 days;
    b) Excessive storage of personal property (other than items designated for outdoor use) in front, exterior, side, or rear yard areas visible to public view, including, but not limited to unregistered, inoperative or dismantled vehicles or vehicle parts, building materials not currently being used for the construction of improvements on the sit, appliance, household furnishings or equipment, tools machine, packing boxes, debris, rubbish and broken or discarded furniture, no longer than 30 days.
    c) Abandoned and broken equipment or machinery, appliances, or parts thereof;
    d) The discharge of sewerage into any yard, open ditch, storm sewer line or any other open public or private properly area;
    e) A motor vehicle that is inoperable, abandoned, or derelict upon any public street, road or thoroughfare, or private property.

6. The provisions of S. C. Code 1976, sections 56-5-510 ---56-5-5950, as amended, are incorporated by reference and applied as to the treatment and disposition of abandoned vehicles. A vehicle shall be considered abandoned if the vehicle is left on;
    a) Property owned or operated by Town of Estill for a period of more than 48 hours;
    b) Any private property without the consent of the property owner, occupant or lessee thereof for a period of more than 24 hours; or
    c) Any public street or highway for a period of more than 48 hours.

§ 1.4. Public Nuisance Declaured.

All property found to be maintained in violation of any one more of the provisions of this Ordinance is hereby to be a public nuisance and shall be abated pursuant to the procedure set

forth herein. The procedure for abatement set forth herein shall not be exclusive and shall not in any manner limit or restrict the Town from enforcing other Town ordinances or abating public nuisances in any manner provided by law.

a. Responsibility for Property Maintenance: Every Owner or Responsible Party or Person, who owns or is in possession of premises with the Town is required to maintain such premises in a manner so as not to violate the provisions of this Ordinance or the Town's Zoning Ordinance.

b. Right to Enter Property to Inspect of Abate/Power exercised by Building Official: The Town Building Official is authorized (with just cause) to enter into and upon any property located within the Town for the purpose of inspecting and enforcing the provisions of this ordinance. If any Owner or Responsible Party or Person, occupant or the agent of any owner or occupant of any property located within the Town refuses to allow the Building Official to inspect any such property, the Building Official is authorized to seek a search warrant from the Municipal Judge or Magistrate Judge having jurisdiction over the subject property.

§ 1.5 Trespassing Prohibited

A. With respect to any building or structure on private property which has been declared unsafe by the Town Building Official:

1. It shall be unlawful for any person to trespass upon the land of a condemned building or structure.
2. It shall be unlawful for any person to remove any baffle used to close windows, doors, underpinning, or other openings in a condemned building or structure.
3. It shall be unlawful to remove or deface public notices of "Condemned Structure – Unsafe" or "No Trespassing" which are required by this Ordinance to be posted upon the condemned building.

B. The Building Official shall ensure trespassing notices are filed and notice of "No Trespassing" posted on four (4) sides of the building or structure.

C. There shall be no violation of this section for entry upon the land, building or structure by any employee or contractor of the Town acting in an official capacity.

D. The Owner or Responsible Party or Person may enter upon the land only when accompanied by a the Town Building Official.

§ 1.6 Costs, Violation and Penalties

a. Civil: Any person who intentionally, accidentally or negligently violates any provision of this chapter may be civilly liable to the Town in the sum if not less than one hundred dollars ($100.00) but not to exceed two hundred fifty dollars ($250.00)

per day for each day in which such violation occurs or continues. The civil penalty provided in this section excludes inspection costs and cleanup or abatement costs; is cumulative and not exclusive; and, shall be in addition to all remedies available to the Town under State law and local ordinances.

b. Criminal: Any person who is found to be in violation of any provision of this ordinance shall be guilty if a misdemeanor and may be punished by a fine of up to Five Hundred dollars or shall serve a sentence of up to thirty (30) days in jail for violation of this article. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

ARTICLE II
PROCEDURE FOR ABATEMENT

§ 2.1 Order to Repair and Demolish

1. Claims of Dilapidation. Whenever (a) a petition is filed with the Building Official by a public authority or by at least five residents of the municipality charging that any dwelling is unfit for human habitation; or (b) whenever it appears to the Building Official (on his own motion) that any dwelling is unfit for human habitation, the Building Official shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the Owner of and Responsible Party or Person of such dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the Zoning Board of Appeals at a place therein fixed not less than ten days nor more than thirty days after the serving of such complaint. The Owner and Responsible Party or Person shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Zoning Board of Appeals. In the event an emergency arises whereby it appears that human life or safety is involved, the building official may shorten the notice of the hearing to no less than twenty-four (24) hours.

2. Notice and Opportunity to Be Heard. Complaints or orders issued by the Building Official pursuant to this ordinance shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the Building Official in the exercise of reasonable diligence and the Building Official shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing it once each week for two consecutive weeks in a newspaper printed and published in Hampton County. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the clerk of the county in which the dwelling is located and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

§ 2.2 Procedure Before Zoning Board of Appeals

A. In exercising their powers granted herein, the Zoning Board of Appeals may, in conformity with the provisions of this Ordinance, reverse or affirm the wholly or partly or may modify the Order, requirement, decision, or determination of the Building Official. The concurring vote of a majority of a quorum of members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Building Official or to decide in favor of the Owner.

B. If, after such notice and hearing, the Zoning Board of Appeals determines that the dwelling under consideration is unfit for human habitation it shall state in writing its findings of fact in support of such determination and shall issue and cause to be served upon the Owner and Responsible Party together with or in the form of an Order to repair or demolish.

C. If the repair, alteration or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling, the Owner shall be required, within the time specified in such Order, to repair, alter or improve such dwelling to render it fit for human habitation within a fixed period of time or to vacate and close the dwelling as a human habitation; or

D. If the repair, alteration or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling, the Owner shall be required, within the time specified in the order, to vacate, close and remove or demolish such dwelling.

E. Any challenge by the Owner or Responsible Party or Person to the Building Official's complaint shall be according to South Carolina Code of Laws.

§2.3 Removing or Demolishing Structure

A. If the Owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the Building Official may cause such dwelling to be repaired, altered or improved or to be vacated and closed; the Building Official may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful".

B. If the Owner fails to comply with an order to remove or demolish the dwelling, the Building Official may cause such dwelling to be removed or demolished.

§2.4 Costs: Lien Upon the Property

The amount of the cost of such repairs, alterations or improvements, vacating and closing, or removal or demolition by the Building Official shall be a lien against the real property upon which such cost was incurred and shall be collectible in the same manner as municipal taxes.

§2.5 Bidding on Demolition Work

If the Building Official deems it necessary when demolishing an unfit dwelling as permitted by this Ordinance to contract with a third party not employed by the municipality to do the work, it must seek competitive bids for the work in conformity with any procurement code applicable to the Town.

ARTICLE III

GENERAL

1.

§3.1 Precedence.

Provisions in other Town ordinances, resolutions, Policies or by-laws in conflict with this Ordinance are hereby repealed.

§3.2 Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance, which can be given effect without the invalid provision of application and to this end, the provisions of this Ordinance are severable.

§3.3 Limitation of Liability.

It is the purpose of this ordinance to protect the health, safety, SANITATION AND/OR ECONOMJC PRESERVATION OF PROPERTIES and general welfare of the people of the Town of Estill. It is not the intent or purpose of this article to protect any specific individuals or groups of individuals or class of persons within or without the Town. To this end, neither the Town of Estill, its officers, officials, agent or employees shall be liable in any way whatsoever to any one as a result of any acts, errors or omissions that may occur because of the enforcement or failure to enforce any of the terms in this article.

FIRST READING: April_____, 2020

SECOND READING: _____, 2020

BE IT ENACTED, this the _____ day of _____ 2020, as witness our hands and seals, in Council done, at Estill, South Carolina.

_____

Mayor

ATTEST:

_____

Town Administrator

APPROVED AS TO FORM:

_____

J. Martin Harvey, Town Attorney

ORDINANCE NO 02-2020

STATE OF SOUTH CAROLINA	)
	) AN ORDINANCE TO PROVIDE FOR CURFEW
COUNTY OF HAMPTON	) IN TIMES OF EMERGENCY, TO CHANGE CURFEW
	) FOR MINORS AND TO IMPOSE PENALTIES FOR
TOWN OF ESTILL	) VIOLATION OF CURFEW

BE IT ORDAINED BY TOWN COUNCIL:

Section 1. There is hereby enacted the following:

EMERGENCY CURFEW

A. State of Emergency

A state of emergency shall be deemed to exist whenever during times of great public crisis, disaster, rioting, civil disturbance , catastrophe or other reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety, health, welfare or property.

. Imposition of Emergency Curfew

In the event of a state of emergency, the mayor is authorized and empowered to issue a public proclamation declaring the existence of a state of emergency, defining and imposing a curfew in areas and at times specifically designated in the declaration, and exempting essential health and safety personnel.

C. Prohibited Acts During Emergency Curfew

During the existence of a curfew imposed by reason of a state of emergency, it shall be unlawful for any person subject to the curfew to:

(1) Be present or travel upon any street, alley, roadway or public property, unless such travel is necessary to obtain medical assistance;
(2) Possess beyond a person's own private premises, buy, sell, give away, or otherwise transfer or dispose of any explosive, firearm, ammunition, or dangerous weapon of any kind;
(3) Sell, possess, or consume beer, wine, liquor, or intoxicating beverages of any kind; or
(4) Sell or transfer gasoline or other petroleum products, combustible or inflammable substances of any kind, except as expressly authorized by the terms of the curfew imposed.

Section 2. There is hereby imposed a curfew for minors as follows:

CURFEW FOR MINORS

A. Curfew for minors; Purpose

Council has determined, after consideration of the activities and conditions affecting minors after certain hours of the day, that it is in the public interest to adopt a curfew ordinance for the protection of the public from illegal acts of minors committed after the curfew hour; the protection of minors from improper influences and criminal activity occurring after the curfew hour, and helping parents control their children.

B. Curfew for Minors Established; Exception

1. It shall be unlawful for any minor under the age of 17 years to be present on foot or by vehicle on any public street, playground, park, public building, vacant lot, place of amusement or other public place between the hours of 11:00 p.m. and 6:00 a.m. of the following day; provided, however, this section shall not apply in the following instances:
   a. When a minor is accompanied by his or her parent or guardian or other adult person having the lawful care and custody of such minor;
   b. When the minor is upon an emergency errand directed by his or her parent or guardian or other adult person having the lawful care and custody of such minor;
   c. When the minor is returning directly home from lawful employment that makes it necessary to be in the above-referenced places during the proscribed period of time;
   d. When the minor is returning directly home within 30 minutes from an organized school or religious activity;
   e. When the minor is in a motor vehicle with parental consent for normal travel, which travel through the town is excepted in all cases from the curfew.
2. Each violation of this section shall constitute a separate offense.

C. Responsibility of Parents

It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of 17 years to knowingly permit such minor to be in a public place in violation of Section B. Each violation of this section shall constitute a separate offense.

D. Duties of Police

Any police officer finding or apprehending a minor in violation of the curfew ordinance shall ascertain the name and address of the minor, instruct the minor to go straight home, notify the parents or guardian of the minor, and report the incident to the police chief. If the minor refuses to cooperate with the officer, refuses to go home, or has been warned about a prior violation, the minor shall be detained until the parents or guardian are called to come and transport the minor home. If the parents or guardian cannot be located, the minor shall be transported home and the offending parties shall be issued an ordinance summons for the violation.

E. Penalties

Upon conviction of violation of any provision of this Ordinance, a person shall be subject to a fine not to exceed Five Hundred Dollars, or imprisonment in jail for not longer than thirty days, or both.

Section 3. Any other ordinances of the Town that are in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall become effective immediately.

DONE AND ENTERED THIS _____ DAY OF _____, 2020
FIRST READING: April _____, 2020
SECOND READING: _____, 2020

_____
Mayor

ATTEST:

_____
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

ORDINANCE NO. 06-2020

STATE OF SOUTH CAROLINA	)	
	)	AN ORDINANCE TO PROVIDE
COUNTY OF HAMPTON	)	FOR PROHIBITION ON ILLEGAL
	)	LOITERING; TO REGULATE NOISE
TOWN OF ESTILL	)	AND TO REGULATE PUBLIC CONSUMPTION OF ALCOHOL

WHEREAS, Town Council hereby finds that a new anti-loitering ordinance should be adopted, that excessive noise in the town and public consumption of alcohol in late evening and early morning hours is disruptive and is not conducive to the general peace and welfare of the community and its citizens; NOW THEREFORE,

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF ESTILL, IN TOWN COUNCIL ASSEMBLED:

SECTION 1. There is hereby enacted the following:

LOITERING.

(a) *Loitering.* No person shall loiter or prowl in a place, at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the actor takes flight upon appearance of a police officer, refuses to identify himself or manifestly endeavors to conceal himself or any object. Unless flight by the actor or other circumstances makes it impracticable, a police officer, and prior to any arrest for an offense under this subsection, shall afford the actor an opportunity to dispel any alarm which would otherwise be warranted, by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of violating this subsection if the police officer did not comply with the preceding sentence or if it appears at trial that the explanation given was true and would have dispelled the alarm and disclosed the person's lawful purpose.

The provisions of the two preceding sentences are applicable to this paragraph (a) and each of the subsequent paragraphs (b) through (h) herein.

(b) *Dwelling Areas.* No person shall hide, wait or otherwise loiter in the vicinity of any private dwelling house, apartment building or any other place of residence with the unlawful intent to watch, gaze or look upon the occupants therein in a clandestine manner.

(c) *Public Rest Rooms.* No person shall loiter in or about any toilet open to the public for the purpose of engaging in or soliciting any lewd or lascivious or any unlawful act.

(d) *Schools and Public Grounds.* No person shall loiter in or about any school or public place at or near which children or students attend or normally congregate. As used in this

subsection, "loiter" means to delay, to linger or to idle in or about any school or public place without a lawful purpose for being present.

(e) *Buildings.* No person shall loiter or lodge in any building, structure or place, whether public or private, without the permission of the owner or person entitled to possession or in control thereof.

(f) Restaurants, Taverns. No person shall loiter in or about a restaurant, tavern or other building open to the public. As used in this subsection, "loiter" means to, without just cause, remain in a restaurant, tavern or public building or to remain upon the property immediately adjacent thereto after being asked to leave by the owner or person entitled to possession or in control thereof.

(g) *Parking Lots.* No person shall loiter in or upon any public parking lot, either on foot or in or upon any conveyance being driven or parked thereon, without the permission of the owner or person entitled to possession or in control thereof. As used in this subsection, "Public parking lot" means five (5) or more ground level parking spaces, or any portion thereof, upon which automobiles or motor vehicles may be parked, stored, housed or kept, and open to public use with or without charge.

(h) *Private or Public Residential Property.* No person shall loiter in or on private or public residential property in residential neighborhoods. As used in this subsection, "loiter" means to, without just cause, linger, remain in or on private or public residential property, or to remain upon the property immediately adjacent thereto after being asked to leave by the owner or person entitled to possession or in control thereof, or where "No Loitering" signs are posted.

(i) *Requirements of Identification.* A person being asked for identification pursuant to this section shall provide the police officer with his name and address either verbally or by providing the officer with written evidence of the person's name and address, including but not limited to a driver's license or picture identification.

(j) *Penalty; Continuing Violations.* Any person who is convicted of any violation of this section, the court before whom an offender shall be tried may sentence him to pay a fine not exceeding the maximum fine permitted by law or serve a term not exceeding thirty (30) days in jail, or both. Each day any violation of this ordinance shall continue shall constitute a separate offense.

(k) *Court Order on Jurisdictional Limits.* In addition to the penalty that may be imposed pursuant to subsection (j) above, any person who is arrested for and/or convicted of violating any provision of this section may be subject to an order of the court which shall impose a jurisdictional limit on said person prohibiting his presence in a specific geographic area of the Town of Estill. Failure to comply with the court order shall constitute a violation of the court order and shall result in the following: (1) in the case of a bond where jurisdictional limits have been imposed, the bond may be revoked and the person shall be incarcerated until trial; and/or (2) in the case of a sentence where jurisdictional limits have been imposed, the suspended

sentence may be revoked and the person shall be incarcerated until he has served the original sentence imposed by the court without any portion thereof suspended.

SECTION 2. **Public consumption of alcohol prohibited.**

No person shall at any time of day or night drink beer, wine, liquor or any beverage containing more than 3.0% alcohol upon the sidewalks, streets, highway or roads of the Town or upon the grounds of any facility within the corporate limits of the Town that is considered government property, to include, but not be limited to, parks, playgrounds, schools, and government office buildings.

SECTION 3. Severability. The section, subsections, paragraphs, sentences, clauses and phrases or this Ordinance are severable, and if any phrase, clause, sentence, paragraph, section or subsection herein shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the section and any of the remaining phrases, clauses, sentences, paragraphs and subsections herein, since the same would have been enacted by council without the incorporation of any such unconstitutional or invalid phrase, clause, sentence, paragraph, section or subsection.

SECTION 4. Repealer. The provisions of this Ordinance shall prevail and control in the event of any inconsistency between the provisions hereof and other Ordinances, rules and regulations of the Town.

SECTION 5. Effective Date.

This Ordinance shall become effective on the approval of Council.

FIRST READING: APRIL ___ 2020

SECOND READING: _____, 2020

BE IT ENACTED, this the _____ day of _____, 2020, as witness our hands and seals, in Council done, at Estill, South Carolina.

_____
Mayor

ATTEST:

_____
Town Clerk

APPROVED AS TO FORM:

J. Martin Harvey, Town Attorney

STATE OF SOUTH CAROLINA)
) RESOLUTION 2020-01
COUNTY OF HAMPTON)
) RESOLUTION RATIFYING A CERTAIN COVID-19-
TOWN OF ESTILL) RELATED EXECUTIVE ORDER ISSUED BY
THE MAYOR ON MARCH 25, 2020

AT THE REGULAR MEETING OF TOWN COUNCIL OF TOWN OF ESTILL, held on April 8, 2020, Council received a presentation from its Administrator on the need for funding from the Federal Emergency Management Agency to assist in responding to the emergency brought on by the world COVID-19 pandemic and in response, approved and adopted the following:

Section 1. Town Council does make the following findings of fact: a) On March 13, 2020, the Hon. Henry Dargan McMaster, Governor, in response to the world COVID-19 pandemic, issued an emergency declaration via Executive Order 2020-08, and in response, Town Council passed Emergency Ordinance 04-2020 to establish an Emergency Response Plan for the state of emergency. b) In the interests of the good order and security of the public, it was necessary for the Mayor, as the chief executive office of the City pursuant to SC Code Sec 5-7-10 (1976), et seq., as amended, to issue and enact certain orders to preserve the public welfare, security and comfort. c) The Federal Emergency Management Agency [FEMA] requires a declaration of a state of emergency and disaster in order to provide funding for Town needs created by the state of emergency. d) Town Council finds it appropriate to formally enact and ratify such action as undertaken by the Mayor.

Section 2. The executive order issued by the Mayor on March 25, 2020 concerning the operation of the Town resulting from the state of emergency brought on by the COVID-19 pandemic and attached hereto, be and hereby is, ratified and adopted as policy of the Town of Estill, nunc pro tunc, and shall remain in full force and effect until such time as the Mayor, in consultation with the Office of the Governor, the United States Department of Health and Human Services, and the Federal Emergency Management Agency, determines that the public health, safety and welfare of the Town and its citizenry is secure without such orders.

Section 3. This Resolution shall become effective immediately and shall expire pursuant to the provisions of Section 2 hereof.

This Resolution shall take effect immediately.

DONE AND ENTERED THIS ____ DAY OF APRIL 2020

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST:

APPROVED AS TO FORM:

Town Clerk

Town Attorney

PROCLAMATION DISASTER DECLARATION

Town of Estill, SC

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus;

WHEREAS, Governor McMaster issued an emergency declaration via Executive Order 2020-08 and hosted a press conference on the COVID-19 Threat on March 13, 2020; and

WHEREAS, it is the intent of Town of Estill, South Carolina to follow the March 13, 2020 Executive Order 2020-08 issued by Governor McMaster; and

WHEREAS, the Town of Estill, South Carolina, has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property; and

WHEREAS, the Town of Estill, South Carolina, closed down Town Hall to the public on March 18, 2020 in an effort to prevent the spread of the virus and follow the Governor's Executive Order to alleviate the suffering of people and to protect or rehabilitate property; and

WHEREAS, the Town of Estill, South Carolina, passed Emergency Ordinance 04-2020 to establish an Emergency Response Plan for the state of emergency.

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED by Corrin F Bowers III, Mayor of The Town of Estill, South Carolina:

That a local state of disaster is hereby declared for the Town of Estill, South Carolina pursuant to the Governor's Executive Order No. 2020-08 an any additional State of South Carolina applicable Law.

This Order is effective immediately and shall remain in effect for the duration of the State of Emergency declared by the Federal and State governments unless otherwise modified, amended, or rescinded by subsequent Order. Further proclamations, orders, and directives deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued orally by the undersigned and pursuant to additional Executive Orders issued by the President of the United States or the Governor of the State of South Carolina.

That this Proclamation shall take effect immediately from and after its issuance.

PROCLAIMED AND ORDERED this 25th Day of March 2020.

Corrin F. Bowers III, Mayor Town of Estill SC

Attest: _____ Town Clerk

Town of Estill Agenda Item I

Resolution 2020-02 Authorizing the Movement of Funds from BB & T Account number 000XXXX827190 in the Amount of $20,000.00 to be Deposited in the Palmetto State Bank Fire Department Special Account number XXXX-3734 for the Purchase of Bunker Gear for the Fire Department.

Background:

The Council discussed the need to replace bunker gear that is expired in the Fire Department at their February 12, 2019 meeting but no action was taken because this item was not budgeted at the time.

The item was again discussed during Council's Budget Workshop on February 27, 2020 at which time a savings account at BB&T was identified and funding for the needed bunker gear was to be transferred from that account to the Fire Department Special Account in Palmetto Bank.

Approximate cost per full set of bunker gear is $2,864.00 each. We can replace 7 bunker gear in full at this time if we do this transfer.

Attachments: Minutes of the 2/12/2020 Meeting
List of Bunker Gear

Recommendation: Approval of Resolution 2020-02

Presented by: Caryn Miller, Town Administrator

STATE OF SOUTH CAROLINA)
) RESOLUTION 2020-__02___
COUNTY OF HAMPTON)
) RESOLUTION AUTHORIZING THE MOVEMENT
TOWN OF ESTILL) OF FUNDS FROM BB & T ACCOUNT NUMBER
) 000XXXX827190 IN THE AMOUNT OF $20,000.00
) TO BE DEPOSITED IN THE PALMETTO STATE
) BANK FIRE DEPARTMENT SPECIAL
) ACCOUNT NUMBER XXXX-3734 FOR THE
) PURCHASE OF BUNKER GEAR FOR THE FIRE
) DEPARTMENT.

AT THE REGULAR MEETING OF TOWN COUNCIL OF TOWN OF ESTILL, held on February 12, 2020 a discussion took place related to expired bunker gear for the Fire Department but no official action was taken at that time; and

WHEREAS The Town Council discussed the need to fund the necessary bunker gear again during it's Budget Workshop in February 27, 2020 identifying the BB&T savings Account as the funding mechanism for said bunker gear; and

WHEREAS, the Town Council recognizes the need of said bunker gear to be replaced as soon as possible for the Safety of its Fire Department crew.

NOW THEREFORE, IT IS RESOLVED, that the Town of Estill shall transfer the sum of Twenty Thousand and no/100 ($20,000.00) Dollars from Town's BB&T account #000XXXX827190 to the Town's Palmetto State Bank Fire Department Special Account # XXXX-3734 in order to purchase the necessary Bunker Gear for the Fire Department

RESOLVED FURTHER, that all prior actions of Town officers in furtherance of the consistent with the terms as stated herein. All prior resolutions or parts thereof in conflict with this resolution are hereby repealed to the extent of the conflict.

This Resolution shall take effect immediately.

DONE AND ENTERED THIS __8___DAY OF April, 2020

_____	_____
Mayor	Council Member
_____	_____
Council Member	Council Member
_____	
Council Member	
ATTEST:	APPROVED AS TO FORM:
_____	_____
Town Administrator	Town Attorney

Estill Fire-Rescue Bunker Gear Expiration Dates

Number	Coat Size	Expires	Pants	Expires	Helmet	Ordered	Received
200	48	4/2022	44	4/2022	2/2018		
201							
202	58	4/2025	58	4/2025	3/2015		
203			46	2/2022			
204	48	4/2018	44X30	4/2018 X	1/2015		
205	48	4/2022	44X30	4/2022			
206	48	5/2023	46X30	5/2023	4/2024		
211	48X32	4/2018	42X30	4/2018 X	2/2018		
212	58X36	4/2022	58X32	4/2022			
213	44X33	4/2024	44X30	4/2024			
214	52X33	2/2022	50X28	2/2022	6/2017		
215	54X33	5/2023	54X28	5/2023	2/2018		
216	40X33	3/2026	38X30	3/2026	2/2018		
217	38X33	4/2024	32X28	4/2024			
218							
219							
220							
221							
222	40X33		36X30		2/2018		
223	44X33	4/2025	42X32	4/2025	4/2021	OK	
224							
225	48X32	1/2014	44R	4/2013 X	1/2022	OK	
226							
227							
228							
229	50X32	4/2018	46X30	7/2018 X			
230	48X32	4/2018	44X30	9/2017 X			
231	34X32	4/2018	32X30	4/2018 X			
232	56X32	4/2018	44X30	4/2018 X			
233	44X32	4/2018	54X30	9/2017 X			

Black=Expired >1 year

Red=Expired present year

=Expires <2 years

Green=Expires >2 years

Compiled 8/18/2018

RESOLUTION 2020-03

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF ESTILL, SOUTH CAROLINA TO DECLARE PERSONAL PROPERTY AS SURPLUS PROPERTY

WHEREAS, the Town of Estill, South Carolina is in possession of certain municipal personal property (as described as attached hereto as Exhibit "A") that it desires to declare as surplus for purpose of sale; and,

WHEREAS, the aforementioned municipal personal property is declared by Town Council to no longer be of any public use or value to the Town of Estill and is considered to be surplus personal property; and,

WHEREAS, the Town Council, the Governing Authority of the Town of Estill pursuant to S.C. Code Ann. §5-11-10, et seq, is vested with the authority to dispose of Town of Estill personal property pursuant to S.C. Code § 5-7-40; and,

WHEREAS, the Town Council proposes to sell the aforementioned property, attached hereto as "Exhibit A" at a fair market value to be determined via auction or sale, date to be determined; and,

WHEREAS, the Town Council finds it is in the best interest of the Town of Estill that the aforementioned municipal personal property be hereby conveyed by sale.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ESTILL, SOUTH CAROLINA, AS FOLLOWS, TO WIT:

Section 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Town of Estill Town Council.

Section 2. That the municipal personal property described in "Exhibit A" attached, is hereby declared to be surplus personal property of the Town of Estill, South Carolina, having no value to the Town.

Section 3. That the Town Council is authorized to sell the municipal personal property, as described in "Exhibit A" attached hereto, for fair market value, or value which the Town Council deems advisable, and that it is in the best interest of the Town of Estill that the aforementioned municipal personal property be hereby sold, and assigned as the same is surplus municipal personal property belonging to the Town of Estill, South Carolina.

Section 4. That this Resolution be, and it is hereby ordered to be entered into the minutes of the Town Council of the Town of Estill, South Carolina, and to be in full force and effect immediately upon its passage and enactment according to law.

ADOPTED this _____ day of April 2020

_____

Corrin F. Bowers III, Mayor

_____

Tammy Solomon, Mayor Pro Tem

_____

Charles E. Savino, Councilman

_____

Dwanda Bolden, Councilwoman

_____

Joe N. Hadwin Jr., Councilman

ATTEST: _____

Clerk - Treasurer

EXHIBIT "A"

Surplus Property

2 Motorola XTS 2500 Radio Heads

Commission Tablets

Bronze 2008 Chevrolet Impala (VIN: 2G1WB55K581259779)

Black 2010 Dodge Charger (VIN:2B3AA4CV1AH248398)

Black 2008 Dodge Charger (VIN: 2B3KA43H98H320151)

Lexmark T652DN Serial Number:795DK1N