

**MINUTES**  
**WESTMINSTER CITY COUNCIL**  
**Regular Scheduled Meeting**  
**Tuesday, August 13, 2024**

The City Council of the City of Westminster met in a regularly scheduled meeting on Tuesday, August 13, 2024, at 6:00 pm at the Westminster Fire Department with Mayor Brian Ramey presiding. Those in attendance were:

Brian Ramey  
 Jimmy Powell

Audrey Reese  
 Adam Dunn

Daby Snipes  
 Dale Glymph

Ruth May

City Administrator, Kevin Bronson  
 Assistant to the City Administrator, Reagan Osbon  
 City Clerk, Rebecca Overton  
 City Attorney, Andrew Holliday  
 Police Chief, Fred Miller  
 Members of the public and press

*Notice of the meeting and the agenda was posted on a window at the Fire Department and at westminstersc.org twenty-four hours prior to the meeting and all persons, organizations and local media requesting notification and the agenda were notified by email.*

**Call to Order**

Mayor Ramey called the meeting to order at 6:00 pm.

**Certification of Quorum**

Rebecca Overton certified a quorum.

**Invocation and Pledge of Allegiance**

Mrs. Audrey Reese led the Council in the invocation and the Pledge of Allegiance.

**Special Recognition of the City of Westminster 10U Softball All Star State Champions**

Mayor Ramey read a Proclamation celebrating the City of Westminster 10U Softball State Champions. He acknowledged each player and their coaches, and their victory was celebrated with a huge round of applause from the audience.

**Public Comments**

Randy Moore addressed Council with concerns about his properties being annexed into city limits. He added that he was not excited about being annexed and wanted it on

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public record that he did not wish to be annexed but does accept it and understands the process.

**Special Hearing Regarding the Business License Suspension of Chatuga Ridge Coffeehouse**

Mr. Bronson informed Council that there would several things to consider such as opening and closing the hearing, the rules and procedures of the hearing, and consideration of the Resolution to reinstate the Business License.

Upon a motion by Mrs. Reese and seconded by Mr. Glymph, the motion to *open the special hearing* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph	Second	Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes		Yes

Mr. Holliday read rules 1-6 and sections of Code 110 pertaining to Business Licensing, and these are attached to the minutes.

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese, the motion to *adopt the rules of procedures for the special hearing* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Second	Yes
May		Yes
Dunn		Yes
Snipes	Motion	Yes

Mr. Bronson presented email documents and letter documents to Council and highlighted the numerous times that Chatuga Ridge Coffeehouse was instructed to comply with payments regarding the HTAX collections. He pointed out that an original letter sent on April 10, 2024, informed Chatuga Ridge Coffeehouse to pay the past due February along with the current March HTAX payments and any associated late fees would be waived. Mr. Bronson further pointed to copies of city staff communication with the owner, Erica Covington that stated over multiple emails what Chatuga Ridge Coffeehouse needed to do to make the HTAX payments current and in compliance. These documents are attached to these minutes.

Mrs. Erica Covington, owner of Chatuga Ridge Coffeehouse, spoke on behalf of the business. She stated to Council that she felt like there had been miscommunication between city staff and herself and her husband. Mrs. Covington added that she was informed by Bob Jones that she did not need to worry about February HTAX, only payments going forward. She added that they wanted to have a successful business in Westminster and only wanted to do things right but was asking for the late fees and non-payment fees to be removed. Attached to these minutes are documents Mrs. Covington provided to Council.

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese the motion to *approve Resolution 2024-08-13-01: A Resolution to reinstate the Business License of Chatuga Ridge Coffeehouse as outlined in the Resolution*, passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Second	Yes
May		Yes
Dunn		Yes
Snipes	Motion	Yes

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *close the special hearing* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

### **Comments from the Mayor and Council**

Mayor Ramey thanked city staff for their work with the Channel 7 News Zip Trip. He also thanked staff for efforts to clean up the gazebos at the Park and Depot. Mayor Ramey also thanked Reagan Osbon and Bob Jones for the recent efforts in securing the demolition of the condemned property next the Funeral Home.

Mrs. Reese reminded everyone that the Apple Festival and Bigfoot Festival would be coming up and encouraged everyone to be making plans to attend.

## **Routine Business**

### 1. Approval of the June 11, 2024, Regular City Council Meeting Minutes

Upon a motion by Mrs. Reese and seconded by Mr. Dunn, the motion to *approve the June 11, 2024, minutes*, passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn	Second	Yes
Snipes		Yes

### 2. Comments from Utility Director

- a. Mr. Parris informed Council that the USDA Project is very near total completion.
- b. Mr. Parris informed Council that the electric system had sustained some outages recently and he would get an update on the installation of the new breakers that were to be installed.

### 3. Comments from the City Administrator

- a. Mr. Bronson informed Council that Mammoth Construction Company is making progress with the Hall Road Recreation Complex and recent soil testing had positive results.
- b. Mr. Bronson informed Council that bids for four generators are due August 30<sup>th</sup>.
- c. Mr. Bronson informed Council that bids for the Anderson Park project are due September 5<sup>th</sup>.
- d. Mr. Bronson informed Council that the utility bill charges for the Chauga River Water Pumps had been astronomically high and that staff had discovered an error with the demand multiplier. He added that this has been corrected.
- e. Mr. Bronson informed Council that the OJRSA has completed a planning study and is looking at restructuring the Board and making some other changes as a result of the study.
- f. Mr. Osbon informed Council that the city is planning to partner with Oconee County, Walhalla, and Seneca to include Westminster projects as a change order to an existing County Street paving contract.
- g. Mr. Osbon informed Council that staff is in the process of auditing current vacant building structures within the city.

- h. Mr. Osbon informed Council that the Farmer’s Market was on hold due to the recent heat. He added that the Christmas Parade is scheduled for December 6<sup>th</sup> with a rain date of December 13<sup>th</sup>.
- i. Mr. Bronson informed Council that there was a need for a special called meeting possibly on August 21 at 12:00 to approve second reading of the Spectrum Franchise Ordinance so that deadlines can be met with State filings of the Franchise Ordinance.

### **Old Business**

1. Consideration of the sale of Riley Street Property TMS #530-21-06-015

Mr. Bronson informed Council that Rory Jones of Jonnor Investments had withdrawn his bid offer amount of \$25,000. He added that he contacted the second highest bidder, Josh Thomas and he was agreeable to purchase the property for \$8,000, which was an amount lower than his original bid amount.

Upon a motion by Mr. Dunn and seconded by Mrs. Snipes the motion to *approve first reading of Ordinance 2024-09-10-14; an Ordinance to repeal Ordinance 2024-06-11-04 and to execute real property sale agreement between the City of Westminster and Josh Thomas of Thomas and Crain Real Estate* passed.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		No
Glymph		No
Powell		No
Reese		No
May		Yes
Dunn	Motion	Yes
Snipes	Second	Yes

### **New Business**

1. First Reading of Ordinance 2024-08-21-01; An Ordinance Granting Consent to Application for Franchise for Cable or Video Service and Setting Franchise Fee

Mr. Bronson informed Council the City received a franchise application from the Spectrum Southeast, LLC (“Spectrum”), to allow the cable telecommunications companies to serve customers within city limits. The Ordinance provides that the city will implement a franchise fee of the maximum amount allowable by state law, currently 5%.

Upon a motion by Mr. Glymph and seconded by Mrs. Reese, the motion *to approve First Reading of Ordinance 2024-08-21-01; An Ordinance Granting*

***Consent to Application for Franchise for Cable or Video Service and Setting Franchise Fee*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph	Motion	Yes
Powell		Yes
Reese	Second	Yes
May		Yes
Dunn		Yes
Snipes		Yes

2. Consideration of First Reading of Ordinance 2024-09-10-01; An Ordinance Authorizing the Execution and Delivery of a Managements Agreement with Blue Ridge Electric Cooperative; and Other Matters Relating Thereto

Mr. Bronson informed Council that this agreement allows the city to utilize BREC's expertise and leverage its capabilities to operate, maintain, and manage the City's electric system and that the contract includes provisions for compensating BREC for its participation, enabling the City to benefit from BREC's market leverage and expertise. He added that this partnership will enhance the reliability of electric services to City customers and help manage costs.

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to ***approve First Reading of Ordinance 2024-09-10-01; An Ordinance Authorizing the Execution and Delivery of a Managements Agreement with Blue Ridge Electric Cooperative; and Other Matters Relating Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May	Second	Yes
Dunn		Yes
Snipes		Yes

3. Consideration of Annexations by the 100% Annexation Petition Method

Mr. Bronson reminded Council that in 2021, Council implemented a policy requiring all new out of city limit customers to sign a covenant of annexation,

authorizing the city to annex in such property when it becomes contiguous to city limits. He added there are several properties that are now contiguous, and the Planning Commission has hosted a public hearing for the annexations and that the Board is recommending approval for annexation. Mr. Bronson also added that the covenants were recorded on the deed of the property at the Oconee County Register of Deeds.

Mr. Bronson added that per city Ordinance each annexation item will be initially zoned at R-25 and brought back before the Planning Commission to make recommendations for each property.

- a. Consideration of Ordinance # 2024-09-10-02: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.

Property located at 100 Dunlop Drive. This business owner was recruited to the site as a part of a multi-county industrial park agreement. Oconee County has agreed to allow us to be a part of that revenue sharing agreement so that we can collect 55% of the tax revenue from the property. A brief explanation of multi-county park agreements from Attorney C.D. Rhodes is attached in the agenda packet.

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to ***approve first reading of Ordinance 2024-09-10-02: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

- b. Consideration of Ordinance # 2024-09-10-03: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at 198 Dunlop Drive.*

Upon a motion by Mrs. Reese and seconded by Mr. Glymph, the motion to ***approve first reading of Ordinance 2024-09-10-03: An Ordinance***

***Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph	Second	Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes		Yes

- c. Consideration of Ordinance # 2024-09-10-04: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at 143 Oakmont Road.*

Upon a motion by Mrs. Reese and seconded by Mr. Dunn, the motion to ***approve first reading of Ordinance 2024-09-10-04: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn	Second	Yes
Snipes		Yes

- d. Consideration of Ordinance # 2024-09-10-05: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at 1405 Clearmont Road.*

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to ***approve first reading of Ordinance 2024-09-10-05: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.



<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

- e. Consideration of Ordinance # 2024-09-10-06: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at 650 Marcengill Road.*

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to ***approve first reading of Ordinance 2024-09-10-06: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

- f. Consideration of Ordinance # 2024-09-10-07: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at Lot A- Cornelia Avenue.*

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to ***approve first reading of Ordinance 2024-09-10-07: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes

May		Yes
Dunn		Yes
Snipes	Second	Yes

- g. Consideration of Ordinance # 2024-09-10-08: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at 313 Cornelia Avenue.*

Upon a motion by Mrs. Snipes and seconded by Ms. May, the motion to ***approve first reading of Ordinance 2024-09-10-08: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese		Yes
May	Second	Yes
Dunn		Yes
Snipes	Motion	Yes

- h. Consideration of Ordinance # 2024-09-10-09: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at Lot G- Nina Circle.*

Upon a motion by Ms. May and seconded by Mrs. Snipes, the motion to ***approve first reading of Ordinance 2024-09-10-09: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese		Yes
May	Motion	Yes
Dunn		Yes
Snipes	Second	Yes

- i. Consideration of Ordinance # 2024-09-10-10: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.

*Property located at Lot E- Cornelia Avenue.*

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to ***approve first reading of Ordinance 2024-09-10-10: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

- j. Consideration of Ordinance # 2024-09-10-11: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.

*Property located at 199 Nina Circle.*

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to ***approve first reading of Ordinance 2024-09-10-11: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May	Second	Yes
Dunn		Yes
Snipes		Yes

- k. Consideration of Ordinance # 2024-09-10-12: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.

*Property located at 198 Nina Circle.*

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to ***approve first reading of Ordinance 2024-09-10-12: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May	Second	Yes
Dunn		Yes
Snipes		Yes

1. Consideration of Ordinance # 2024-09-10-13: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto.  
*Property located at Lot F- Nina Circle.*

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to ***approve first reading of Ordinance 2024-09-10-13: An Ordinance Annexing Property Under 100% Annexation Method and Assigning Zoning Classification; And Other Matters Related Thereto*** passed unanimously.

<b>Member</b>	<b>Motion</b>	<b>Vote</b>
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May	Second	Yes
Dunn		Yes
Snipes		Yes

4. Consideration of Law Enforcement Assistance and Support Agreements

Mr. Bronson informed Council that Entities with law enforcement officers within the state of South Carolina may adopt mutual aid agreements to allow for officers from one entity to provide law enforcement assistance to the other entity and that the governing body of each entity must approve these agreements. The agreements to be adopted are:

- A. Agreement between the Westminster Police Department and the Oconee County Sheriff’s Office

- B. Agreement between the Westminster Police Department and the Walhalla Police Department
- C. Agreement between the Westminster Police Department and the Seneca Police Department
- D. Agreement between the Westminster Police Department and the West Union Police Department

Upon a motion by Mrs. Reese and seconded by Mr. Glymph, the motion to ***approve Law Enforcement Assistance and Support Agreements with the Oconee Sheriff’s Office, Walhalla Police Department, Seneca Police Department, and West Union Police Departments*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph	Second	Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes		Yes

5. Consideration of Policy Regarding City Council PEBA Benefits.

Mr. Bronson reminded Council that at its June 11, 2024 Meeting, the City Council voted to “opt-in” the City Councilmembers as eligible for PEBA insurance. He added that to proactively prevent the city staff from becoming bill collectors of the City Council, a policy was drafted by staff that requires any Councilmember electing to participate in the city’s insurance plan to pay their share ***prior*** to the city’s deadline for submitting the fees to PEBA. The Policy is attached to these minutes.

Upon a motion by Mr. Dunn and seconded by Mr. Glymph, the motion to ***approve a policy regarding City Council PEBA benefits*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph	Second	Yes
Powell		Yes
Reese		Yes
May		Yes
Dunn	Motion	Yes
Snipes		Yes

6. Consideration of endorsement and approval of design for Main Street, Lucky Street, and Grey Street Improvement Plan

The conceptual plan is attached these minutes.

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *approve the design for Main Street, Lucky Street, and Grey Street Improvement Plan* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

7. Consideration of Bid Award for Sewer Project to be paid for by South Carolina Infrastructure Investment Program (SCIIP)

Mr. Bronson reminded Council that in April of 2023, the South Carolina Rural Infrastructure Authority (SC RIA) awarded the city a grant for \$3,929,180 with a required city match of \$982,295 for a project total of \$4,911,475 for sewer collection improvements through the South Carolina Infrastructure Investment Program (SCIIP). He added that the grant is for the replacement of approximately 276 LF 10", 6,948 LF of 8" gravity sewer line, 35 manholes and all necessary appurtenances to replace existing mains in the service area.

Mr. Bronson added that the Rosier Group designed the project focusing on the portions of the sewer collection system most in need of replacement and rehabilitation and that solicitations for bids were advertised on the City’s website and the South Carolina Business Opportunities (SCBO) website on June 24, 2024. Mr. Bronson provided the following bid results:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate A</u>	<u>Alternate B</u>
McClam & Associates, Inc	\$1,617,995.50	\$1,675,370.50	\$1,710,495.50
HDH Construction Group, LLC	\$1,852,417.00	\$1,972,042.00	\$1,997,417.00
North American Pipeline Mgmt, Inc.	\$3,041,095.00	\$3,205,295.00	\$3,303,245.00

Upon a motion by Mr. Dunn and seconded by Mrs. Reese, the motion to *award the bid to McClam & Associates, Inc for the Base Bid Plus Alternate A of \$1,675,370.50* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Second	Yes
May		Yes
Dunn	Motion	Yes
Snipes		Yes

1. Consideration of bid award for Heirloom Farms Subdivision – Water and Sewer infrastructure projects

Mr. Bronson informed Council that SK Builders, Inc. is the developer for the Heirloom Farms subdivision being constructed about a mile to the east of Westminster City Limits on Seed Farm Road near Highway 11 and that Heirloom Farms is designed for one hundred thirty-three (133) single-family housing units. He added that the city executed an agreement with SK Builders, Inc. in early 2024 to provide water and sewer service to the subdivision and an annexation covenant has been executed and recorded as required by City Ordinance. Mr. Bronson stated that on June 27, 2024, SK Builders, Inc. purchased fifty-five (55) water and sewer taps and that the agreement to provide water and sewer service allows the City Engineer Troy Rosier to bid water and sewer installation and recommend to City Council award of bid. Mr. Rosier managed the bid process for the water and sewer system.

a. Consideration of bid award for Heirloom Farms Subdivision - Sewer infrastructure

Long & Sons Utility Co., LLC	\$ 954,913.00
Raby Construction Company, LLC	\$ 1,038,355.00
HRH Engineering Services, LLC	\$ 1,205,715.00

Upon a motion by Mrs. Snipes and seconded by Mrs. Snipes, the motion to *award the bid to Long & Sons, LLC for \$954,913.00* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Second	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

b. Consideration of bid award for Heirloom Farms Subdivision - Water infrastructure

J&M Construction, Inc.	\$ 553,075.00
Young Plumbing Co. Inc,	\$ 586,762.50
Long & Sons Utility Co., LLC	\$ 673,713.00
Raby Construction Company, LLC	\$ 714,450.00
HRH Engineering Services, LLC	\$ 714,625.00
Payne McGinn and Cummins, Inc.	\$ 732,540.00

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to **award the bid to J&M Construction, Inc. for \$553,075.00** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Second	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

8. Consideration of an application by Cross Hill Fellowship Church to rent the city’s mobile stage at 1607 Toccoa Highway on October 31, 2024

Upon a motion by Mrs. Snipes and seconded by Mrs. Snipes, the motion to **approve the rental of the city’s mobile stage to Cross Hill Fellowship and to waive the rental fees** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes



May		Yes
Dunn		Yes
Snipes	Second	Yes

9. Consideration of an application by Cleveland Rural Fire Department to rent the city’s mobile stage at 684 Cleveland Pike Road on September 28, 2024

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *approve the rental of the city’s mobile stage to Cleveland Rural Fire Department and waive the rental fees* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes	Second	Yes

**Adjourn**

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion *to adjourn the meeting at 9:00 pm* passed unanimously.

(Minutes submitted by Rebecca Overton)

\_\_\_\_\_

Mayor Brian Ramey

\_\_\_\_\_

Date

**Proposed Rules of Procedure for Special Hearing regarding the Business License  
Suspension of Chatuga Ridge Coffeehouse - August 13, 2024**

1. City Attorney to read the Rules of Procedure and portions of the Westminster City Business License Ordinance and Hospitality Tax Ordinance (listed below)
2. 15 minutes City Administrator present rationale for Business License Suspension of Chatuga Ridge Coffeehouse - 1) summary of information memo; and 2) correspondence between Chatuga Ridge and City staff, time limit enforced
3. 15 minutes Chatuga Ridge Coffeehouse present its case for appeal of Suspension of Business License, time limit enforced
4. 3 minutes City Administrator - opportunity for rebuttal, time limit enforced
5. 3 minutes Chatuga Ridge Coffeehouse - opportunity for rebuttal, time limit enforced
6. 15 minutes City Council questions for either side, time limit enforced

**§ 110.01 - LICENSE REQUIRED.**

Every person engaged or intending to engage in any business, calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, in whole or in part within the limits of the City of Westminster of Westminster, South Carolina, is required to pay an annual license tax for the privilege of doing business and obtain a business license as herein provided.

**110.05 - REGISTRATION REQUIRED.**

(A)The owner, agent, or legal representative of every business subject to this chapter, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; provided, a new business shall be required to have a business license prior to operation within the municipality

**§ 110.08 - DISPLAY AND TRANSFER.**

(A)All persons shall display the license issued to them on the original form provided by the license official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the municipality.

(B)A change of address must be reported to the license official within ten days after removal of the business to a new location and the license will be valid at the new address upon written notification by the license official and compliance with zoning and building codes. Failure to obtain the approval of the license official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable, and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

(Ord. No. 2021-11-09-01, passed 11-9-2021, eff. 5-1-2022)

**§ 110.15 - SUSPENSION OR REVOCATION OF LICENSE.**

When the license official determines:

- (1)A license has been mistakenly or improperly issued or issued contrary to law;

(2)A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this chapter;

(3)A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the license application;

(4)A licensee has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;

(5)A licensee has engaged in an unlawful activity or nuisance related to the business; or

(6)A licensee is delinquent in the payment to the municipality of any tax or fee;

The license official may give written notice to the licensee or the person in control of the business within the municipality by personal service or mail that the license is suspended pending a single hearing before Council or its designee for the purpose of determining whether the suspension should be upheld and the license should be revoked.

The written notice of suspension and proposed revocation shall state the time and place at which the hearing is to be held, and shall contain a brief statement of the reasons for the suspension and proposed revocation and a copy of the applicable provisions of this chapter.

#### **Hospitality Tax - Portions of the Ordinance**

##### **§ 37.65 - IMPOSITION OF TAX; LIABILITY OF CUSTOMER.**

(A)There is hereby imposed a Local Hospitality Tax of 2% on the gross proceeds of the sale of prepared meals and beverages sold in business-licensed establishments or caterers within the city, or sales of prepared meals and beverages sold in business-licensed establishments licensed for on-premises consumption of alcoholic beverages, beer or wine (hereinafter vendor).(B)Payment of the Hospitality Tax established hereby shall be the liability of the customer.

##### **§ 37.66 - TIME OF COLLECTION.**

The tax imposed by §§ 37.65 through 37.68 shall be collected from the customer when payment for meals or beverages is tendered and shall be held in trust for the benefit of the city until remitted as provided in § 37.67.

##### **§ 37.67 - PAYMENT OF HOSPITALITY TAX.**

(A)Payment of the Hospitality Tax established herein shall be remitted by the vendor to the city on a monthly basis, along with the return or form established by the city for that purpose, not later than the twentieth day of the month and shall cover the tax due for the previous month. Otherwise, the reporting of the taxes and the remittance of the taxes shall be declared as delinquent.

(B)Any tax not timely reported and remitted shall be subject to penalties.

(1)Vendors subject to collecting the Hospitality Tax must file each month even if no Hospitality taxes are collected or the vendor will be subject to a "Failure to File" penalty. The "Failure to File" penalty shall be \$150 for each month that the filing is delinquent as established in division (A) above.

(2)Additionally, there shall be a "Failure to Pay" penalty if the taxes are delinquent as established in division (A) above. The "Failure to Pay" penalty shall be the higher amount of either 5% of the taxes

owed or \$150. The "Failure to File" penalty shall be compounded for each month or portion thereof that the remitted taxes are delinquent.

(3) In the event that any delinquent taxes are two months delinquent (taxes not remitted to the city by the twentieth of the month following the month in which the taxes were due), the vendor shall be cited and fined \$500 in accordance with § 37.99. The vendor may pay all delinquent taxes, all associated penalties, and the fine, or the vendor will be required to appear in Municipal Court. Payment of only the delinquent taxes and associated penalties will not cause the citation to be rescinded. (C) The failure to collect from the customer the tax imposed by §§ 37.65 through 37.68 shall not relieve the vendor from making the required remittance



*Together We Grow*

**To:** Westminster City Council  
**From:** Kevin Bronson, City Administrator  
**Re:** **REVISED AUGUST 13, 2024** - Correspondence related to Suspension of Chatuga Ridge Coffeehouse Business License  
**Date:** August 13, 2024

February 7, 2024 Chatuga Ridge Coffeehouse at 136 E Main Street, Westminster

(Erica Covington, owner) purchased 2024 Business License at City Hall\*

April 10, 2024 Letter of Hospitality Tax Delinquency Mailed to Chatuga Ridge

*(The letter was mailed via certified mail and not claimed, it was also emailed and hand delivered by Bob Jones, Code Enforcement Officer. For the certified letter - the post office notes providing first notice to the recipient on April 13, 2024, second notice on April 18, 2024 and then returned as "unclaimed" to City Hall on June 12, 2024).*

April 22, 2024 Chatuga Ridge paid (cash amount\*) - A reporting form was not submitted.

April 22, 2024 at 12:01 PM Email from Erica Covington to Kiley Carter

April 22, 2024 at 12:09 PM Email from Kiley Carter to Erica Covington

April 23, 2024 at 10:17 AM Email from Kiley Carter to Erica Covington

April 24, 2024 at 2:13 PM Email from Kiley Carter to Erica Covington

April 24, 2024 at 4:36 PM Email from Erica Covington to Kiley Carter

April 24, 2024 at 6:04 PM Email from Kiley Carter to Erica Covington

April 30, 2024 at 3:33 PM Email from Kiley Carter to Erica Covington

May 7, 2024 at 10:46 AM Email from Kiley Carter to Andrew Holiday: Requests legal assistance

May 7, 2024 at 4:49 PM Email from Andrew Holiday to Kiley Carter: Request contact information

May 7, 2024 at 4:57 PM Email from Kiley Carter to Andrew Holiday: Provides contract information

May 10, 2024 at 3:41 PM Email from Andrew Holiday to Eric Covington: Information

May 13, 2024 at 10:45 AM Email to Andrew Holiday from Eric Covington

May 13, 2024 at 12:02 PM Email to Erica Covington from Kiley Carter regarding delinquency (PDF was attached and is included here)

May 14, 2024 Chatuga Ridge Coffeehouse at 136 E Main Street, Westminster (Erica Covington, owner) purchased 2025 Business License at City Hall

May 14, 2024 Chatuga Ridge Coffeehouse paid March Hospitality Taxes

May 14, 2024 Chatuga Ridge Coffeehouse paid April Hospitality Taxes

May 15, 2024 at 9:04 AM Email to Erica Covington from Kiley Carter: provided clarification and payment information

May 30, 2024 at 10:15 AM Email to Erica Covington at Chatuga Ridge from Kiley Carter regarding delinquency of Hospitality Tax (attached)

June 5, 2024 at 11:53 AM Email to Andrew Holiday from Kiley Carter requesting legal assistance

June 20, 2024 Chatuga Ridge Coffeehouse paid May Hospitality Taxes

June 30, 2024 at 11:53 AM Email to Andrew Holiday from Kiley Carter regarding Chatuga Ridge Hospitality Tax



*Together We Grow*

Delinquency

July 22, 2024 at 4:31 PM Email to Kiley Carter from Erica Covington

July 22, 2024 at 4:49 PM Email to Erica Covington from Kiley Carter

July 22, 2024 Chatuga Ridge Coffeehouse paid June Hospitality Taxes

July 22, 2024 at 6:54 PM Email to Kevin Bronson from Erica Covington

July 24, 2024 at 11:50 AM Email to Erica Covington from Kevin Bronson

\* Business license and hospitality tax fees are confidential information. Only transactions with dates are noted.

*Items in red indicated revised information provided on August 13, 2024.*

CERTIFIED MAIL™

90-21-78280-0802 \* 6666E0E696Z :CB  
RETURN TO SENDER  
UNCL TO  
UNCL TO FORWARD

42/21/9000 T 30 962 DE 1 NIXE



0002 0523 4142  
FIRST-CLASS  
2024 PM 1-13  
COLUMBIAVILLE SC 296

US POSTAGE PITNEY BOWES  
ZIP 29693 \$ 008.930  
02 7H APR 10 2024  
0001353550

Chatt 4/13/24  
Chatuga Ridge Coffeehouse  
321 Land Bridge Rd.  
Mountain Rest, SC 29664

UNCLAIMED

NAME  
1st Notice 4-13  
2nd Notice 4-18  
Return 28

29664-970921

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chetuga Ridge Coffeehouse  
 321 Land Bridge Rd.  
 Mountain Rest, SC  
 29664



9590 9402 8536 3186 2409 36

2. Article Number (Transfer from service label)

7012 2210 0002 0523 4142

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt





*Together We Grow*

**April 10, 2024**

Chatuga Ridge Coffeehouse  
136 E. Main Street  
Westminster, SC 29693

To whom it may concern,

Food and beverage tax is expected to be paid to the City of Westminster by the 20<sup>th</sup> of each month by the end of the business day. No hospitality tax has been paid by this business.

Please submit 2% of the revenue collected from February (when a business license was purchased) and March by April 20, 2024. The City will waive any late fees this one time for the February payment that was missed. If payment is not received by April 20, 2024, a \$300 late fee will be incurred. Hospitality tax is always paid in arrears. For example, the May payment will be for 2% of the revenue collected in April.

Please see attached for the City ordinances pertaining to Hospitality tax, late fees incurred, and what happens in the event that the Hospitality tax is not paid.

If you have any questions, please contact Kiley Carter at 864-647-3230.

Thank you,

Kiley Carter

Budget & Management Analyst

§ 37.65 - IMPOSITION OF TAX; LIABILITY OF CUSTOMER.

(A) There is hereby imposed a Local Hospitality Tax of 2% on the gross proceeds of the sale of prepared meals and beverages sold in business-licensed establishments or caterers within the city, or sales of prepared meals and beverages sold in business-licensed establishments licensed for on-premises consumption of alcoholic beverages, beer or wine (hereinafter vendor).

(B) Payment of the Hospitality Tax established hereby shall be the liability of the customer.

(Ord. 2002-05-16-01, passed 6-18-2002; Am. Ord. 2012-09-18-02, passed 9-18-2012)

§ 37.67 - PAYMENT OF HOSPITALITY TAX.

(A) Payment of the Hospitality Tax established herein shall be remitted by the vendor to the city on a monthly basis, along with the return or form established by the city for that purpose, not later than the twentieth day of the month and shall cover the tax due for the previous month. Otherwise, the reporting of the taxes and the remittance of the taxes shall be declared as delinquent.

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(1) Vendors subject to collecting the Hospitality Tax must file each month even if no Hospitality taxes are collected or the vendor will be subject to a "Failure to File" penalty. The "Failure to File" penalty shall be \$150 for each month that the filing is delinquent as established in division (A) above.

(2) Additionally, there shall be a "Failure to Pay" penalty if the taxes are delinquent as established in division (A) above. The "Failure to Pay" penalty shall be the higher amount of either 5% of the taxes owed or \$150. The "Failure to File" penalty shall be compounded for each month or portion thereof that the remitted taxes are delinquent.

(3) In the event that any delinquent taxes are two months delinquent (taxes not remitted to the city by the twentieth of the month following the month in which the taxes were due), the vendor shall be cited and fined \$500 in accordance with § 37.99. The vendor may pay all delinquent taxes, all associated penalties, and the fine, or the vendor will be required to appear in Municipal Court. Payment of only the delinquent taxes and associated penalties will not cause the citation to be rescinded.

(C) The failure to collect from the customer the tax imposed by §§ 37.65 through 37.68 shall not relieve the vendor from making the required remittance.

(Ord. 2002-05-16-01, passed 6-18-2002; Am. Ord. 2010-03-16-01, passed 3-16-2010; Am. Ord. 2013-03-12-04, passed 3-12-2013)

(5 COPIES PROVIDED)

**City of Westminster**  
**Hospitality Fee**  
**Monthly Reporting Form**

Name and Address of Business:

Filing Period: Month      Yr.

\_\_\_\_\_

FEI or SS# \_\_\_\_\_

\_\_\_\_\_

Contact Name: \_\_\_\_\_

\_\_\_\_\_

Contact Phone: \_\_\_\_\_

**COMPUTATION OF HOSPITALITY FEE AMOUNT DUE**

1. Hospitality Fee    \$ \_\_\_\_\_ X .02 = \$ \_\_\_\_\_  
    Gross Proceeds from sale of Food/Beverages

2. Penalties:

**Failure to File \$150.00**  
\$ \_\_\_\_\_

This penalty will be assessed on the 20th of each month if the report has not been filed with the City, even if no tax has been collected.

**Failure to Pay (5% or \$150.00)**  
\$ \_\_\_\_\_

Payments not received by the 20th of each month will receive a 5% or 150.00 penalty, whichever is greater, on the 21st for the balance owed. The City will not go by postmarks.

3. TOTAL HOSPITALITY FEE DUE    \$ \_\_\_\_\_

This return covers the period through the last day of the month and becomes delinquent after the 20<sup>th</sup> day of the following month. The only instance that you will be granted extra time is if the 20<sup>th</sup> falls on a weekend or a city observed holiday in which we are closed. You will then have the next business day to submit your payment and report.

I certify that all the information stated above is true and accurate to the best of my knowledge and belief. I understand the City of Westminster assesses penalties for making false or fraudulent statements on this reporting form.

Filed By: \_\_\_\_\_ Date: \_\_\_\_\_

Return to: City of Westminster, ATTN: Kiley Carter, PO Box 399, Westminster, SC 29693



*Together We Grow*

**April 10, 2024**

**Chatuga Ridge Coffeehouse  
136 E. Main Street  
Westminster, SC 29693**

To whom it may concern,

Food and beverage tax is expected to be paid to the City of Westminster by the 20<sup>th</sup> of each month by the end of the business day. No hospitality tax has been paid by this business.

Please submit 2% of the revenue collected from February (when a business license was purchased) and March by April 20, 2024. The City will waive any late fees this one time for the February payment that was missed. If payment is not received by April 20, 2024, a \$300 late fee will be incurred. Hospitality tax is always paid in arrears. For example, the May payment will be for 2% of the revenue collected in April.

Please see attached for the City ordinances pertaining to Hospitality tax, late fees incurred, and what happens in the event that the Hospitality tax is not paid.

If you have any questions, please contact Kiley Carter at 864-647-3230.

Thank you,

**Kiley Carter  
Budget & Management Analyst**

**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Monday, April 22, 2024 12:09 PM  
**To:** Erica Covington  
**Subject:** Re: Tax Report

You can submit the htax reporting forms through email. You must pay by cash or check. There is no way to pay online. That is coming, just not there yet.

On Apr 22, 2024, at 12:01 PM, Erica Covington <chatugaridgecoffee@gmail.com> wrote:

Good afternoon Ms. Carter,

I was wondering if we could submit the Hospitality Tax to you via email. If so, is there also any way to pay this tax online?

Blessings,

Erica Covington  
Chatuga Ridge Coffeehouse  
#ChRCH



**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Tuesday, April 23, 2024 10:17 AM  
**To:** Erica Covington  
**Cc:** Kevin Bronson  
**Subject:** RE: Tax Report  
**Attachments:** HTAX Reporting Form.pdf; HTAX Reporting Form.pdf

The City received payment yesterday for Hospitality. The problem is, a lump sum was paid with no reporting forms. We need two separate reporting forms for the months of February and March reporting the total revenue for each month along with the amount of HTAX owed for each month. Please get this to me ASAP so we can update our records. Please see attached for the reporting form. You can return these by email. Please fill out everything that is highlighted.



**Westminster**  
**SOUTH CAROLINA**  
*Together We Grow*

---

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P O Box 399  
Westminster, SC 29693  
Ph : (864)647-3230  
E : [kcarter@westminster-sc.org](mailto:kcarter@westminster-sc.org)  
[www.westminster-sc.org](http://www.westminster-sc.org)

**From:** Erica Covington <[chatugaridgcoffee@gmail.com](mailto:chatugaridgcoffee@gmail.com)>  
**Sent:** Monday, April 22, 2024 12:01 PM  
**To:** Kiley Carter <[kcarter@westminster-sc.org](mailto:kcarter@westminster-sc.org)>  
**Subject:** Tax Report

Good afternoon Ms. Carter,

I was wondering if we could submit the Hospitality Tax to you via email. If so, is there also any way to pay this tax online?

Blessings,

Erica Covington

Chatuga Ridge Coffeehouse  
#ChRCH



**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Wednesday, April 24, 2024 6:04 PM  
**To:** Erica Covington  
**Subject:** Re: htax

That was probably our codes guy. But you do in fact owe for February since your business license was bought in February.

On Apr 24, 2024, at 4:36 PM, Erica Covington <[chatugaridgecoffee@gmail.com](mailto:chatugaridgecoffee@gmail.com)> wrote:

Hey Kiley - sorry I'm just now getting back to you. I will email over the report as soon as I get back to my computer today. As for February - a gentleman from the city came by the shop at the beginning of April and gave my husband some paperwork and told him not to worry about February's HTax. He said we would start fresh for March. I'm not sure who he was as I wasn't there but I'm happy to find out. If we are mistaken please let me know.

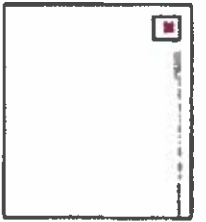
Thank you.

Erica @ Chatuga Ridge

On Wed, Apr 24, 2024, 2:13 PM Kiley Carter <[kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)> wrote:

Just checking in to make sure you received my email yesterday about the HTAX payment that was made and needing reporting forms for each month.





**Kiley Carter**

**Budget & Management Analyst**

**Human Resources**

**100 E Windsor St**

**P. O. Box 399**

**Westminster, SC 29683**

**Ph : (864)847-3230**

**E : [kcarter@govintegritysc.org](mailto:kcarter@govintegritysc.org)**

**[www.westminster.sc.gov](http://www.westminster.sc.gov)**

**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Tuesday, April 30, 2024 3:33 PM  
**To:** Erica Covington  
**Cc:** Kevin Bronson  
**Subject:** RE: htax

I never received the HTAX reporting forms from you guys. The City needs to get this all reconciled on our end. I will need those reporting forms and any additional payment (if the amount previously paid was not enough) by the start of day Friday. If we do not receive anything, this will be handed over to our attorney.  
You do need to report your February and March revenue. Fill out a reporting form for each separate month.



**Westminster**  
**SOUTH CAROLINA**  
*Together We Grow*

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P. O. Box 398  
Westminster, SC 29693  
Ph : (864)847-3230  
E : [kcarter@westminstasc.org](mailto:kcarter@westminstasc.org)  
[www.westminstasc.org](http://www.westminstasc.org)

**From:** Erica Covington <[chatugaridgecoffee@gmail.com](mailto:chatugaridgecoffee@gmail.com)>  
**Sent:** Wednesday, April 24, 2024 4:36 PM  
**To:** Kiley Carter <[kcarter@westminstasc.org](mailto:kcarter@westminstasc.org)>  
**Subject:** Re: htax

Hey Kiley - sorry I'm just now getting back to you. I will email over the report as soon as I get back to my computer today. As for February - a gentleman from the city came by the shop at the beginning of April and gave my husband some paperwork and told him not to worry about February's HTax. He said we would start fresh for March. I'm not sure who he was as I wasn't there but I'm happy to find out. If we are mistaken please let me know.

Thank you.

Erica @ Chatuga Ridge

On Wed, Apr 24, 2024, 2:13 PM Kiley Carter <[kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)> wrote:

Just checking in to make sure you received my email yesterday about the HTAX payment that was made and needing reporting forms for each month.



**Kiley Carter**

Budget & Management Analyst

Human Resources

100 E Windsor St

P. O. Box 399

Westminster, SC 29693

Ph : (864)547-3230

E : [kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)

[www.westminstersc.org](http://www.westminstersc.org)

Derrick, Ritter, Williams, & Morris, P.A.

Post Office Box 795  
Seneca, South Carolina 29679

Office: (864) 882-2747  
Fax: (864) 882-2705

**WARNING! WIRE FRAUD ADVISORY: Wire fraud and email hacking/phishing attacks are on the increase! If you have an escrow, closing, or other transaction with us and you receive an email containing Wire Transfer Instructions, DO NOT RESPOND TO THE EMAIL! Instead, call our office immediately, using previously known contact information and NOT information provided in the email, to verify the information prior to sending funds.**

**PRIVILEGE AND CONFIDENTIALITY NOTICE:** This communication (including any attachments) is being sent by or on behalf of a lawyer or law firm and may contain confidential or legally-privileged information. The sender does not intend to waive any privilege, including the attorney-client privilege, that may attach to this communication. If you are not the intended recipient, you are not authorized to intercept, read, print, retain, copy, forward or disseminate this communication. If you have received this communication in error, please notify the sender immediately by email and delete the communication and all copies, and destroy all physical copies (if any).

**CIRCULAR 230 DISCLOSURE:** To ensure compliance with requirements imposed by the IRS, please be advised that any US Federal Tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the internal revenue code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein. This advice may not be forwarded (other than within the taxpayer to which it has been sent) without our express written consent.

On Tue, May 7, 2024 at 10:46 AM Kiley Carter <kcarter@westminstersc.org> wrote:

Unfortunately, I am sending another email about HTAX issues. The Chatuga Ridge Coffee House paid \$[REDACTED] on April 22, 2024. They only came in and made a payment.

I got in touch with them multiple times over email requesting reporting forms for revenue from February (When their business license was purchased) and March. I had gotten one response saying that they would get back to me with those reports, but we have never received them. These reporting forms are essential for auditing purposes.

They had one final warning last week that if we did not receive them by last Friday, that the issue would be going to our lawyer to handle.

[cid:image001.png@01DAA069.3B193950]

Kiley Carter

Budget & Management Analyst

Human Resources

100 E Windsor St

P.O. Box 399

Westminster, SC 29693

**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Tuesday, May 7, 2024 4:57 PM  
**To:** Andrew Holliday  
**Cc:** Kevin Bronson  
**Subject:** RE: Chatuga Ridge Coffee Shop HTAX issues

Sorry about that, here is their contact information:  
Erica Covington- [chatugaridgecoffee@gmail.com](mailto:chatugaridgecoffee@gmail.com)



**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P. O. Box 398  
Westminster, SC 29693  
Ph : (864)647-3230  
E : [kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)  
[www.westminstersc.org](http://www.westminstersc.org)

**From:** Andrew Holliday <[andrew@drwmlaw.com](mailto:andrew@drwmlaw.com)>  
**Sent:** Tuesday, May 7, 2024 4:49 PM  
**To:** Kiley Carter <[kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)>  
**Cc:** Kevin Bronson <[kbronson@westminstersc.org](mailto:kbronson@westminstersc.org)>  
**Subject:** Re: Chatuga Ridge Coffee Shop HTAX issues

Can you share their contact information so I can send them a nasty-gram?

Thanks,  
Andrew Holliday

---

Andrew K. Holliday  
Attorney at Law

**Kiley Carter**

---

**From:** Andrew Holliday <andrew@drwmllaw.com>  
**Sent:** Friday, May 10, 2024 3:41 PM  
**To:** chatuganidgecoffee@gmail.com; Kiley Carter  
**Subject:** Chaturga Ridge Coffee Shop HTAX

Erica,

As you may know, I represent the City of Westminster. It is my understanding from my client that you have not filed revenue reports for several months this year that are used to calculate and audit payments made for hospitality taxes. These reports are required and very important to the City. Please provide them the Kiley Carter along with any associated taxes and penalties as soon as possible so that we can avoid any further escalation of this matter. The City does not want to litigate this matter but will if it does not receive your cooperation. Please let me know if you have any questions.

Thanks,

Andrew Holliday

-----  
Andrew K. Holliday  
Attorney at Law  
Derrick, Ritter, Williams, & Morris, P.A.

Post Office Box 795  
Seneca, South Carolina 29679

Office: (864) 882-2747  
Fax: (864) 882-2705

**WARNING! WIRE FRAUD ADVISORY: Wire fraud and email hacking/phishing attacks are on the increase! If you have an escrow, dosing, or other transaction with us and you receive an email containing Wire Transfer Instructions, DO NOT RESPOND TO THE EMAIL! Instead, call our office immediately, using previously known contact information and NOT information provided in the email, to verify the information prior to sending funds.**

**PRIVILEGE AND CONFIDENTIALITY NOTICE:** This communication (including any attachments) is being sent by or on behalf of a lawyer or law firm and may contain confidential or legally-privileged information. The sender does not intend to waive any privilege, including the attorney-client privilege, that may attach to this communication. If you are not the intended recipient, you are not authorized to intercept, read, print, retransmit, copy, forward or disseminate this communication. If you have received this communication in error, please notify the sender immediately by email and delete this communication and all copies, and destroy all physical copies (if any).

From: Erica Covington <chatugaridgecoffee@gmail.com>  
Sent: Monday, May 13, 2024 10:45 AM  
To: Andrew Holliday <andrew@drwmlaw.com>  
Cc: Kiley Carter <kcarter@westminstersc.org>  
Subject: Re: Chatuga Ridge Coffee Shop HTAX

Mr. Holliday,

Thank you for reaching out. There has clearly been a major miscommunication.

We desire nothing more than to be in-compliance, and up until receipt of this email, were unaware we were viewed otherwise. As I shared with Ms. Carter a few weeks ago, Mr. Robert Jones from the City of Westminster visited our store at the beginning of April and brought us the Hospitality Tax Form. At that time he advised my husband, co-owner of Chatuga Ridge, that we were "going to start fresh with March" and "not to worry about February". As we were visited by an Official of the City of Westminster in his uniform and City vehicle, we understood this to be a trusted representative of the City and have simply followed his instructions. Additionally, we were advised from Ms. Rebecca Overton upon receiving our business license that we would not be responsible for January's report or tax. Ms. Carter recently advised otherwise regarding February, but did not address January, so we are confused, to say the least.

I would like to be clear that the March report was filed in-person at City Hall and the tax paid in cash. April's report is not due until May 20th, so please accept my apology for my further confusion, specifically over the use of the phrase "several months this year". Again, while we desire nothing more than to be in-compliance, we have received nothing more than conflicting information from the City of Westminster as to what months are required to be filed.

Please let it be noted that we completed our initial filing, as instructed by an Official of the City of Westminster who visited us in-store in an official capacity. While we are more than happy to file any of these "several" reports that are missing, as aforementioned, we are unaware of the months to which you are referring. Additionally, while we want our status to be considered "compliant", we are not obliged to pay penalties or interest, as the information we received as to our filing requirement came directly from the City of Westminster, albeit numerous official persons with numerous official statements. Please understand anyone would be confused in this situation.

I hope to hear from you soon as we believe it is of the utmost importance to secure our financial obligations. Thank you.

Erica @ Chatuga Ridge Coffeehouse

**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Monday, May 13, 2024 12:02 PM  
**To:** Erica Covington; Andrew Holliday  
**Cc:** Kevin Bronson  
**Subject:** RE: Chatuga Ridge Coffee Shop HTAX  
**Attachments:** chatuga rdge coffehouse htax letter.pdf

Erica,

When you purchased a business license you were informed of the Hospitality Tax reporting and payment process.

You owe February – (current) revenue since your business license was purchased on February 7, 2024.

I have notified you multiple times of your non-compliance. You have acknowledged those notifications.

You are required to complete the reporting forms in their entirety – if not completed as required you are out of compliance.

As for late fees, attached is a certified letter that was sent to you stating exactly what was owed, as stated in emails also.

You owe for all months plus penalties you have incurred through your failure to properly report.

Also, your business license expired as of April 30, 2024 and has yet to be renewed. Therefore you are operating without a business license which may carry a civil penalty. Your actions may force the closure of your business through our code enforcement.



**Westminster**  
**SOUTH CAROLINA**  
*Together We Grow*

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P.O. Box 399  
Westminster, SC 29693  
Ph : (864)647-3230  
E : [k.carter@westminster-sc.org](mailto:k.carter@westminster-sc.org)  
[www.westminster-sc.org](http://www.westminster-sc.org)





*Together We Grow*

**April 10, 2024**

**Chatuga Ridge Coffeehouse  
136 E. Main Street  
Westminster, SC 29693**

To whom it may concern,

Food and beverage tax is expected to be paid to the City of Westminster by the 20<sup>th</sup> of each month by the end of the business day. No hospitality tax has been paid by this business.

Please submit 2% of the revenue collected from February (when a business license was purchased) and March by April 20, 2024. The City will waive any late fees this one time for the February payment that was missed. If payment is not received by April 20, 2024, a \$300 late fee will be incurred. Hospitality tax is always paid in arrears. For example, the May payment will be for 2% of the revenue collected in April.

Please see attached for the City ordinances pertaining to Hospitality tax, late fees incurred, and what happens in the event that the Hospitality tax is not paid.

If you have any questions, please contact Kiley Carter at 864-647-3230.

Thank you,

**Kiley Carter  
Budget & Management Analyst**

**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Thursday, May 30, 2024 10:15 AM  
**To:** Erica Covington; Andrew Holliday  
**Cc:** Kevin Bronson  
**Subject:** FW: HTAX

Please see below for the email that was sent a couple of weeks ago. This has yet to be cleared up. There is also \$300 worth of late fees owed along with the 2% owed from February gross revenue.



**Westminster**  
**SOUTH CAROLINA**  
*Together We Grow*

---

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
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Ph : (864)647-3230  
E : [kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)  
[www.westminstersc.org](http://www.westminstersc.org)

**From:** Kiley Carter  
**Sent:** Wednesday, May 15, 2024 9:04 AM  
**To:** Erica Covington <[chatugaridgcoffee@gmail.com](mailto:chatugaridgcoffee@gmail.com)>; Andrew Holliday <[andrew@drwmlaw.com](mailto:andrew@drwmlaw.com)>  
**Cc:** Kevin Bronson <[kbronson@westminstersc.org](mailto:kbronson@westminstersc.org)>  
**Subject:** HTAX

We are almost there! As of yesterday, March and April HTAX have been paid along with the proper reporting forms. I spoke with the City Administrator for clarification and Hospitality tax is still owed for the month of February since you all were open for business. Payment and a reporting form is still needed as soon as possible.

**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Wednesday, June 5, 2024 11:53 AM  
**To:** Andrew Holliday  
**Cc:** Kevin Bronson  
**Subject:** FW: HTAX

Kevin and I talked and he is ready for you to take action on our behalf. The Coffee shop has not responded to either of my two emails about paying February HTAX.



**Westminster**  
**SOUTH CAROLINA**  
*Together We Grow*

---

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P O Box 399  
Westminster, SC 29693  
Ph : (864)647-3230  
E : [kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)  
[www.westminstersc.org](http://www.westminstersc.org)

**From:** Kiley Carter  
**Sent:** Thursday, May 30, 2024 10:15 AM  
**To:** Erica Covington <[chatugaridgecoffee@gmail.com](mailto:chatugaridgecoffee@gmail.com)>; Andrew Holliday <[andrew@drwmlaw.com](mailto:andrew@drwmlaw.com)>  
**Cc:** Kevin Bronson <[kbronson@westminstersc.org](mailto:kbronson@westminstersc.org)>  
**Subject:** FW: HTAX

Please see below for the email that was sent a couple of weeks ago. This has yet to be cleared up. There is also \$300 worth of late fees owed along with the 2% owed from February gross revenue.



**Westminster**  
**SOUTH CAROLINA**  
*Together We Grow*

---

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P O Box 399  
Westminster, SC 29693  
Ph : (864)647-3230  
E : [kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)  
[www.westminstersc.org](http://www.westminstersc.org)

**From:** Kiley Carter  
**Sent:** Wednesday, May 15, 2024 9:04 AM  
**To:** Erica Covington <[chaturaridgecoffee@gmail.com](mailto:chaturaridgecoffee@gmail.com)>; Andrew Holliday <[andrew@drwmlaw.com](mailto:andrew@drwmlaw.com)>  
**Cc:** Kevin Bronson <[kbronson@westminstersc.org](mailto:kbronson@westminstersc.org)>  
**Subject:** HTAX

We are almost there! As of yesterday, March and April HTAX have been paid along with the proper reporting forms. I spoke with the City Administrator for clarification and Hospitality tax is still owed for the month of February since you all were open for business. Payment and a reporting form is still needed as soon as possible.



**Westminster**  
**SOUTH CAROLINA**  
*Togedzoh We Grow*

---

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P.O. Box 399  
Westminster, SC 29693  
Ph : (864)647-3230  
E : [kccarter@westminstersc.org](mailto:kccarter@westminstersc.org)  
[www.westminstersc.org](http://www.westminstersc.org)



*Together We Grow*

June 20, 2024

VIA ELECTRONIC AND REGULAR MAIL [chatugaridgecoffee@gmail.com](mailto:chatugaridgecoffee@gmail.com)

321 Land Bridge Rd.  
Mountain Rest, SC 29664

136 E. Main Street  
Westminster, SC, 29693

**RE: Hospitality Tax Delinquency- Notice of Business License Suspension and Proposed Revocation**

Ms. Covington,

As you are aware, the City of Westminster seeks your compliance with the Hospitality Tax provisions found within §37.65-§37.99 of the Westminster Code of Ordinances. While you have rectified some of your hospitality tax filings and remitted some of the associated fees since our last correspondence, the filing for the month of February 2024 and the tax associated therewith have not yet been paid. Pursuant to Subsection 6 of §110.15 of the Westminster Code of Ordinances, the City has the ability to suspend or revoke a business license when a licensee is "delinquent in the payment to the municipality of any tax or fee."

Also provided with §110.15, you have a right to a hearing before the City Council for the purpose of determining whether the suspension should be upheld, and the license should be revoked. Please be advised that your license is suspended pending a single hearing before Council on August 13, 2024, beginning at 6PM at the Fire Department, 216 Emergency Ln, Westminster, SC 29693. Please find enclosed a copy of the applicable provisions of Chapters 37 and 110 of the Code of Ordinances for the City of Westminster.

Respectfully,

Rebecca Overton  
City Clerk

**§ 37.65 - IMPOSITION OF TAX; LIABILITY OF CUSTOMER.**

- (A) There is hereby imposed a Local Hospitality Tax of 2% on the gross proceeds of the sale of prepared meals and beverages sold in business-licensed establishments or caterers within the city, or sales of prepared meals and beverages sold in business-licensed establishments licensed for on-premises consumption of alcoholic beverages, beer or wine (hereinafter vendor).
- (B) Payment of the Hospitality Tax established hereby shall be the liability of the customer.

(Ord. 2002-05-16-01, passed 6-18-2002; Am. Ord. 2012-09-18-02, passed 9-18-2012)

**§ 37.66 - TIME OF COLLECTION.**

The tax imposed by ~~§§ 37.65~~ through ~~37.68~~ shall be collected from the customer when payment for meals or beverages is tendered and shall be held in trust for the benefit of the city until remitted as provided in ~~§ 37.67~~.

(Ord. 2002-05-16-01, passed 6-18-2002)

**§ 37.67 - PAYMENT OF HOSPITALITY TAX.**

- (A) Payment of the Hospitality Tax established herein shall be remitted by the vendor to the city on a monthly basis, along with the return or form established by the city for that purpose, not later than the twentieth day of the month and shall cover the tax due for the previous month. Otherwise, the reporting of the taxes and the remittance of the taxes shall be declared as delinquent.
- (B) Any tax not timely reported and remitted shall be subject to penalties.
  - (1) Vendors subject to collecting the Hospitality Tax must file each month even if no Hospitality taxes are collected or the vendor will be subject to a "Failure to File" penalty. The "Failure to File" penalty shall be \$150 for each month that the filing is delinquent as established in division (A) above.
  - (2) Additionally, there shall be a "Failure to Pay" penalty if the taxes are delinquent as established in division (A) above. The "Failure to Pay" penalty shall be the higher amount of either 5% of the taxes owed or \$150. The "Failure to File" penalty shall be compounded for each month or portion thereof that the remitted taxes are delinquent.
  - (3) In the event that any delinquent taxes are two months delinquent (taxes not remitted to the city by the twentieth of the month following the month in which the taxes were due), the vendor shall be cited and fined \$500 in accordance with ~~§ 37.99~~. The vendor may pay all delinquent taxes, all associated penalties, and the fine, or the vendor will be required to appear in Municipal Court. Payment of only the delinquent taxes and associated penalties will not cause the citation to be rescinded.

(C) The failure to collect from the customer the tax imposed by §§ 37.65 through 37.68 shall not relieve the vendor from making the required remittance.

(Ord. 2002-05-16-01, passed 6-18-2002; Am. Ord. 2010-03-16-01, passed 3-16-2010; Am. Ord. 2013-03-12-04, passed 3-12-2013)

**§ 37.68 - LOCAL HOSPITALITY TAX ACCOUNT.**

There is hereby established a special account to be known as the Local Hospitality Tax Account into which the taxes remitted shall be deposited by the city and used solely for the purposes provided by law.

(Ord. 2002-05-16-01, passed 6-18-2002)

**§ 37.99 - PENALTY.**

The failure of any vendor subject to §§ 37.65 through 37.68 to remit to the city the tax imposed by the provisions of §§ 37.65 through 37.68 shall constitute a misdemeanor punishable by a fine of not more than \$500 or imprisonment for up to 30 days or both.

(Ord. 2002-05-16-01, passed 6-18-2002)

**§ 110.15 - SUSPENSION OR REVOCATION OF LICENSE.**

**When the license official determines:**

- (1) A license has been mistakenly or improperly issued or issued contrary to law;**
- (2) A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this chapter;**
- (3) A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the license application;**
- (4) A licensee has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;**
- (5) A licensee has engaged in an unlawful activity or nuisance related to the business; or**
- (6) A licensee is delinquent in the payment to the municipality of any tax or fee;**

**The license official may give written notice to the licensee or the person in control of the business within the municipality by personal service or mail that the license is suspended pending a single hearing before Council or its designee for the purpose of determining whether the suspension should be upheld and the license should be revoked.**

**The written notice of suspension and proposed revocation shall state the time and place at which the hearing is to be held, and shall contain a brief statement of the reasons for the suspension and proposed revocation and a copy of the applicable provisions of this chapter.**

**(Ord. No. 2021-11-09-01, passed 11-9-2021, eff. 5-1-2022)**



**Kiley Carter**

---

**From:** Kiley Carter  
**Sent:** Monday, July 22, 2024 4:49 PM  
**To:** Erica Covington  
**Cc:** Kevin Bronson  
**Subject:** RE: June Sales Tax Report

Thank you for sending the report. How do you plan to pay? Payment is due by 5 pm today to avoid late fees.



---

**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P.O. Box 399  
Westminster, SC 29693  
Ph : (864)647-3230  
E : [kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)  
[www.westminstersc.org](http://www.westminstersc.org)

**From:** Erica Covington <[chatugaridgecoffee@gmail.com](mailto:chatugaridgecoffee@gmail.com)>  
**Sent:** Monday, July 22, 2024 4:31 PM  
**To:** Kiley Carter <[kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)>; [zcov124@gmail.com](mailto:zcov124@gmail.com); [ashaley@boatwrightlegal.com](mailto:ashaley@boatwrightlegal.com)  
**Subject:** June Sales Tax Report

## Kevin Bronson

---

**From:** Kevin Bronson  
**Sent:** Wednesday, July 24, 2024 11:50 AM  
**To:** Erica Covington  
**Cc:** zcov124@gmail.com; ashaley@boatwrightlegal.com; Kiley Carter  
**Subject:** RE: June Sales Tax Report

Erica,  
We received your payment.  
Thank you,



**Kevin Bronson**  
City Administrator  
100 E Windsor St  
P.O. Box 399  
Westminster, SC 29693  
Ph : (864) 647-3232  
E : [kbronson@westminstersc.org](mailto:kbronson@westminstersc.org)  
[www.westminstersc.org](http://www.westminstersc.org)

---

**From:** Erica Covington <[chatugaridgecoffee@gmail.com](mailto:chatugaridgecoffee@gmail.com)>  
**Sent:** Monday, July 22, 2024 6:54 PM  
**To:** Kevin Bronson <[kbronson@westminstersc.org](mailto:kbronson@westminstersc.org)>  
**Cc:** zcov124@gmail.com; ashaley@boatwrightlegal.com  
**Subject:** Re: June Sales Tax Report

The check for June's Sales Tax has been dropped in the drop-box on Mimosa Street. Thank you so much for working with us on this today.

Blessings,

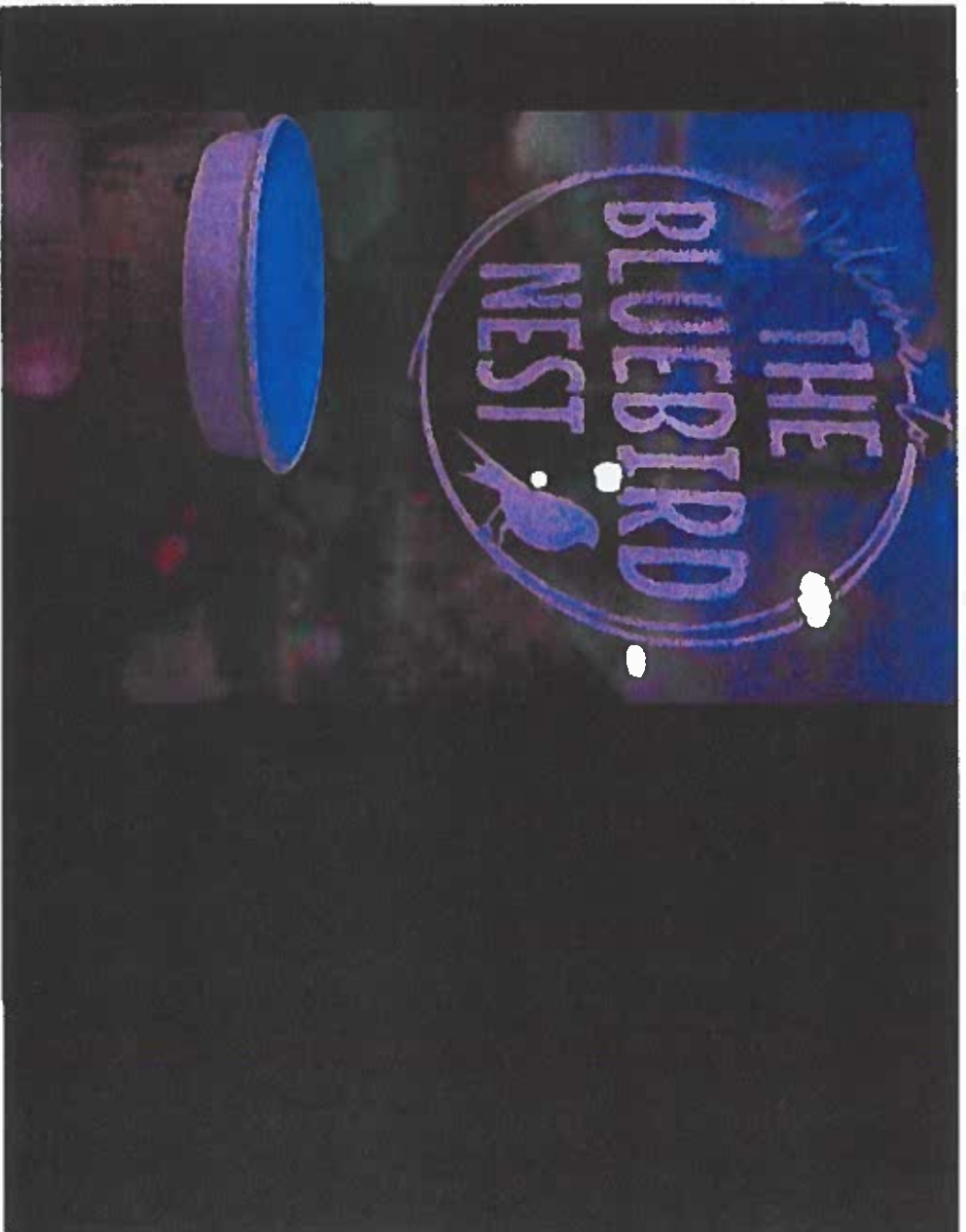
Erica and Zack Covington

On Mon, Jul 22, 2024, 4:49 PM Kiley Carter <[kcarter@westminstersc.org](mailto:kcarter@westminstersc.org)> wrote:

Thank you for sending the report. How do you plan to pay? Payment is due by 5 pm today to avoid late fees.



**Kiley Carter**  
Budget & Management Analyst  
Human Resources  
100 E Windsor St  
P.O. Box 399



**Chattuga Ridge Coffeehouse** ...  
January 8 · 📍

What better way to spend a rainy day than inside a cozy coffeehouse? ☕

Open tomorrow from 8a-3p @ our new storefront located at 136 E. Main St. Westminster, SC

There are two ways to access the coffeehouse: come thru The Bluebird Nest or use our private entrance located on Retreat Street next to the coffee trailer. Either way you enter, please take some time to check out The Bluebird and all they have to offer. Bonus points: show us your Bluebird receipt and receive 15% off your purchase.


Also, introducing our IN-STORE only special: The Bluebird ☘ she's a creamy white chocolate, toffee and marshmallow coffee. As always, served hot, iced or frozen! ☘ See less

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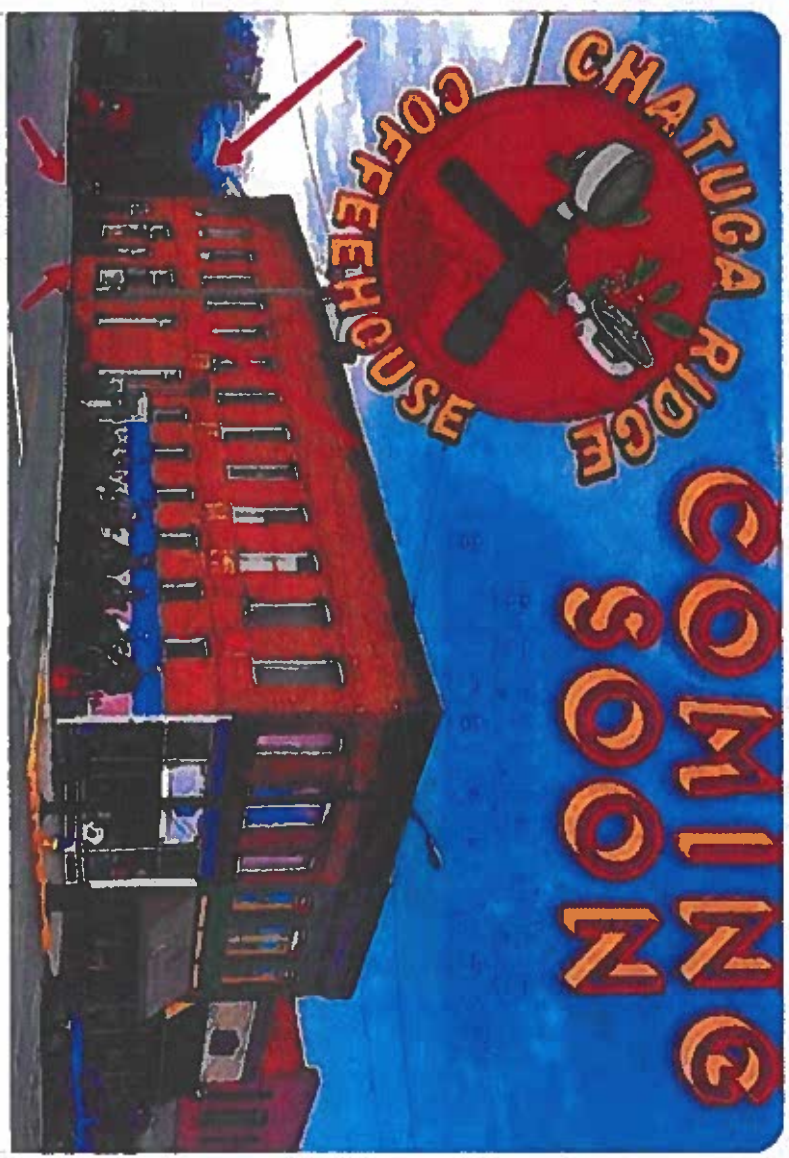
Most relevant ▾

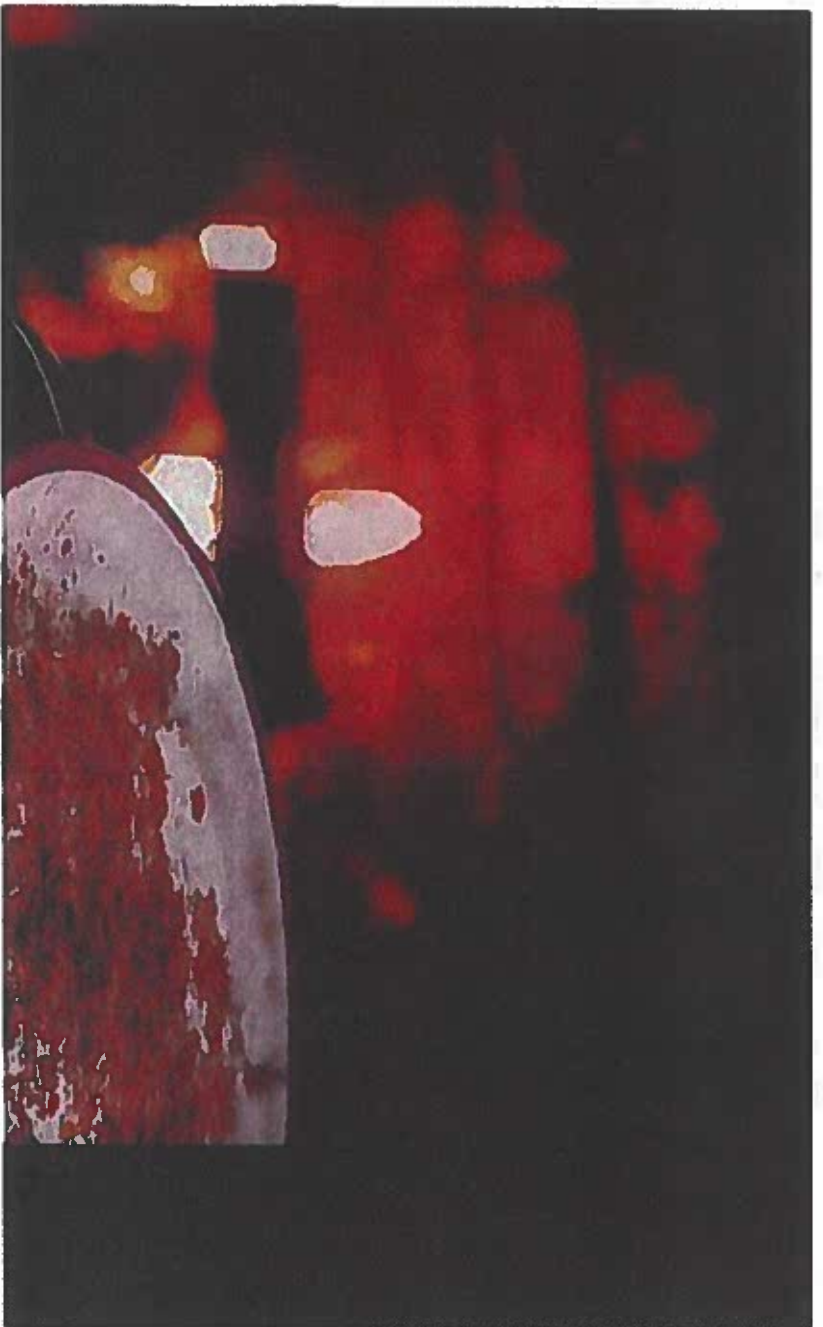


**Chatuga Ridge Coffeehouse**  
January 9 • 

...

**We're open! Today til 3pm. Come check out The Bluebird Nest and enjoy your coffee by the fire **





**Chattuga Ridge Coffeehouse**  
January 9 · Westminster · 📍

...

«[SHOUT OUT]»

We have an hour left til our first close and we just can't go any further without saying THANK YOU!!! Thank you to everyone who came and supported our soft opening today. Thank you for welcoming our business to the Westminster community. It's been an amazing day and we are so excited for the days to come!

For the remainder of the week we'll be open from 8a-3p @thebluebirdnest64. We'll also be open Saturday from 9a-1p. 🍷

Keep a check on our socials as we'll be posting updated hours, new ways to order, events, etc in the very near future!

#ChickI findyourhappy #community See less  
— at The Bluebird Nest

👍👍 73

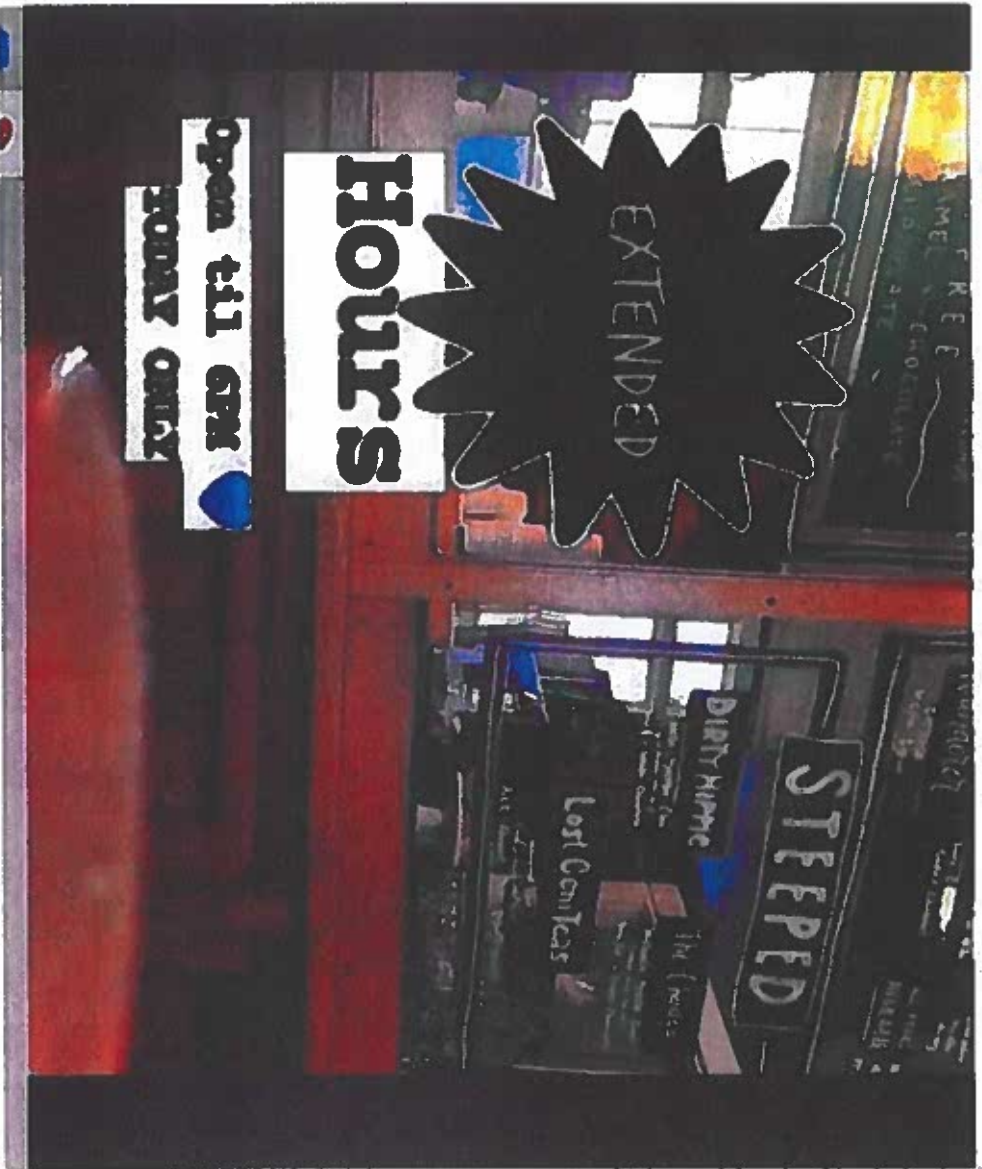
26 🍷 8 📍



**Chattuga Ridge Coffeehouse**

January 10 • ☺

Today only ☺ we'll be open at the store until 6PM!



Information Contained Herein was Copied/Pasted from City of Westminster Memo

To: Westminster City Council

From: Kevin Bronson, City Administrator

Re: Correspondence related to Suspension of Chatuga Ridge Coffeehouse Business License

Date: August 12, 2024

And is distinguished from the responses of Chatuga Ridge Coffeehouse by Gray Highlights

CHATUGA RIDGE COFFEEHOUSE FACTS/DETAILS ARE BULLETED IN ALL CAPS WITH NO GRAY HIGHLIGHTS

- JANUARY 8, 2024, TEXT MESSAGE FROM LANDLORD, LACEY WATKINS MOORE, TO ERICA COVINGTON REGARDING PURCHASE OF CITY BUSINESS LICENSE [SEE LACEYWATKINS\_SC1]
- JANUARY 9, 2024 OPENING DAY AT CHATUGA RIDGE COFFEEHOUSE STOREFRONT AT 136 E. MAIN STREET, WESTMINSTER
- FEBRUARY 2, 2024 ERICA COVINGTON ADVISED BY LACEY WATKINS MOORE THAT CLERK WAS BACK AT WORK AND ANTICIPATING OUR BUSINESS LICENSE APPLICATION

February 7, 2024 Chatuga Ridge Coffeehouse at 136 E Main Street, Westminster (Erica Covington, owner) purchased 2024 Business License at City Hall\*

- ADDED – BUSINESS LICENSE WAS PURCHASED BY ZACK COVINGTON
- ADDED – REBECCA OVERTON PROVIDED ZACK WITH HOSPITALITY TAX REQUIREMENTS, FORMS AND ADVISED HIM NOT TO WORRY ABOUT THE HTAX FOR JANUARY/FEBRUARY BUT START WITH A CLEAN SLATE IN MARCH

April 10, 2024 Letter of Hospitality Tax Delinquency Mailed to Chatuga Ridge

- APRIL 11, 2024 BOB JONES VISITED CHATUGA RIDGE COFFEEHOUSE TO DELIVERY HTAX REPORTING FORMS WITH ASSOCIATED CODES FROM TITLE III – CHAPTER 37 – SUBSECTION 37.65-37.99. MR. JONES ADVISED ZACK COVINGTON THAT HE WAS SENT WITH THE FORMS BY REBECCA OVERTON AND TOLD TO TELL US NOT TO WORRY ABOUT THE HTAX FOR FEBRUARY BUT THAT WE WERE RESPONSIBLE FOR MARCH TAXES.
- APRIL 11, 2024 TEXT FROM LACEY WATKINS MOORE TO ERICA COVINGTON STATING CITY HALL WAS ASKING ABOUT OUR SUBMISSION OF "HTAX INFO"

April 22, 2024 Chatuga Ridge paid (cash amount\*) -A reporting form was not submitted.

- ADDED – MARCH HTAX FORM WAS COMPLETED IN-PERSON AT CITY HALL BY ZACK COVINGTON AND HANDED TO THE WOMAN AT THE FRONT DESK ALONG WITH CASH PAYMENT

*-No Form*

April 22, 2024 at 12:01 PM Email from Erica Covington to Kiley Carter

- ADDED – EMAIL SENT PRIOR TO SUBMISSION OF MARCH HTAX FORM AND PAYMENT

April 22, 2024 at 12:09 PM Email from Kiley Carter to Erica Covington

- ADDED – EMAIL PRIOR TO SUBMISSION OF MARCH HTAX FORM AND PAYMENT

April 23, 2024 at 10:17 AM Email from Kiley Carter to Erica Covington

April 24, 2024 at 2:13 PM Email from Kiley Carter to Erica Covington

April 24, 2024 at 4:36 PM Email from Erica Covington to Kiley Carter

- ADDED – ERICA CONFIRMED WOULD SEND A COPY OF MARCH HTAX FORM AND SHARED THE INFORMATION AS OUTLINED ON APRIL 11, 2024

April 24, 2024 at 6:04 PM Email from Kiley Carter to Erica Covington

- ADDED – MS. CARTER CONFIRMED THE MAN WHO VISITED OUR STORE WAS BOB JONES – CODES ENFORCEMENT

April 30, 2024 at 3:33 PM Email from Kiley Carter to Erica Covington

May 7, 2024 at 10:46 AM Email from Kiley Carter to Andrew Holiday: Requests legal assistance

May 7, 2024 at 4:49 PM Email from Andrew Holiday to Kiley Carter: Request contact information

May 7, 2024 at 4:57 PM Email from Kiley Carter to Andrew Holiday: Provides contract information

- ADDED – UNSURE OF WHAT CONTRACT INFORMATION IS REFERENCING

May 10, 2024 at 3:41 PM Email from Andrew Holiday to Eric Covington: Information

- ADDED – UNSURE OF TO WHOM ERIC COVINGTON IS REFERRING
- MAY 10, 2024 ERICA RECEIVED EMAIL FROM ANDREW HOLLIDAY NOTING “SEVERAL MONTHS OF MISSING REPORTS” WITH NO DETAILS PROVIDED. LITIGATION THREATENED. ALL CORRESPONDENCE FROM THE CITY FROM THIS POINT FORWARD WAS FORWARDED TO CHATUGA RIDGE COFFEEHOUSE ATTORNEY. LACK OF RESPONSE TO EMAILS FROM KILEY CARTER WAS BASED ON THE THREAT OF LITIGATION FROM ATTORNEY HOLLIDAY. CHATUGA RIDGE WAS AWAITING RESPONSE FROM LEGAL COUNSEL.

May 13, 2024 at 10:45 AM Email to Andrew Holiday from Eric Covington

- ADDED – UNSURE OF TO WHOM ERIC COVINGTON IS REFERRING
- MAY 13, 2024 ERICA EMAILED ANDREW HOLLIDAY REQUESTING CLARITY OF ALLEGATIONS OUTLINED IN HIS EMAIL – NO ADDITIONAL CORRESPONDENCE FROM CITY ATTORNEY, ANDREW HOLLIDAY, WAS RECEIVED BY CHATUGA RIDGE COFFEEHOUSE AFTER HIS INITIAL EMAIL

May 13, 2024 at 12:02 PM Email to Erica Covington from Kiley Carter regarding delinquency (PDF was attached and is included here)

- ADDED – NO MENTION BY A CITY OFFICIAL OF ANY BUSINESS LICENSE OR HTAX ISSUES OR DISCREPANCIES FOR THE MONTH OF JANUARY IN ANY CORRESPONDENCE BETWEEN THE CITY AND CHATUGA RIDGE COFFEEHOUSE [UNTIL AUGUST 12, 2024 – DAY PRIOR TO OUR HEARING]
- ADDED - ALL CORRESPONDENCE FROM THE CITY WAS FORWARDED TO CHATUGA RIDGE COFFEEHOUSE ATTORNEY. LACK OF RESPONSE TO EMAILS FROM KILEY CARTER WAS BASED ON THE THREAT OF LITIGATION FROM ATTORNEY HOLLIDAY. CHATUGA RIDGE WAS AWAITING RESPONSE FROM LEGAL COUNSEL.

May 14, 2024 Chatuga Ridge Coffeehouse at 136 E Main Street, Westminster (Erica Covington, owner) purchased 2025 Business License at City Hall

May 14, 2024 Chatuga Ridge Coffeehouse paid March Hospitality Taxes

- ADDED – MISALIGNMENT WITH PREVIOUSLY REPORTED INFORMATION
  - SEE INFORMATION ABOVE DATED APRIL 22, 2024 WHERE CASH WAS PAID WHEN MARCH RETURN WAS FILED
  - CITY OF WESTMINSTER ACKNOWLEDGED RECEIPT OF “LUMP SUM” [SEE EMAIL DATED APRIL 23, 2024 FROM KILEY CARTER TO ERICA COVINGTON]
  - ERICA COVINGTON RESPONDED AND NOTIFIED MS. CARTER THE PAYMENT DID NOT INCLUDE FEBRUARY [SEE EMAIL DATED APRIL 24, 2024 FROM ERICA COVINGTON TO KILEY CARTER]
  -

May 14, 2024 Chatuga Ridge Coffeehouse paid April Hospitality Taxes

May 15, 2024 at 9:04 AM Email to Erica Covington from Kiley Carter: provided clarification and payment information

- ADDED - ALL CORRESPONDENCE FROM THE CITY WAS FORWARDED TO CHATUGA RIDGE COFFEEHOUSE ATTORNEY. LACK OF RESPONSE TO EMAILS FROM KILEY CARTER WAS BASED ON THE THREAT OF LITIGATION FROM ATTORNEY HOLLIDAY. CHATUGA RIDGE WAS AWAITING RESPONSE FROM LEGAL COUNSEL.



May 30, 2024 at 10:15 AM Email to Erica Covington at Chatuga Ridge from Kiley Carter regarding delinquency of Hospitality Tax (attached)

- ADDED - ALL CORRESPONDENCE FROM THE CITY WAS FORWARDED TO CHATUGA RIDGE COFFEEHOUSE ATTORNEY. LACK OF RESPONSE TO EMAILS FROM KILEY CARTER WAS BASED ON THE THREAT OF LITIGATION FROM ATTORNEY HOLLIDAY. CHATUGA RIDGE WAS AWAITING RESPONSE FROM LEGAL COUNSEL.

June 5, 2024 at 11:53 AM Email to Andrew Holiday from Kiley Carter requesting legal assistance

- JUNE 20, 2024 CHATUGA RIDGE COFFEEHOUSE EMPLOYEE RECEIVED NOTICE OF SUSPENSION AND PROPOSED REVOCATION – DELIVERED BY BOB JONES. ERICA AND ZACK COVINGTON IMMEDIATELY WENT TO CITY HALL TO SPEAK WITH CITY CLERK, REBECCA OVERTON

June 20, 2024 Chatuga Ridge Coffeehouse paid May Hospitality Taxes

- ADDED – PAYMENT AND FILING WAS DONE AT THE SAME TIME CHATUGA RIDGE VISITED CITY HALL TO DISCUSS ITS BUSINESS LICENSE SUSPENSION WITH REBECCA OVERTON
- ADDED – CITY ADMINISTRATOR KEVIN BRONSON STOPPED US ON OUR WAY TO MS. OVERTON'S OFFICE AND DIRECTED US TO A CONFERENCE ROOM WHERE WE ONCE AGAIN EXPLAINED ALL INFORMATION AS OUTLINED HERE
- ADDED – SPECIFICALLY REQUESTED INFORMATION ON HOW TO FIX THIS ISSUE, APPEALS PROCESS, OUR RIGHTS, ETC.
- ADDED – OFFERED RESOLUTION TO WHICH ADMINISTRATOR ADVISED ONLY RESOLUTION WAS “PAY FEBRUARY HTAX, ALL ASSOCIATED PENALTIES, OR YOU’RE DONE IN THE CITY OF WESTMINSTER”
- JUNE 20, 2024 MAYOR BRIAN RAMEY VISITED HATUGA RIDGE COFFEEHOUSE [NOW CLOSED] TO DISCUSS ISSUES – ADVISED OUR RECOURSE WAS TO PAY FEBRUARY HTAX PLUS ALL ASSOCIATED PENALTIES AND THEN HE COULD CALL A SPECIAL COUNSEL MEETING TO TRY AND REINSTATE OUR LICENSE – ADVISED IF WE COULD NOT PAY IN-FULL, NOT TO PAY AT ALL AND TO WAIT FOR THIS HEARING
- JUNE 21, 2024 CONGRESSMAN GRESHAM BARRETT VISITED MAYOR RAMEY TO ADVOCATE FOR CHATUGA RIDGE COFFEEHOUSE – REQUESTED INFORMATION ON HOW TO REMEDY THE SITUATION – WAS ADVISED OUR RECOURSE WAS TO PAY FEBRUARY HTAX PLUS ALL ASSOCIATED PENALTIES, THEN HE COULD CALL A SPECIAL COUNSEL MEETING
- JUNE 21, 2024 RECEIVED LEASE TERMINATION NOTICE FROM LANDLORD, LACEY WATKINS MOORE
- JUNE 24, 2024 MAIN FULL-TIME EMPLOYEES QUIT

June 30, 2024 at 11:53 AM Email to Andrew Holiday from Kiley Carter regarding Chatuga Ridge Hospitality Tax Delinquency

July 22, 2024 at 4:31 PM Email to Kiley Carter from Erica Covington

- ADDED – EMAIL SENT AT 4:30PM – EMAIL WAS JUNE’S HTAX REPORTING FORM

July 22, 2024 at 4:49 PM Email to Erica Covington from Kiley Carter

- JULY 22, 2024 ERICA COVINGTON EMAILED KEVIN BRONSON TO ADVISE THAT JUNE’S HTAX PAYMENT HAD BEEN PAID

July 22, 2024 Chatuga Ridge Coffeehouse paid June Hospitality Taxes

- JULY 24, 2024 RECIVED EMAIL FROM KEVIN BRONSON ACKNOWLEDING RECEIPT OF PAYMENT
- JULY 30, 2024 DISCOVERY OF WITHHELD INFORMATION FROM TITLE XI – CHAPTER 110 – SUBSECTION 110.16 – OUR RIGHT TO APPEAL THE DECISION IN WRITING

8:53

4G 16%

← Lacey Watkins



Monday, Jan 8 • 10:03 AM

Now is perf!

Fire inspection is coming right now to recheck the back. Otherwise you're good to go. The business license lady is leaving today because she's sick, but she said you can go ahead and open & you can get the license when she's back. No one is going to shut yall down 🤞 she just needs a copy of our "vendor contract" since it's not a lease, so I'll make that copy today!



Yay!!! This is GREAT news ❤️❤️❤️ thank you so much for checking into it!! We're headed there now to fix plumbing and finish moving in. 🙌🙌🙌🙌 And I've got the cash with me!

Perf! He just left:



I've got to go get ceiling tiles to cover the

😊 Text message



§ 110.16 - APPEALS TO COUNCIL OR ITS DESIGNEE.

- (A) Except with respect to appeals of assessments under Section 11 hereof, which are governed by S.C. Code § 6-1-410, any person aggrieved by a determination, denial, or suspension and proposed revocation of a business license by the license official may appeal the decision to the Council or its designee by written request stating the reasons for appeal, filed with the license official within ten days after service by mail or personal service of the notice of determination, denial, or suspension and proposed revocation.
- (B) A hearing on an appeal from a license denial or other determination of the license official and a hearing on a suspension and proposed revocation shall be held by the Council or its designee within ten business days after receipt of a request for appeal or service of a notice of suspension and proposed revocation. The hearing shall be held upon written notice at a regular or special meeting of the Council, or, if by designee of the Council, at a hearing to be scheduled by the designee. The hearing may be continued to another date by agreement of all parties. At the hearing, all parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by Council or its designee shall govern the hearing. Following the hearing, the Council by majority vote of its members present, or the designee of Council if the hearing is held by the designee, shall render a written decision based on findings of fact and conclusions on application of the standards herein. The written decision shall be served, by personal service or by mail, upon all parties or their representatives and shall constitute the final decision of the municipality.
- (C) Timely appeal of a decision of Council or its designee does not effectuate a stay of that decision. The decision of the Council or its designee shall be binding and enforceable unless overturned by an applicable appellate court after a due and timely appeal.
- (D) For business licenses issued to businesses subject to business license taxes under S.C. Code Article 20, Chapter 9, Title 58, and S.C. Code Chapters 7 and 45, Title 38, the municipality may establish a different procedure by ordinance.

(Ord. No. 2021-11-09-01, passed 11-9-2021, eff. 5-1-2022)

Proposed Amendment to 2024-08-13-01

Removal of Failure to File Penalty for January 2024

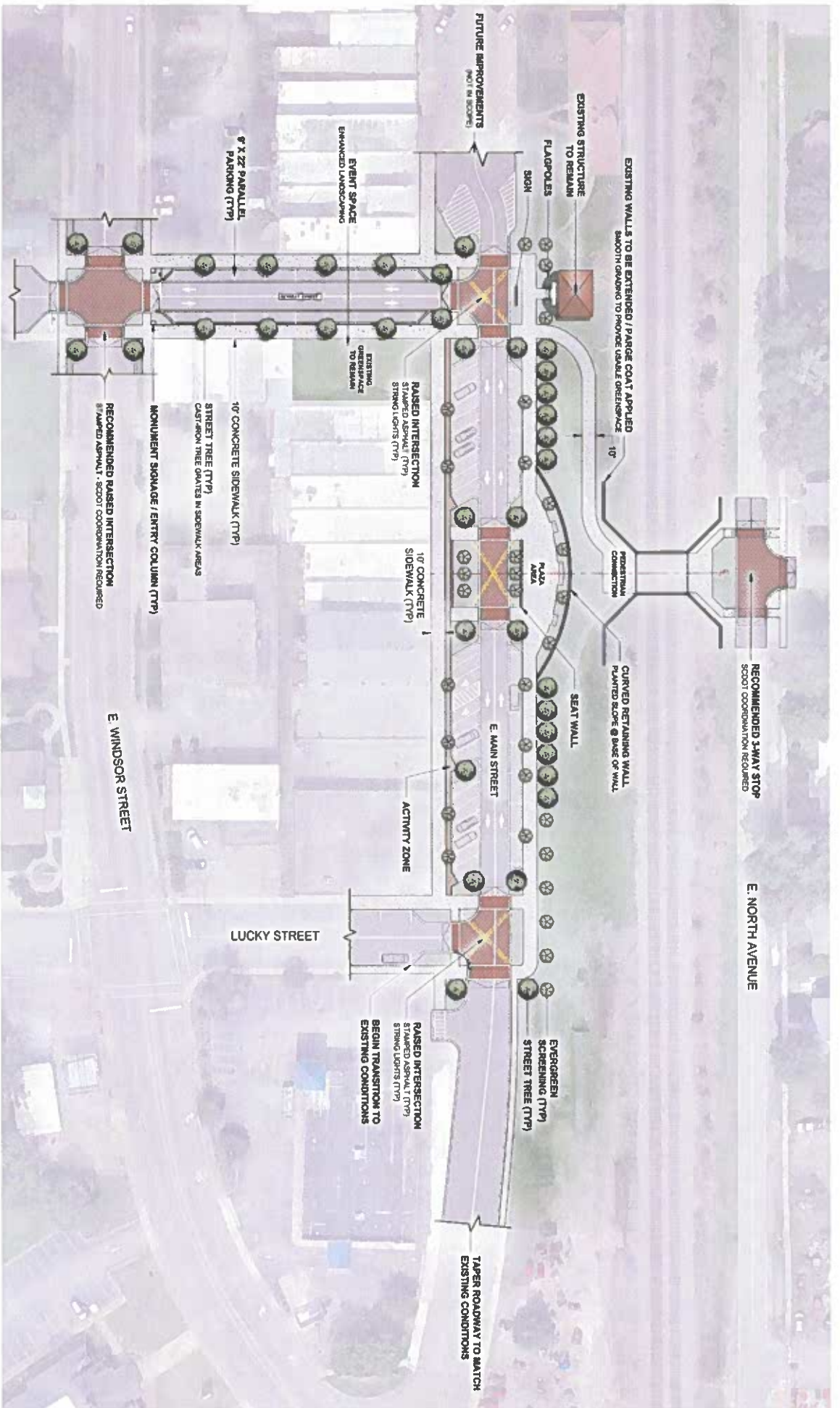
Removal of Failure to Pay Penalty for January 2024

Removal of Failure to File Penalty for February 2024

Removal of Failure to Pay Penalty for February 2024

Removal of Proof of Occupancy as Lease was terminated by Landlord after the suspension of our Business License

Removal of the entirety of Section 2 "The City Council Adopts the following findings of fact"



NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE



**DOWNTOWN IMPROVEMENTS**  
 CITY OF WESTMINSTER CONCEPTUAL PLAN  
 WESTMINSTER, SOUTH CAROLINA  
 PROJECT # 10024 | 07.23.2024

Category	N
Westminster Citizen	12
Local Business Owner	7
Oconee Citizen	4
Not Provided	3
Other	0
<b>Total</b>	<b>26</b>

In Favor of Plaza	N
Yes	9
No	3
No Preference Indicated	14

Retreat Street Comments	N
Prefer 1-Way	13
Prefer 2-Way	2
Extend Park into Retreat Street	2
No Preference Indicated	9

Filled Underpass	N
Supports	8
Does Not Support	1
No Preference Indicated	17

Raised Intersection	N
Supports	10
Does not Support	1
No Preference Indicated	15

**Standalone Comments (1 Response)**

Add Seated Swings

Make Main Street Plaza a Veteran's Plaza

Make Lucky Street One-Way

Turn Retreat Stree Park into a Hardscaped Plaza

Turn Retreat Stree Park into a Hardscaped Plaza

Redlight at Main and Retreat

Flip Direction of Retreat

Business Revitalization Should Come First

Clean up Back of Buildings Facing Windsor

Would like Larger Parking Spots

Additional Comments	N	No Mention of Issue
Responses with parking Concerns	8	18
Likes All As Presented	6	20
Responses regarding Bathrooms	3	23
Suggested Additional Signage	2	24
Suggested Tree or Shade	2	24

**To: Kevin Bronson**  
**From: Reagan Osbon**  
**Re: City Council Insurance Benefit Addendum Draft Policy**  
**Date: 05/30/2024**  
**Memorandum**

PEBA is requiring all participating agencies' governing body to determine if their governing bodies be included as "employees" for PEBA purposes. Westminster City Council will make the determination at its June 11 City Council meeting.

If City Council elects itself as employees for insurance purposes, they would need to understand the practical implications and processes of PEBA insurance implementation.

Currently, full time city employees (FTEs) are eligible for insurance coverage. The City pays the employer portion and employee portion of the insurance premium at the beginning of each month. The City withholds the employee portion from each paycheck.

Currently City Council members make \$7,200, and the Mayor, \$ 12,000, with the option to contribute towards the state retirement system. If a council member were to contribute to their retirement and opt for full family health insurance, the deductions could exceed their gross pay. As such, the councilmember could have a negative balance with the city from their paycheck.

**Policy Proposal:** Because the city pays PEBA for the future month's coverage and in some cases, the City could need to withhold the entire paycheck and the remaining balance must be paid before the by the 5th of each month or the "employee" would be removed from city coverage, to ensure that the city is not "floating" the employee portion of health insurance. The city does not float the employee portion for any other FTE. If the councilmember does not pay their employee portion of insurance, they shall be removed from the health plan and will be unable to reenroll until the next open enrollment period, usually in October. It is the sole responsibility of the Councilmembers to get the payment to City staff.

The proposal accomplishes the following objectives:

- Councilmembers and FTEs will receive the same benefits, and therefore be held to the same standards as any employee.
- Gives City staff the ability to hold City Council accountable to their employee portion of the coverage in an effort be good stewards of a self-elected, tax-funded Council benefit.
- Clearly defines the expectations, outcomes, and consequences of potentially uncomfortable situations if a Councilmember's deductions exceed their City income.

City Hall Staff (Rebecca, Kiley, and Reagan) recommend that the Employee Handbook be amended to include this Council-specific policy if Council decides to opt into health insurance, and that each participating member sign the policy before enrolling.