

**Minutes
City Council Meeting
Tuesday, November 14, 2017**

The regular monthly meeting of the Mullins City Council was held Tuesday, November 14, 2017 at 6:00 P.M. in the Raymond Pridgen Auditorium. The following were notified of the time, date, and place of the meeting: Mayor William L. "Bo" McMillan and Members of City Council, the City Staff, and the press. Present at the meeting were the following: Mayor William L. "Bo" McMillan, Mayor Pro Tem Patricia Phillips, Council Members: Carolyn Wilson, Eddie Kitchen, Robert Woodbury, Terry Davis, City Attorney Robert Corley, Police Chief Mike Bethea, Sean Brunson, Jean Brunson, Jerry Jacobs, Claudia Hughes, Thomas Hughes, Public Access TV, and many others.

1. Call Meeting To Order & Welcome: Mayor McMillan called the meeting to order and welcomed all present.

Claudia Hughes led everyone in the Pledge of Allegiance.

Invocation: The invocation was given by Chaplain Carolyn Wilson.

2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act: Mayor McMillan stated the local media had been contacted regarding the time, date, and place of the regular scheduled meeting for November 14, 2017.

3. Approval of Agenda: Council Member Davis made a motion to approve the Agenda. Council Member Kitchen seconded the motion. The motion was approved.

4. Consent Agenda:

- (a) Approval of Minutes – October 10, 2017 – City Council Meeting
- (b) Approval of Monthly Bills

Mayor Pro Tem Phillips made a motion to accept the Consent Agenda. Council Member Davis seconded the motion.

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Mayor McMillan stated Congressman Rice will visit Mt. Olive Baptist Church on Friday, November 17th @ 3:30 PM.

5. Public Presentation

(a) Presentation from Mike Bedenbaugh, Palmetto Trust for Historic Preservation

The Public Presentation will be rescheduled for the December meeting.

6. Old Business:

(a) Second Reading of an Ordinance #17-004 to amend section 6.01.111 of the City Code of Mullins (Keeping Animals) to require pet owners to remove any excrement which might be deposited by such pet.

Council Member Wilson made a motion to accept the Second Reading of an Ordinance #17-004 to amend section 6.01.111 of the City Code of Mullins (Keeping Animals) to require pet owners to remove any excrement which might be deposited by such pet. Council Member Kitchen seconded the motion.

7. New Business:

(a) Consideration of a request from the Pee Dee African American Museum Committee for a commitment to provide a grant match for the museum in the amount of \$100,000.00.

Council Member Kitchen made a motion to accept the Consideration of a request from the Pee Dee African American Museum Committee for a commitment to provide a grant match for the museum in the amount of \$100,000.00. Council Member Woodbury seconded the motion.

(b) Consideration of a proposal from Arthur J. Gallagher & Co. to provide liability and workers compensation coverages to the City of Mullins through Travelers Property Casualty Company of America and the Travelers Indemnity Company.

Hudspeth explained Arthur J. Gallagher & Co. would replace the existing coverage with SCMIT/SCMIRF. Kitchen asked how long has the company

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been dealing with Municipalities. Hudspeth noted for decades. Hudspeth also noted the deadline for switching companies would be November 21st/22nd. Phillips stated she would like to hear from the company before a decision is made. Hudspeth stated a special meeting would be called to discuss further.

Mayor McMillan stated the ground breaking for Fire Station #3 would be Friday, November 17th at 11:00 AM.

8. Committee Reports:

Police – Council Member Terry Davis
Fire – Mayor Pro Tem Pat Phillips
Recreation – Council Member Jo Sanders
Street/Sanitation - Mayor Pro Tem Pat Phillips
Finance – Council Member Carolyn Wilson

Council Member Terry Davis asked about the Park Street Gym heating/cooling. Hudspeth stated a proposal would be presented at the December meeting.

Davis also asked Hudspeth to present information for the monies that was given by Senator Williams for the park on Seaboard.

9. Comments:

Mayor McMillan recognized Ms. Claudia Hughes. Ms. Hughes thanked Council for allowing her comments. Ms. Hughes asked her son Thomas to speak for her. Mr. Hughes read the letter that his mother wrote the Mayor/Council. The letter is attached to the minutes.

10. Adjournment:

Council Member Wilson made a motion to adjourn. Council Member Davis seconded the motion.

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**William L. McMillan
Mayor**

ATTEST:

**Felicia J. Sawyer
City Clerk**

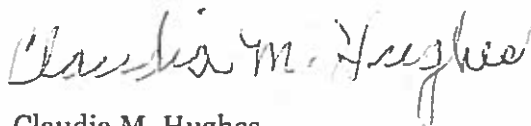
November 14, 2017

To the Mullins City Council:

I, Claudia M. Hughes, wish to bring to your attention concerns which are affecting my neighborhood and community. These issues have been brought to your attention several times before, but currently still remain unresolved. I am requesting your help in resolving the following issues:

- 1) Inadequate drainage on East Lowman Street. Basin does not sit low enough for drainage.
- 2) Recently found out that our home is located in a flood zone, which is the reason for higher home owner's insurance premiums.
- 3) Abandoned stone house on East Lowman Street is a breeding ground for rattle snakes.
 - a) Rattlers have been killed coming from that area.
 - b) My sister-in-law lives behind the abandoned house and is constantly in danger of being bitten by a rattler if she is walking in her yard.
 - c) The abandoned stone house needs to be torn down and the lot needs cleaning.
 - d) The abandoned house is also a haven for the homeless, which is dangerous for my sister-in-law and the neighborhood.
- 4) The fence located beside my sister-in-law's house is covered in poison ivy. We do not know who owns the fence and who needs to clear the fence of the poison ivy. My sister-in-law is allergic to the poison ivy.
- 5) The ground in our area stays wet for weeks after a rain storm especially under and around my house. I have been forced to replace the floors in my house three (3) times over the years.
- 6) I also own property on East Church Street near James Armstrong's property. This area has poor drainage as well.
- 7) I am also concerned about the long lists of delinquent taxes/unpaid property taxes. Homes are neglected, and therefore, bushes and trees are overgrown in areas around town making it difficult to pass some properties.

Submitted by,



Claudia M. Hughes
412 East Lowman Street
Mullins, South Carolina 29574
Home 843-464-2498
Cell 843-453-6406

Minutes
Special City Council Meeting
Monday, November 20, 2017

The special meeting of the Mullins City Council was held Tuesday, November 20, 2017 at 4:00 P.M. in the Raymond Pridgen Auditorium. The following were notified of the time, date, and place of the meeting: Mayor William L. "Bo" McMillan and Members of City Council, the City Staff, and the press. Present at the meeting were the following: Mayor William L. "Bo" McMillan, Mayor Pro Tem Patricia Phillips, Council Members: Carolyn Wilson, Eddie Kitchen, Terry Davis.

- 1. Call Meeting To Order & Welcome:** Mayor McMillan called the meeting to order and welcomed all present.
- 2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act:**
- 3. Approval of Agenda:**
- 4. Old Business:**

(a) Consideration of a proposal from Arthur J. Gallagher & Co. to provide liability and workers compensation coverages to the City of Mullins through Travelers Property Casualty Company of America and the Travelers Indemnity Company.

Hudspeth stated he received an email from Heather Ricard from the Municipal Association stating the City could go back to MASC. Hudspeth noted the savings from Arthur J. Gallagher & Co. would be around \$32,495.00.

Mayor McMillan stated he would need a motion to move forward. Council Member Kitchen made a motion. There was no second.

Hudspeth stated the City would stay with MASC. Mayor McMillan thanked Hudspeth for the work put into trying to find savings for the City.

5. Adjournment

Mayor McMillan made a motion to adjourn.

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William L. McMillan
Mayor

ATTEST:

Felicia J. Sawyer
City Clerk

ORDINANCE NO. 17-004

ORDINANCE TO AMEND SECTION 6.01.11

THE CITY CODE OF MULLINS (KEEPING ANIMALS) TO REQUIRE PET OWNERS TO REMOVE ANY EXCREMENT WHICH MIGHT BE DEPOSITED BY SUCH PET

City Council upon due consideration and deliberation has determined that it is in the best interest of the City of Mullins to amend Section 6.01.11 of the City Code so that the following language is included as follows:

- (a) The owner shall keep his pet under restraint at all times. The pet shall not be allowed off his property without the permission of the owner of the property.
- (b) The owner must ensure the pet stays off of all state and city roads at all times, unless being walked on a leash out of the way of traffic. The owner shall have in his possession a device for the removal of any excrement which might be deposited by such pet. Any person who owns or controls a pet which deposits excrement upon any property, public or private, shall promptly remove such excrement to a proper receptacle located on property owned or possessed by such person. This provision shall not apply to blind or physically handicapped persons while walking with their pet.
- (c) The owner shall confine, within a building or secure enclosure, every vicious pet and shall not take such pet out of such enclosure unless the pet is securely muzzled and under restraint.
- (d) Every female pet in heat shall be kept confined in a building or secure enclosure, or in a kennel in such a manner and to make breeding with strays impossible.
- (e) Regardless of weather conditions, owners must provide at all times for outdoor pets a proper dog house as defined in Section 6.01.010.
- (f) All animals must be provided with clean water at all times. In winter, any water that has frozen overnight must be replaced with liquid water within 90 minutes of sunrise and must not be allowed to freeze during the day.

AND IT IS SO ORDAINED.

1st Reading: _____
2nd Reading: _____

MAYOR

COUNCIL MEMBERS:

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

First Reading of an Ordinance to amend section 6.01.111 of the City Code of the City of Mullins (Keeping Animals) to require pet owners to remove any excrement which might be deposited by such pet.

Sec. 6.01.110. - Keeping animals.

(a)

The owner shall keep his pet under restraint at all times. The pet shall not be allowed off his property without the permission of the owner of the other property.

(b)

The owner must ensure the pet stays off of all state and city roads at all times, unless being walked on a leash out of the way of traffic. The owner shall have in his possession a device for the removal of any excrement which might be deposited by such pet. Any person who owns or controls a pet which deposits excrement upon any property, public or private shall promptly remove such excrement to a proper receptacle located on property owned or possessed by such person. This provision shall not apply to blind or physically handicapped persons while walking with their pet.

(c)

The owner shall confine, within a building or secure enclosure, every vicious pet and shall not take such pet out of such enclosure unless the pet is securely muzzled and under restraint.

(d)

Every female pet in heat shall be kept confined in a building or secure enclosure, or in a kennel in such a manner and to make breeding with strays impossible.

(e)

Regardless of weather conditions, owners must provide at all times for all outdoor pets a proper dog house as defined in section 6.01.010.

(f)

All animals must be provided with clean water at all times. In winter, any water that has frozen overnight must be replaced with liquid water within 90 minutes of sunrise and must not be allowed to freeze during the day.

RESOLUTION No. _____

**A RESOLUTION ADOPTING THE
2017 MARION COUNTY HAZARD MITIGATION PLAN**

WHEREAS, the 2017 Marion County Multi-Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and

WHEREAS, the City of Mullins participated in the preparation of a multi-jurisdictional plan, 2017 Marion County Hazard Mitigation Plan; and

WHEREAS, the City of Mullins is a local unit of government that has afforded the citizens an opportunity to comment and provide input on the Plan and the actions in the Plan; and

WHEREAS, the City of Mullins has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by the Mullins City Council that the City of Mullins adopts the 2017 Marion County Hazard Mitigation Plan as this jurisdiction's Multi-Hazard Mitigation Plan, and resolves to execute the actions in the plan; and, the Marion County Hazard Mitigation Planning Committee is recognized as a continuing entity charged with reviewing, maintaining, and periodically reporting on the progress toward and revisions of the plan to the Mullins City Council.

ADOPTED this _____ day of _____, 2017 at a duly called meeting of the Mullins City Council.

William "Bo" McMillan, Mayor

ATTEST:

Felicia Turner, Clerk/Treasurer
City of Mullins

Joe M. Cox
ATTORNEY AT LAW
405 SOUTH MAIN STREET
MULLINS, SOUTH CAROLINA 29574
843-464-7501

October 25, 2012

Ms. Judy A. Ford
603 Scotch Community Road
Mullins, South Carolina 29574

Re: **114 Broad Street**
Mullins, South Carolina 29574
Marion County TMS# 405-07-001

Dear Ms. Ford:

This is to certify that I have examined the public records of Marion County, South Carolina, with regards to that certain lot located at 114 Broad Street, Mullins, South Carolina and being shown as TMS# 405-07-001 on the Marion County Tax Assessor's Books.

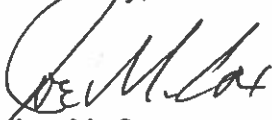
I find that this property is owned by First Citizens Bank and Trust Company, Inc., in fee simple absolute subject to the following items:

1. 2012 property taxes that are accruing, but are not yet due and payable.

It is my opinion that upon the execution, delivery and recording of a Limited Warranty Deed to you from First Citizens Bank and Trust Company, Inc., that you will then hold and own a valid fee simple title to this property.

There are excepted from this opinion all matters not of public record, all matters that might be divulged by an up to date Survey and all matters that might be discovered by an on-site inspection of the premises.

Sincerely,



Joe M. Cox
Attorney

JMC:rc

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned, subject to the Permitted Exceptions, unto the said Grantee as joint tenants with rights of survivorship, and not as tenants in common, Grantee's heirs, successors and assigns forever.

And the Grantor hereby binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the said Grantee and Grantee's heirs, successors and assigns against Grantor and Grantor's successors and assigns, lawfully claiming, or to claim the same or any part thereof, but against none other.

EXCEPT FOR THE LIMITED WARRANTY OF TITLE HEREIN CONTAINED, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY NEGATES AND DISCLAIMS ANY AND ALL REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS AND/OR GUARANTIES OR ANY KIND OF CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING, OR WITH RESPECT TO, (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE IMPROVEMENTS, FIXTURES, WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OR ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) THE MANNER OR QUALITY OF THE CONSTRUCTION AND/OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY, (G) THE MANNER, QUALITY, STATE OF REPAIR AND/OR LACK OF REPAIR OF THE PROPERTY, AND (H) ANY AND ALL OTHER MATTERS WITH RESPECT TO THE PROPERTY. EXCEPT FOR THE LIMITED WARRANTIES OF TITLE EXPRESSLY SET FORTH HEREIN, GRANTEE FURTHER ACKNOWLEDGES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY IS MADE BY GRANTOR AND ACCEPTED BY GRANTEE ON AN "AS IS" CONDITION AND BASIS WITH ALL FAULTS. GRANTOR AND GRANTEE ACKNOWLEDGE THAT THIS DISCLAIMER AND THE "AS IS" NATURE OF THIS SALE WAS EXPRESSLY BARGAINED FOR BY THE PARTIES, WAS A MATERIAL COMPONENT OF THE SALE WITHOUT WHICH THE GRANTOR WOULD NOT HAVE SOLD THE PROPERTY TO THE GRANTEE, WAS EXPRESSLY AGREED TO BY THE PARTIES PRIOR TO THE DELIVERY OF THIS DEED, AND WAS FREELY, KNOWINGLY AND VOLUNTARILY AGREED TO BY THE GRANTEE.

[The remainder of this page intentionally left blank. Signature page to follow.]

STATE OF GEORGIA)
) AFFIDAVIT FOR TAXABLE OR EXEMPT
TRANSFERS)
COUNTY OF COBB)

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located as described in the attached deed and bears tax map number 405-07-01-000-000.

3. Check one of the following: The Deed is:

- (a) XXXX Subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b) _____ Subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c) _____ Exempt from the deed recording fee because it is a transfer of realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars (see #1 on information section of affidavit).

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (see information section of this affidavit):

- (a) XXXX The fee is computed on the consideration paid or to be paid in money or moneys worth in the amount of **\$12,500.00**.
- (b) _____ The fee is computed on the fair market value of the realty, which is N/A.
- (c) _____ The fee is computed on the fair market value of the realty as established for property purposes which is N/A.

5. Check Yes ___ No XXXX to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If Yes, the amount of the outstanding balance of this lien or encumbrance is N/A.

6. The deed recording fee is computed as follows:

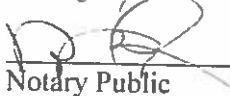
- (a) Place the amount listed in Item 4 above here: \$12,500.00
- (b) Place the amount listed in Item 5 above here: 0.00
- (c) Subtract Line 6(b) from Line 6(a) and place result here: \$12,500.00

7. The deed recording fee due is based upon the amount listed on Line 6(c) above and the deed recording fee due is: **\$46.25**.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: **Grantor**.

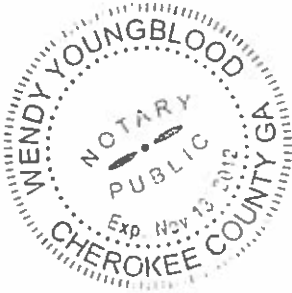
9. I understand that a person required to furnish this affidavit who willfully furnished a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Sworn to and subscribed before me
this 23 day of October, 2012.

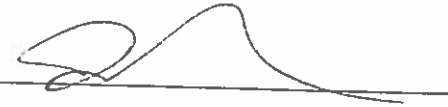


Notary Public
My Commission Expires: 11/13/12

(Notary Seal)



**FIRST CITIZENS BANK AND TRUST
COMPANY, INC.**

By: 

Title: Assistant Vice President

NO TITLE EXAMINATION

State of South Carolina }

COUNTY OF MARION }

TITLE TO REAL ESTATE

Know All Men by These Presents, That I, **BROOKS L. HARPER**

Of the County of Marion in the State aforesaid, for and in consideration of the sum of

**FIVE AND NO/100 (\$5.00) DOLLARS, AND A GIFT WITH AN APPRAISED VALUE OF
FORTY-FIVE THOUSAND AND NO/100 (\$45,000.00) DOLLARS**

To me paid by **CITY OF MULLINS**
POST OFFICE BOX 408
MULLINS, SOUTH CAROLINA 29574

In the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, bargain, sell and release unto the said **City of Mullins, Its Successors and Assigns Forever:**

All that certain piece, parcel or lot of land, with the improvements thereon, lying and being situate on the East side of North Main Street in the City of Mullins, Marion County, South Carolina. Said lot being known as the William "Bill" Mayers building and is bounded on the North by property of C.M. Baxley; on the East by property of Bryan L. Brown and by property of Harriett Jo Sanders; on the South by The Mullins Public Library and property of Harriett Jo Sanders; and on the West by North Main Street.

This being the identical property conveyed to the Grantor herein by Deed of Distribution of the Estate of Cornelius W. Mayers, Probate Roll Number 2012-ES-33-00087, recorded on November 1, 2012, in Volume 218 at Page 5 in the Office of the Clerk of Court for Marion County, South Carolina.

Marion County Tax Map Number: 407-03-14-000-000

This Deed was prepared by Joe M. Cox at the request of Brooks L. Harper, from information furnished by Brooks L. Harper. No Title Examination was requested and none were performed. This conveyance is made subject to easements, rights-of-way, covenants, conditions, restrictions, obligations, and liabilities of record insofar as they may be lawfully affect the Property, real estate taxes and assessments due or not due and payable; and such matters as would be shown by a current and accurate survey of the Property.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.


TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said City of Mullins, Its Successors and Assigns Forever.

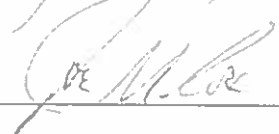
And I do hereby bind myself and my Heirs and Assigns, to warrant and forever defend all and singular the said premises unto the said City of Mullins, Its Successors and Assigns against every person whomsoever lawfully claiming, or to claim or any part thereof.


WITNESS our Hands and Seal this 30th day of November, In the year our Lord Two Thousand and Seventeen and in the Two Hundred and Forty First Year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered

In the Presence of








BROOKS L. HARPER

(SEAL)

STATE OF SOUTH CAROLINA }
COUNTY OF MARION }

PERSONALLY appeared before me Rebecca Cox and made oath that s/he saw the within named Brooks L. Harper, sign seal and as his act and deed, deliver the within written Deed for the uses and purposes therein mentioned, and that s/he with Joe M. Cox witnessed the execution thereof.



SWORN to before me this
30th Day of November, 2017.



Notary Public for South Carolina

My Commission Expires: 06/09/2019