

MINUTES

LAURENS COUNTY COUNCIL FEBRUARY 12, 2008

LAURENS COUNTY COUNCIL CHAMBERS COURTHOUSE – PUBLIC SQUARE

ATTENDANCE: **COUNCIL MEMBERS PRESENT-** County Council Chairman Jim Coleman and Vice Chair Diane Anderson; Council Members Edward McDaniel, Ted Nash, David Tribble, Keith Tollison and Joe Wood.

COUNTY STAFF: Laurens County Administrator, Ernest Segars; Laurens County Public Works Director Scott Holland; Laurens County Attorney Sandy Cruickshanks and Laurens County Clerk to Council Betty Walsh.

PRESS: Bristow Marchant, *The Clinton Chronicle* and Jason Duvall, Go-Laurens Web Site.

SCHEDULED MEETING AGENDA ITEMS - ① Approval of Agenda, February 12, 2008; ② Approval of Minutes from January 22, 2008 regular session; ③ Harvest Hope Food Bank; ④ Second Reading, Ordinance #653, Establishing a Temporary Moratorium for Mobile Home Parks; ⑤ Legal Briefing, County Attorney, Temporary Moratorium; ⑥ Office Space Request, Laurens County Delegation; ⑦ Projects Update: a.) Justice Benefits Incorporated Agreement; b.) Grant Application South Carolina Budget and Control Board; c.) Salary and Compensation Study; ⑧ Work Session Discussion Items; ⑨ Ordinance #654, Amending Ordinance #619, Providing for Deficit Reduction.

MEETING NOTIFICATION - The County Council Members and the Press were informed of the meeting in a timely manner.

CALL TO ORDER – Councilman Coleman called the February 12, 2008 meeting of Laurens County Council to order at 5:30 P.M. in the Council Chambers in the Courthouse located on the Public Square in Laurens. Chairman Coleman invited all to stand for the delivering of the invocation by Councilman Tribble. Everyone continued standing for the Pledge of Allegiance.

APPROVAL – AGENDA – FEBRUARY 12, 2008– Upon a MOTION from COUNCILMAN TRIBBLE and a SECOND from VICE CHAIR ANDERSON, Council VOTED 7-0 to approve the Agenda with any additions or deletions. Administrator Segars requested the addition of acknowledgement of recent awards presented to Laurens County.

APPROVAL – MINUTES – JANUARY 22, 2008 – COUNCILMAN NASH made the MOTION to approve the minutes from the January 22, 2008 meeting with COUNCILMAN WOOD SECONDING; VOTE 7-0.

HARVEST HOPE FOOD BANK – Chairman Coleman indicated that this would be a postponed agenda item; as the speaker was detained at another speaking engagement.

ESTABLISHING A TEMPORARY MORATORIUM FOR MANUFACTURED HOME PARKS:

- A.) **LEGAL BRIEFING** – Attorney Cruickshanks informed Council that he along with Buddy Skinner and Betty Walsh would be meeting on Thursday to work towards revisions of the present ordinance. Once the target areas and revisions are made the document will then be provided to the Planning Commission noting the changes at their meeting on February 19th. In order to keep the process on target, the Planning Commission should be able to provide Council with the document for first reading at the next meeting of Council in February.
- B.) **SECOND READING – ORDINANCE #653 – ESTABLISHING A TEMPORARY MORATORIUM FOR MANUFACTURED HOME PARKS** – COUNCILMAN WOOD made the MOTION to approve second reading on Ordinance #653; COUNCILMAN TOLLISON SECONDING; VOTE 7-0.

HISTORIC COURTHOUSE OFFICE SPACE REQUEST – Administrator Segars informed Council of a letter received from the Laurens County Delegation requesting office space within the Courthouse to meet with their constituents. Administrator Segars indicated that there is room on the west side of the courthouse and that they have indicated that they would waive the yearly stipend provided by Laurens County if approved.

COUNCILMAN NASH made the MOTION to approve the request with VICE CHAIR ANDERSON SECONDING for discussion.

Councilman Wood questioned the number of offices they actually needed. Administrator Segars replied that possibly one office with desks and phones; as all Delegation Members would not likely be in the office at the same time.

COUNCIL VOTED 7-0.

PROJECTS UPDATES:

- a.) **Justice Benefits Incorporated** – Administrator Segars said that the contract has been completed with original copies back in house and, that once the program is up and running, periodic reports will be provided to Council of the activity.
- b.) **South Carolina Budget and Control Board – Grant Application(s)** – Administrator Segars said that two applications had been submitted; one, for roofing at the Historic Courthouse and the other for sidewalk repairs around the Historic Courthouse.
- c.) **Salary and Compensation Study** – Administrator Segars stated that a contract had been signed with the necessary retainer being paid. Continuing Administrator Segars said that a Committee needs to be organized to work with the Company. The following have agreed to serve on the committee: Ernie Segars, Rossie Davis, Joey Avery and Sally Lancaster.

Chairman Coleman stated that he would like to appoint Councilman Tollison to also serve on the Committee. COUNCILMAN TRIBBLE made the MOTION to approve the appointment to the Committee with VICE CHAIR ANDERSON SECONDING; VOTE 6-1 (Councilman Wood was in opposition).

WORK SESSION TOPICS – Administrator Segars addressed the following as discussion topics: 1.) Review and update of the County's Procurement Ordinance and County Policy; 2.) Review of the County Fire Service; 3.) Merging program of the Geographic Information System and, 4.) Laurens County Detention Center expansion and other county facilities.

Councilman Wood asked that the Mobile Home Ordinance be added to the discussion topics.

Councilman Tollison requested that the consolidation of the Magistrate Offices be added to the discussion topics.

Chairman Coleman noted as a matter of information that the Saluda Council would be available to possibly hold a joint meeting with the Laurens Council towards the mobile home moratorium.

FIRST READING - ORDINANCE #654 – AMENDING ORDINANCE #619 FOR DEFICIT ELIMINATION – Administrator Segars informed Council that two years ago, Council put six mills on the records to address the deficit. It has proven beneficial and should be continued to assist with the reserve funds. Attorney Cruickshanks agreed and stated that it allows for continuous funding towards deficit elimination and would be a multi-purpose fund. Over the years the bond ratings plummeted and was not attractive because of the ratings.....the bonds suffered because of the deficit.”

VICE CHAIR ANDERSON made the MOTION to approve Ordinance #619 upon first reading; COUNCILMAN TRIBBLE SECONDING for discussion.

Councilman Nash said that he felt it to be a good program to enter into simply because of the tax base lost over the last several years.

Councilman Wood said, "I don't disagree that we don't need this but let's get this straight, this is another tax increase; this was a six mill tax increase put on for one year. Last year it was left on to build up the reserves. This the same pot of money that the *Clinton Chronicle* accused me of shooting from the hip because I recommended to use some of the money to give those at the Detention Center and the Sheriff's Department a raise. We are now limited to how much tax can be raised. The truth is, it is a tax increase. The compensation study is a wasted eighteen thousand dollars. A deficit is dealt with when we have a deficit. This money should be set aside for our employees raises."

Responding to a question from Councilman Tollison, Chairman Coleman said, "The six mills was set up by ordinance to address a reserve fund for the county. At one time the County had four million dollars in reserve ... we bought four ambulances, bought Hillcrest Square...then Clinton Mills and the Glass Plant closed. We had no way of knowing the lost tax base was about to hit Laurens. This would be used as a reserve fund." Administrator Segars added, "At one time the Bond Attorney said that Laurens County had the highest proportion of reserve funds rating in the Upstate. We have a draft audit now that could be showing a two million dollar reserve.....all due to better budgeting, privatizing the EMS collections. The Auditors recommend a ninety-day rainy day fund in the range of five to six million in reserve. We now have a new economic development program to help us to grow."

Vice Chair Anderson stated that she felt it to be the fiscal responsibility for Council to better the bond ratings.

Councilman McDaniel said, "I think it to be a good idea to have sunset legislation. I do not believe we need to have reoccurring expenses paid with temporary funding. Raises are re-occurring yearly expenses. We need to be careful how we spend and grow the economy using these funds. The audit report says we are now in good shape...but, I am not convinced that it will be for long. I am inclined to believe that these funds need to be used to grow the budget."

Councilman Tribble said, "The last budget year was very interesting; the way this Council took monies from others. We are doing the same thing to the cities and agencies that the state does to us. Ultimately those kinds of relationships do not help society in the long run. We need to act more responsible as a Council. We still have to carry out certain responsibilities like Probate Court, Magistrate Courts and tax collections. Recently we bought fifteen cars for the Sheriffs Department, not giving much thought to what is going to happen next year...the cars are going to wear down and run out all about the same time.....that is the kind of reasoning one does when you don't have the funds. We need to look seriously at our actions."

Councilman Wood said, "The cars purchased, were they three year or five year purchases. I do not want to sound negative but I would like to read a part of ordinance 618: Title 4, Chapter 9 of the South Carolina of Laws, 1976, as amended, further requires a county council to provide for and enact a levy of taxes necessary to meet all budgetary requirements, including any preceding deficit or financial deficiency....Laurens County Council, as reported in its audited financial statement sustained a deficit and financial deficiency of approximately \$850,000 for the fiscal year ending June 30, 2005....in order to comply with the South Carolina Constitution and the South Carolina Code of Laws, 1976, as amended, and to further enable the County Council to proceed with deliberations, discussions and a resolution of the 2006-2007 fiscal years' budget, it is the desire of Council to enact this ordinance to eliminate, eradicate and resolve the deficit and financial deficiency issue which currently exist....Laurens County Council hereby assigns, designates, transfers and enacts a levy of six (6) mills from the existing millage of 48.3 mills (as presented to Council in the first reading of the 2006-2007 budget ordinance) to satisfy, eradicate, eliminate and resolve the deficit and financial deficiency as reported for the year ending June 30, 2005.....The provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder. I have always said if there was justification for a tax increase I would vote for it. To not put us back five to six years ago. I have been seated on this Council for the past six years and we have had a deficit since then. Regardless where we put this money, I will vote for it."

Chairman Coleman, "All counties are faced with circumstances like this. We are not alone in this. This County is back on its financial feet and I commend Council for the last couple of years with budgeting in the manner we did."

COUNCIL VOTED 7-0.

PUBLIC COMMENTS Chairman Coleman opened the floor for public comments at 6:24 P.M. Having no one wishing to address Council, Chairman Coleman closed the session at 6:25 P.M.

LAURENS COUNTY AWARDS - Administrator Segars noted the recent awards presented to Laurens County by the insurance pool of the South Carolina Association of Counties; Risk Management Safety Achievement Award.....Laurens County Fire Service, two awards by Angela Leopard for outstanding achievement award towards blood borne pathogen training.....Platinum Award for reporting workers comp claims in record time.

COUNTY COUNCIL COMMENTS:

- a.) Chairman Coleman noted scholarships available through the South Carolina Association of Counties for Laurens County High School Seniors.
- b.) Councilman McDaniel said that he always liked to see more public in attendance.
- c.) Councilman Tollison questioned if the new car had been received yet? Administrator Segars replied that they have not arrived yet but were scheduled to be delivered within the next several weeks.
- d.) Chairman Coleman wished to acknowledge and congratulate Mr. Marvin Moss on his recent appointment to the Laurens County Economic Development Corporation..... "Mr. Moss continues to be very busy and hopefully within the next couple of weeks may have an announcement to make of an industrial project."

ADJOURNMENT – With no further business to be discussed, there was a COUNCIL CONSENSUS to adjourn the meeting at 6:26 P.M.

Respectfully Submitted,


Betty C. Walsh

Laurens County Clerk to Council