

## MINUTES

### Lexington County Council FY 2004-05 Budget Worksession

June 14, 2004

Lexington County Council held a Budget Worksession on Monday, June 14, 2004, beginning at approximately 7:30 p.m. in Council Chambers. The purpose of the meeting was to receive the recommendations from the various committees on the FY 04-05 budget. Chairman Davis presided; Mr. Jeffcoat led in prayer and Mr. Carrigg led the Pledge of Allegiance.

|                    |                          |                     |
|--------------------|--------------------------|---------------------|
| Members Attending: | George H. Smokey Davis   | Bruce E. Rucker     |
|                    | William C. Billy Derrick | Jacob R. Wilkerson  |
|                    | Bobby C. Keisler         | Johnny W. Jeffcoat  |
|                    | John W. Carrigg, Jr.     | Joseph W. Joe Owens |
|                    | M. Todd Cullum           |                     |

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/Assistant County Administrator; Katherine Doucett, Personnel Director, Assistant County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Mr. Davis stated that Council was going to try to finalize the budget for FY 04-05 and would receive the committee reports.

#### **Committee Reports - General Fund**

**Planning and Administration - B. Rucker, Chairman** - Mr. Rucker reported that the Planning and Administration Committee met on May 4 and 13 to consider budget requests and submitted the recommendations as approved by the Committee on pages 1-3 of the attached.

A motion was made by Mr. Rucker and seconded by Mr. Wilkerson that the recommendations submitted by the Planning and Administration Committee as contained on pages 1-3 of the attached be approved.

Mr. Davis opened the meeting for discussion.

Mr. Derrick asked the amount of dollars proposed to be added to the budget.

Mr. Porth indicated that the dollar amounts for the various committees were listed on a separate handout.

Mr. Davis asked if the increase recommended by the Planning and Administration Committee amounted to \$18,161.

Mr. Porth responded, that's correct. There is a subtotal for each department and a grand total for the committee. Mr. Porth stated that the Auditor's presentation at the public hearing held on May 25 is included, however, was not reviewed by the committee.

Mr. Davis commented the Auditor, during the public hearing, asked for one-half of a full-time employee and was not included in the Committee's recommendations.

Mr. Cullum stated there was going to be a change in that office next year and he did not know that the new Auditor would need the part-time employee.

Mr. Davis stated the position was not recommended.

Mr. Cullum stated that a part-time position was included unless he was reading incorrectly.

Mr. Porth stated the position was not included as a part of the committee recommendations. Staff included it in the handout because the request was brought up during the public hearing.

Mr. Davis stated Mr. Cullum was right, the position was part of the \$18,161.

An amendment was made by Mr. Cullum and seconded by Mr. Derrick that the part-time position for the Auditor's office be eliminated.

Mr. Davis opened the meeting for discussion on the amendment. No discussion occurred.

Vote on Amendment:

|           |               |             |
|-----------|---------------|-------------|
| In Favor: | Mr. Davis     | Mr. Cullum  |
|           | Mr. Derrick   | Mr. Rucker  |
|           | Mr. Wilkerson | Mr. Keisler |
|           | Mr. Jeffcoat  | Mr. Carrigg |
|           | Mr. Owens     |             |

Vote on Motion as Amended:

|           |               |              |
|-----------|---------------|--------------|
| In Favor: | Mr. Davis     | Mr. Rucker   |
|           | Mr. Wilkerson | Mr. Derrick  |
|           | Mr. Keisler   | Mr. Jeffcoat |
|           | Mr. Carrigg   | Mr. Owens    |
|           | Mr. Cullum    |              |

**Justice - J. Carrigg, Chairman** - A motion was made by Mr. Carrigg and seconded by Mr. Jeffcoat that the recommendations of the Justice Committee as listed on pages 4, 5, and 6 of the attached be approved.

Mr. Davis opened the meeting for discussion.

Mr. Davis stated that if he was reading the data sheet correctly the total was \$951,350 additional dollars to the budget.

Mr. Cullum asked if the Clerk of Court's requests were included.

Mr. Carrigg responded, no.

Mr. Carrigg stated the bulk of the funds were in the Solicitor's office which went to adding seven case managers and three assistant solicitors.

Mr. Cullum stated his comments were going to follow the line of reasoning taken with the Sheriff - the Sheriff came when the Judicial Center was built and indicated that he needed nine men to protect the Judicial Center. He stated the activity was not there and the request was pared down to five deputies. Mr. Cullum stated that the County is being told there will be new judges put in place, more cases are going to be tried and there would be a flurry of activity, however, he had not seen any of that yet. He stated that he wondered if the same thing was not going to happen in the Solicitor's office if all the new positions are added that the ability to try all these cases is not going to come to fruition. Mr. Cullum stated that he did not know that three additional attorneys were needed.

Mr. Owens asked if the funds were to be taken from fund balance.

Mr. Davis stated that was not part of the motion, but Council probably needed to specify where the money was going to come from, either property taxes or fund balance.

An amendment was offered by Mr. Owens that the increase (\$951,350) be taken from fund balance.

Mr. Jeffcoat asked if he could piggyback Mr. Owens' amendment.

Mr. Davis asked for a second to the amendment.

The amendment was seconded by Mr. Carrigg.

Mr. Jeffcoat asked if the three (3) attorneys could be changed to one (1) and leave the seven (7) case managers.

Mr. Owens stated that he would support the change.

Mr. Carrigg commented, there is a motion to amend with a second for the funds to come out of fund balance and stated, let's vote on that.

Mr. Wilkerson stated that he had a comment about taking the money from fund balance. He stated that he did not think reoccurring expenses should be taken from the general fund because you would end up like most of the people sitting in the audience from the library; that was exactly what the library did and Council asked them to do that and now the library was here requesting a one mill increase to fund the libraries. He stated that he did not think it was a good idea to keep a reoccurring cost coming out of the general fund because sooner or later the balance would be zero or in the negative. Mr. Wilkerson stated if you look at the federal and state governments, that's what they do all the time and then they can't figure out why they can't balance the budget. He stated he was against it and wanted to state why.

Mr. Cullum stated that he concurred with Mr. Wilkerson's comments. He agreed wholeheartedly to take a general fund balance to fund personnel costs that would continue to reoccur was not a wise use of the funds.

Mr. Derrick stated that he was in total agreement with what Mr. Wilkerson had to say about the fund balance. An amendment to the amendment was offered by Mr. Derrick to take \$6.5 million of the fund balance, allow the library to use the \$6.5 million to pay off their bonded indebtedness and the library be able to take the one mill needed to operate the libraries and it won't cause Council to continually look to fund balance to fund reoccurring expenses as are being discussed. Mr. Derrick stated that he understood the argument is that it's money in the bank and we aren't using it for anything else, but it was not money that got in the bank last year, it was money that got in the bank over the course of 20 years and we can not continually take \$666,000 out of fund balance to fund the Solicitor for an expense that is going to occur again and again and again, therefore, he thought it was wise for Council to spend the money for one time expenditures; then Council will not be tempted to do what the state and others do with the fund balance.

Mr. Cullum seconded the amendment to the amendment.

Mr. Owens stated, your position is to take all the money that is in fund balance and give it to the library and wipe out the surplus, is that right?

Mr. Derrick responded this would take care of the library's capital debt, then the library could use the one mill that is currently being used to pay the debt and use it for operational costs. He stated Council hears from a lot of people about the library and how important it is, but he had not heard a lot of his constituents say that the Solicitor wasn't doing his job because he didn't have the people or the Clerk of Court was not doing his job, or the Magistrate's not doing his job, that was his justification.

Mr. Wilkerson asked Mr. Porth if Council took all the money out of fund balance and an emergency occurs, did he have any suggestions where any money could be gotten?

Mr. Davis commented, it's called a tax anticipation note.

Mr. Wilkerson stated his other question was if all the money was taken out of fund balance, how would that affect the County's bond rating if funds needed to be borrowed for something that was really needed? He stated those two questions needed to be answered before he decided to take all the money and spend it at one time.

Mr. Cullum stated there is money in reserve should there be an unexpected emergency as Mr. Wilkerson brought up.

Mr. Porth stated it depends on how large the emergency is.

Mr. Cullum commented, \$10 million.

Mr. Porth responded, I doubt that.

Mr. Cullum stated \$5 million; he stated that Mr. Porth indicated that it depended on the size of the emergency.

In response to Mr. Cullum's question about \$5 million, Mr. Porth responded that he did not know.

Mr. Wilkerson stated he thought the problem was, it fluctuates throughout the year and you can't get a concrete number because taxes are paid at one time during the year; in February and March it would be way up, when you get close to the end of the fiscal year in June, it will be a lot lower.

Mr. Porth stated at June 30, the fund balance may be around \$30 million, but by the time we get to the end of November, prior to taxes coming in, it will probably be around \$9 million. If \$6.5 million were taken out to pay the debt service, there may still be around two or three million dollars left.

Mr. Cullum stated, the County still has reserves.

Mr. Porth stated that is the reserve. The reason he could not give an absolute answer was because he did not know when people were going to pay their property taxes; if everyone decides to wait until January 15, the figure will change.

Mr. Jeffcoat asked Mr. Davis to call for the question.

Mr. Davis called for the vote on the amendment to the amendment.

Vote on the Amendment to the Amendment:

|           |               |             |
|-----------|---------------|-------------|
| In Favor: | Mr. Derrick   | Mr. Cullum  |
| Opposed:  | Mr. Davis     | Mr. Rucker  |
|           | Mr. Wilkerson | Mr. Keisler |

Mr. Jeffcoat                      Mr. Carrigg  
Mr. Owens

Mr. Davis stated there was another amendment on the floor to use the fund balance to cover the recommendations of the Justice Committee.

Mr. Rucker stated that Mr. Jeffcoat has indicated a change in the personnel number which would change the overall amount needed. He stated that before he could support the amendment he would have to know the exact money difference.

Mr. Davis stated that the “piggyback amendment” was never made.

Mr. Rucker stated he understood that, but he was not going to vote to use fund balance not knowing what the fund balance would be. He stated if some of the positions are deleted as Mr. Jeffcoat said, then the amount was going to change.

Mr. Owens stated, roughly \$90,000; this did not include the “perks.”

Mr. Davis stated the motion was to use fund balance; there was no motion to change the recommendations from the Justice Committee.

Mr. Rucker stated he fully understood, but without knowing the amount that it might be, if fund balance was used, it was difficult for him to support the amendment.

Mr. Owens stated three (3) lawyers amounted to \$140,000, so you had to assume that two (2) lawyers would be two-thirds of that.

Mr. Carrigg stated it was almost \$200,000.

Mr. Jeffcoat asked if the recommendations could be tabled until Solicitor Myers could arrive and perhaps answer some of the questions for Council.

Mr. Rucker stated that the only thing being changed was the amount which would be \$700,000+ and the amendment is that the money be taken from fund balance.

Mr. Davis asked if Council wanted to vote on a motion to take \$700,000 to support a less intensive staff increase.

Mr. Jeffcoat stated he believed that two (2) attorneys should be deleted, leave one (1) attorney along with seven (7) case managers and the cost would be approximately \$700,000.

Mr. Davis asked, and the funds are to come from fund balance?

Mr. Jeffcoat stated, unless someone wanted to increase property taxes he did not know of any other way to do it.

Mr. Davis asked if everyone understood the amended piggyback motion.

Mr. Rucker stated that clarified it; he knew the amount being voted on.

Mr. Carrigg stated that on the motion to amend, it was all made in one motion, \$951,350, which included Magistrates' Court, Probate Court, Coroner, and the Solicitor at \$666,000.

A motion was made by Mr. Wilkerson and seconded by Mr. Jeffcoat that the issue be tabled until the Solicitor could arrive.

|           |              |               |
|-----------|--------------|---------------|
| In Favor: | Mr. Davis    | Mr. Wilkerson |
|           | Mr. Jeffcoat | Mr. Rucker    |
|           | Mr. Derrick  | Mr. Keisler   |
|           | Mr. Carrigg  | Mr. Owens     |
|           | Mr. Cullum   |               |

**Public Works - B. Derrick, Chairman** - Mr. Derrick stated the Committee voted to recommend one part-time position in the Public Works Department in exchange for the amount of funds in the professional services account.

A motion was made by Mr. Derrick and seconded by Mr. Owens that the committee recommendation regarding the Public Works Department be approved.

Mr. Davis opened the meeting for discussion. No discussion occurred.

|           |               |             |
|-----------|---------------|-------------|
| In Favor: | Mr. Davis     | Mr. Derrick |
|           | Mr. Owens     | Mr. Rucker  |
|           | Mr. Wilkerson | Mr. Keisler |
|           | Mr. Jeffcoat  | Mr. Carrigg |
|           | Mr. Cullum    |             |

**Health and Human Services - J. Wilkerson, Chairman** - Mr. Wilkerson stated that other than what staff had recommended the only additional items to be considered were for EMS in the amount of \$237,500.

A motion was made by Mr. Wilkerson and seconded by Mr. Cullum that the \$237,500 for various items for EMS be included in the budget.

Mr. Davis opened the meeting for discussion.

Mr. Davis asked Mr. Wilkerson if he wanted to specify where the funds would come from.

An amendment was offered by Mr. Owens that the \$237,500 be taken from fund balance.

Mr. Wilkerson stated that all of the items were not reoccurring and he did not have a problem taking the money from fund balance.

Mr. Davis asked if there was a second to the amendment.

The amendment was seconded by Mr. Cullum.

Vote on Amendment:

|           |             |               |
|-----------|-------------|---------------|
| In Favor: | Mr. Davis   | Mr. Owens     |
|           | Mr. Cullum  | Mr. Rucker    |
|           | Mr. Derrick | Mr. Wilkerson |
|           | Mr. Keisler | Mr. Jeffcoat  |
|           | Mr. Carrigg |               |

Vote on Motion as Amended:

|           |              |               |
|-----------|--------------|---------------|
| In Favor: | Mr. Davis    | Mr. Wilkerson |
|           | Mr. Cullum   | Mr. Rucker    |
|           | Mr. Derrick  | Mr. Keisler   |
|           | Mr. Jeffcoat | Mr. Carrigg   |
|           | Mr. Owens    |               |

**Committee of the Whole - S. Davis, Chairman** - Mr. Davis stated that he had been advised that Mr. Carrigg should not participate in this particular vote and was sure Mr. Carrigg was aware of that.

A motion was made by Mr. Davis that the Committee of the Whole recommendations for the Clerk of Court's office be approved as indicated on page seven (7).

The motion died for lack of a second.

#### **Committee Reports - Non-General Fund**

**Planning and Administration - B. Rucker, Chairman - Library** - Mr. Rucker stated that the Library Board asked the Committee to approve the expansion and renovation of the Gilbert and Gaston branches and a new facility for Swansea when funds become available. He stated that the Committee voted unanimously to forward this recommendation to full Council.

A motion was made by Mr. Rucker and seconded by Mr. Jeffcoat that the renovation of the Gilbert and Gaston branches be approved and a new facility for Swansea be approved when funds become available.

Mr. Davis asked if this was without millage and without dollars?

Mr. Rucker stated that would be discussed after the motion.

Mr. Davis stated that basically the motion was to ratify that Council concurs in the Library Board's decision but Council was not ratifying concurrence in the amount.

Mr. Rucker stated that the Library Board asked when the funds become available to build Swansea and expand Gaston and Gilbert. He stated that was the only motion currently. He added, if or when the funds become available.

Mr. Cullum asked how long if or when would last.

Mr. Rucker responded that he did not know; whenever.

Mr. Davis stated that Council would not be voting on any money for any of the processes.

Mr. Cullum asked if this was indefinitely.

Mr. Rucker commented, he did not know; how long was the County going to last, he did not know.

A motion was made by Mr. Keisler to increase the library millage by one mill.

Mr. Davis commented, let's consider one motion at a time.

Mr. Davis called for the vote on Mr. Rucker's motion.

|             |              |               |
|-------------|--------------|---------------|
| In Favor:   | Mr. Davis    | Mr. Rucker    |
|             | Mr. Jeffcoat | Mr. Wilkerson |
|             | Mr. Keisler  | Mr. Carrigg   |
|             | Mr. Owens    | Mr. Cullum    |
| Abstaining: | Mr. Derrick  |               |

Mr. Derrick stated that he was not opposed; he was not sure he understood the motion.

Mr. Rucker stated that it was the same motion made in committee which he voted for.

Mr. Davis recognized Mr. Keisler.

A motion was made by Mr. Keisler and seconded by Mr. Rucker that the millage for the library be increased by one mill.

Mr. Davis opened the meeting for discussion.

Mr. Owens asked Mr. Porth the amount one mill would bring in, \$670,000+?

Mr. Davis stated that for Council to vote on a millage increase a special meeting would have to be held and public input received.

Mr. Carrigg asked if the meeting had to be held prior to June 30?

Mr. Davis responded, right.

Mr. Carrigg asked if public hearings did not have to be advertised.

The clerk responded that it was not a public hearing it was a public meeting.

Mr. Davis stated that there was sufficient time to have the meeting.

Mr. Owens asked Mr. Porth if a mill amounted to \$670,000?

Mr. Porth responded, that's correct.

Mr. Derrick stated that he was curious as to why Council would vote for a mill increase for the library, but take the other budget items out of fund balance.

Mr. Wilkerson stated that he was a little curious about that too.

Mr. Derrick stated that he wondered why we do one one way and do one the other way.

Mr. Wilkerson stated that the library needed the mill increase and was in favor of that, one hundred per cent. Was he for taking money from the fund balance for reoccurring expenses, no he was not; not for the library, not for anyone because you will get yourself in trouble doing that.

Mr. Davis stated that this would be an increase of one mill which would be passed on to all taxpayers.

Mr. Wilkerson stated that Council promised the library that if they did what was asked of them, which they have done for the last four or five years, that when this came about, we would help them out, well, now's the time. You can live up to your word or you can not live up to your word.

Mr. Rucker stated this did not happen four or five years ago either.

Mr. Cullum asked for further clarification on the motion just passed.

Mr. Davis stated the motion approved by Council was to confirm the Library Board's desire to proceed with the expansions when and if the money is available and that will be based on a lot of

factors.

Mr. Cullum stated that what he was trying to lead into, if the motion passes, the money would be available at that point.

Mr. Davis responded, no, most of this would be for operating expenses.

Mr. Owens stated \$318,000 were needed for operating expenses; this exceeds that by about \$320,000, so there will be some money left over.

Mr. Cullum commented, some money left over this year, and the next, and the next, and the next because that mill is always going to stay in place, is that incorrect?

Mr. Davis stated, it can be changed; but normally it stays in place.

Mr. Cullum stated that he thought he had heard in prior meetings that once the millage was set for the library, it could not be reduced.

Mr. Rucker stated that he believed Council could reduce any millage except the Sheriff's Department.

Mr. Cullum asked if this was correct?

Mr. Wilkerson stated he thought the correct figure the library needed was \$500,000+, he was not sure, but he thought it was \$500,000+, not \$300,000+.

Mr. Cullum stated that it was \$200,000+ for books and material purchases and \$318,000 for operations.

Mr. Wilkerson stated that his point is the other funds would be used, it would not be put in savings.

Mr. Cullum stated that he understood; he was trying to get clear in his mind that if this motion passes, the money would become available then to satisfy the motion which was just passed.

Mr. Rucker stated, not completely, no. It may take some years.

Mr. Davis stated that the clerk has provided him a clarification that Council could not vote tonight for a millage increase. The action needed now was to vote to have a special meeting to consider a millage increase.

An amendment was offered by Mr. Carrigg to set a special meeting to vote on this issue; seconded by Mr. Jeffcoat.

Vote on Amendment:

|           |              |               |
|-----------|--------------|---------------|
| In Favor: | Mr. Davis    | Mr. Carrigg   |
|           | Mr. Jeffcoat | Mr. Rucker    |
|           | Mr. Derrick  | Mr. Wilkerson |
|           | Mr. Keisler  | Mr. Owens     |
|           | Mr. Cullum   |               |

Vote on Motion as Amended:

|           |               |              |
|-----------|---------------|--------------|
| In Favor: | Mr. Davis     | Mr. Keisler  |
|           | Mr. Rucker    | Mr. Derrick  |
|           | Mr. Wilkerson | Mr. Jeffcoat |
|           | Mr. Carrigg   | Mr. Owens    |
|           | Mr. Cullum    |              |

**Justice Committee Report - Solicitor's Office** - Mr. Jeffcoat stated that Solicitor Myers was present and asked since the report was tabled if the issue could be revisited.

Mr. Carrigg asked if one thing could be done quickly. Mr. Carrigg asked if all the departments under the Justice Committee could be considered with the exception of the Solicitor's office.

Mr. Derrick stated that he believed Mr. Carrigg would be out of order. The motion would have to be removed from the table and then a motion could be amended to take up each department.

A motion was made by Mr. Carrigg and seconded by Mr. Rucker that the motion be taken off the table.

|           |               |             |
|-----------|---------------|-------------|
| In Favor: | Mr. Davis     | Mr. Carrigg |
|           | Mr. Rucker    | Mr. Derrick |
|           | Mr. Wilkerson | Mr. Keisler |
|           | Mr. Jeffcoat  | Mr. Owens   |
|           | Mr. Cullum    |             |

An amendment was made by Mr. Carrigg, seconded by Mr. Jeffcoat to approve the Justice Committee recommendation excluding the Solicitor's office.

Mr. Davis opened the meeting for discussion.

Mr. Cullum asked if this was the non-general fund.

Mr. Davis responded, no, we're back to the general fund.

Mr. Wilkerson asked the total.

Mr. Carrigg responded, \$951,000 minus \$666,000. Mr. Carrigg added that the bulk of the funds was for renovations (\$111,700).

Mr. Derrick stated that he was completely baffled about the renovations. The space study committee never submitted a final report prior to voting on this in the Justice Committee. Mr. Derrick stated that two very fine magistrate courtroom buildings were constructed and now we're looking at renovating the old courthouse in addition to the additional Magistrates' offices and he was baffled as to why all the space was needed for the Magistrate's system.

Mr. Jeffcoat stated that Chief Justice Toal has signed an order that the County will have centralized court for the Magistrate's system. You can't have all the magistrates meeting in one of the small buildings. We have the building across the street which will not have to be leased or purchased; it was a matter of renovating it so that the Magistrates can have court all day long. Mr. Jeffcoat stated that the County was going to have a centralized court; the decision has been made to have the court and he did not think there was a courtroom available now that the Magistrates could use for the central court system.

Mr. Rucker asked that someone from the Magistrate's system explain to him what central court was all about.

Mr. Davis recognized Judge Lucas.

Mr. Rucker stated he had heard so many conflicting things about central court, that all jury trials will be held in Lexington and he wanted to verify that because he knew there were jury trials in Swansea, Batesburg, Chapin and other places where there were magistrates.

Mr. Davis asked Judge Lucas to introduce himself for the record.

Jamie Lucas, representing the Magistrate system in Lexington County. Judge Lucas stated that to answer Mr. Rucker's question, the central court will not take away anything from any Magistrate district. Judge Lucas stated Mr. Derrick was correct that the County has spent a good bit of money on two beautiful offices, one for Oak Grove and one for Irmo, however, there is a backlog of jury trials and with the centralized jury trials it will greatly increase getting cases heard in a more expeditious manner, however, while that is happening, the district office will still be on-going with courts. The centralized jury trials would provide more room, more courts going on at one time so they can clear up the backlog.

Mr. Rucker stated that he did not have any problem clearing up a backlog; the only thing he did not want to happen is the people from Mack Edisto, Pelion, Swansea, Sandy Run driving to Lexington to have a jury trial instead of having it at the Magistrate's Office in Swansea. He stated that he guessed the same thing would hold for Oak Grove, where a facility was just built, and Irmo as well; you're telling me that we will still have jury trials in those Magistrates' Offices.

Judge Lucas stated, that is correct.

Mr. Rucker stated, so it won't all be central.

Judge Lucas responded, no, sir, this will assist. He stated they could get more done by centralizing the jury trials; also the cost-effectiveness by bringing in a larger jury pool for a week. As far as the driving aspect goes, the defendant, or the person who has initiated that cause of action in any type of Magistrate's Court would have the option of moving to a centralized jury trial or in the district where created or where they were stopped.

Mr. Rucker stated, so we are not stopping jury trials, we're just adding here to help the backlog.

Judge Lucas stated, that too, and also for the future. He stated this was something new, they do not know what the end result is going to be; on paper it looks really good; he was willing to sign off on it, he feels it is going to be very beneficial to the citizens and to the County and to the Magistrate's system.

Mr. Cullum asked Judge Lucas to confirm what Mr. Jeffcoat alluded to, is the program now mandated that we actually put it in place.

Judge Lucas responded, that's correct; he had an order signed from Chief Justice Toal, he felt it was the appropriate route to take before approaching County Council about it. He stated this was normal procedure. Any time you establish a court you want to get her permission or the Supreme Court's permission.

Mr. Derrick commented, you got her permission to have a central court.

Judge Lucas responded, yes.

Mr. Derrick stated she didn't order to have a central court; she ordered you to get the backlog down.

Mr. Jeffcoat stated, it's an order.

Mr. Derrick stated he wanted to know which one it was - did she approve it or did she order you to do it. He stated it was his interpretation and he did not know what Chief Justice Toal meant, but can you not have central court at Swansea, Batesburg, wherever you can put an additional judge? Mr. Derrick stated he went by the courtroom all the time and it was very seldom that any court was going on and we're talking about spending \$111,793 to renovate the courtroom and there was a courtroom over there working when the judge walked out.

Judge Lucas stated that having a judge on-site and hearing those cases is not a problem; it was the room. The district offices serve perfectly for one case at a time, however, to have many courts going on they needed much more room. Traffic Court is in a very small facility and has been for many

years. He stated the building has been outgrown. Judge Lucas stated Traffic Court is operating out of there, Check Court, Bond Hearings, CDV Court, there were many different courts operating in one small location and the Magistrate's system needed the room. He added this will benefit case management.

Mr. Derrick asked, did Chief Justice Toal approve it or did she order it?

Judge Lucas responded, it's an order now. She approved by my recommendation and then she wrote out an order.

Mr. Derrick stated, so per your request she ordered that we have central court.

Judge Lucas stated, that's correct.

Mr. Rucker asked if she sent any funds to help pay for it?

Judge Lucas responded, no, sir.

Mr. Cullum stated that it was just not one court to be renovated, there were going to be multiple courts, as he understood it when he looked at the space planning that was submitted to Councilman Jeffcoat and himself, as he recalled there were to be some five courts.

Judge Lucas stated Traffic Court would be relocated, if approved, CDV Court, Check Court, and they would also like to move the District I office, Judge Tommy Rawl, into the old courthouse so that it would be more recognizable to the public.

Mr. Cullum asked where Judge Rawl's office was located now?

Judge Lucas responded, in the old Kroger Building.

Mr. Cullum stated that the \$111,000 was for multiple courts to be set up in the old courthouse, not just one court.

Judge Lucas stated, correct.

Mr. Rucker asked what would happen if Council did not fund it. Would there be no central court?

Mr. Davis asked how much renovation the building needed.

Judge Lucas responded, the total for the renovation is somewhere around \$40,000; the reoccurring costs (power, heat, air) are included with all the funding.

Mr. Wilkerson stated that his concern was much like Mr. Derrick's. Why was this requested without

letting Council know and then coming to Council after the fact and asking for some \$111,000.

Judge Lucas stated because it is requested, of course, he couldn't do anything without Council's blessing, as far as making it happen, but this is something that as the Chief Magistrate he really strongly feels the County needs as far as the Magistrate system to move the courts along in a more expeditious manner.

Mr. Wilkerson stated that he did not have a problem requesting it as long as Council knows on the front end if it is going to affect the budget and going to cost the County money that we know ahead of time rather than after the fact.

Mr. Owens stated Judge Lucas knew the court order was coming. Mr. Owens stated that he heard the court order was coming; he assumed what Judge Lucas tried to do was get it in the budget process by asking Judge Toal to expedite it; would that be a fair assessment?

Judge Lucas responded, yes, yes, sir it would be.

Mr. Owens stated, we all knew; I heard it was coming. Basically what you tried to do was come before Council at budget time to get your "ducks" in a row.

Mr. Davis asked Mr. Carrigg to restate his motion.

Mr. Carrigg stated that his motion was to fund the recommendations of the Justice Committee with the exception of the Solicitor's Office.

Mr. Wilkerson stated that he wanted to point out that a number of the items were reoccurring costs.

Mr. Cullum asked Mr. Wilkerson if he was going to make a motion to delete any of the items.

Mr. Wilkerson responded that it would probably take him several minutes to go through and enumerate each one but would if Council wanted him to.

Mr. Davis asked Mr. Wilkerson if he wanted to do that or call for the question.

Mr. Wilkerson called for the question.

Vote on Amendment:

|           |             |               |
|-----------|-------------|---------------|
| In Favor: | Mr. Carrigg | Mr. Jeffcoat  |
|           | Mr. Keisler | Mr. Owens     |
|           | Mr. Cullum  |               |
| Opposed:  | Mr. Davis   | Mr. Derrick   |
|           | Mr. Rucker  | Mr. Wilkerson |

**Solicitor's Office** - An amendment to the motion was made by Mr. Carrigg to approve the Justice Committee recommendations for the general fund and also the non-general fund; seconded by Mr. Owens.

Vote on amendment:

|           |             |               |
|-----------|-------------|---------------|
| In Favor: | Mr. Davis   | Mr. Carrigg   |
|           | Mr. Owens   | Mr. Derrick   |
|           | Mr. Rucker  | Mr. Wilkerson |
|           | Mr. Keisler | Mr. Jeffcoat  |
|           | Mr. Cullum  |               |

Mr. Myers stated he was present to answer any questions Council might have.

Mr. Davis stated he had a question concerning drug court dollars; the County has been funding those expenditures in advance, the account was in the red by some \$86,000 and Council understood he did have the money to pay that.

Mr. Myers stated that he received a document during the afternoon about the matter but he had not been able to study it. He stated that the document came from Ms. Babbitt. Mr. Myers stated that usually when he talks with Ms. Babbitt and asks her why she is doing something, she says somebody told me. Mr. Myers asked Council, which one of you all told her to send that to me?

Mr. Davis stated he asked Ms. Babbitt to make sure all expenditures concerning the Solicitor's office were current.

Mr. Myers stated there has been a federal grant to cover drug court, this afternoon is the first time I've heard about this. He stated, if there is a deficit it will be rectified, but usually he receives a sheet that has the figures, then he gets with Ms. Babbitt and finds out all the details and once he learns of all the details, what was going on and who was behind it; if Council's behind it then we can resolve it.

Mr. Davis stated, I assure you Council is behind it.

Mr. Myers stated that he would get with Ms. Babbitt and he would study it tomorrow and we'll see where we go. He stated that if that was a matter for tonight, which he did not think he had to be here, it would have gotten to him before this afternoon.

Mr. Davis stated that it wasn't really for tonight, but since you were here I was concerned about it.

Mr. Myers stated that he was glad Mr. Davis brought it up because it took him by surprise too.

Mr. Rucker stated that he believed Council wanted to know how many people were needed; Mr. Jeffcoat had indicated that some could be eliminated, and he wanted Mr. Myers to verify which ones

he wanted.

Mr. Myers stated that when he made his presentation to the Justice Committee that was on something they had studied and we needed all that and then several Councilmen talked with him and they said this is a pretty big package and I said yes it is. He stated the reason I haven't asked for this sooner is because we had no where to put them, very frankly. It's not the Council's fault, it's my fault. And then I got with Councilman Jeffcoat later on and I said we can knock this down to the bare minimum and when we knocked it down to the bare minimum, that's what we came up with. I think we had something where we requested three assistant solicitors, I told him we could survive on one. I think we requested a couple of victim witness folks, I said give us one. The case managers, that is the heart of the program; unless someone is compiling this material, someone is doing the work, then things will just fall apart.

Mr. Jeffcoat asked Mr. Myers to briefly explain to Council what he was trying to do in reducing the 8,600 case backlog.

Solicitor Myers stated they were trying to implement a rapid court docketing system. Pretty much right now, we have six to seven months that are wasted time. People show up in court on bonds that we don't even know they're supposed to be there because we haven't received the warrants that come back through the system, we haven't opened a file yet, so what we are trying to do is model a program that about five or six other counties have put into effect. Some of them have been put into effect by court order, others have done it voluntarily. Under that system, it's a rapid system in which folks start off once they are arrested the magistrates get involved; on the attorney things, have attorney screenings, they have a certain date they have to appear by then, we have to have all the paperwork, all the police reports, all the warrants, all the rap sheets, everything else. Hopefully they have an attorney by that time. Once they get in there, that day or before we have to produce discovery to the defense attorneys so they will have it upfront; that day or soon thereafter, we have to give them a proposal of what we think is an appropriate disposition of the case. They have that proposal which they have to respond to by the next term of court; next term of court probably being a month away so within a matter of two months, maybe 90 days, we come down to whether somebody is going to plead guilty or whether they want to go to trial. If they want to plead guilty, we set it up. If they don't want to plead guilty, then we start rounding up a trial roster. So during that time of 60 to 90 days, somebody's got to compile this, somebody's got to contact the victim, somebody's got to get the information from law enforcement. It takes a bunch of meetings, a bunch of things going on; talked with Judge Westbrook about it, he's all in favor for it, pushing it, it will have to be pushed by the administrative judge. It will cut down on the time to dispose of cases then bring the backlog back in and do the same thing. That's it in a nutshell.

Mr. Rucker stated that he knew a lot of the agencies were in tight times and basically what the Solicitor was trying to do was overcome a backlog. He asked if the State was still funding the Solicitor's office at the same rate they were four or five years ago.

Solicitor Myers responded, no. He stated they have been cut 60% by the State.

Mr. Rucker stated that he wanted the folks in Lexington County to know that. He asked where that was to be made up from?

Mr. Wilkerson stated that he did not have a problem with the budget, he did have a problem with the way funding is being discussed. He stated that some Council members were talking about taking the money from the fund balance and the problem he had with that was when you're talking about salaries that are reoccurring costs and you take it from the fund balance, that was fine for one year, but also it depletes your fund balance, then where are you going to get it for the next year and the next year and the next year.

An amendment was made by Mr. Wilkerson and seconded by Mr. Jeffcoat that one-half mill be added in order to fund the Solicitor's budget. Mr. Wilkerson stated that he was not in favor of taking the funds from the fund balance because we would end up not having the money to do it in future years. He stated that you could not continue to take reoccurring costs from the fund balance.

Mr. Jeffcoat stated he agreed with Mr. Wilkerson that Council could not continue to do that; if support was not for the millage, he would go back to the fund balance, but that was the correct way to run the business of the County. He did not want to raise taxes any more than any one else, but that was why members were elected, to make decisions and if we are going to say no, no, no, on everything, the citizens did not need Council.

Mr. Wilkerson stated either we do it the right way or we don't do it.

Mr. Davis stated that the right way would be to have a public meeting for the millage consideration.

Mr. Wilkerson amended his amendment to schedule a meeting to consider the increase for the Solicitor's budget; seconded by Mr. Jeffcoat.

Mr. Owens stated that he would support it; he would not support raising taxes to do it; the County had a lot of money in the fund balance. If there comes a point in time when the fund balance is in jeopardy that would be the time to raise taxes. We've got this money in fund balance; if we don't use it, we either need to spend it or give it back to the people; don't keep raising taxes when you have money in the fund balance.

Mr. Rucker asked the Solicitor if he had a backlog of cases in the other three counties.

Solicitor Myers replied they had a backlog, but nothing, nothing even close to what they have in Lexington.

Mr. Derrick asked if the amendment was for one-half mill.

Mr. Davis responded, that was what the motion was.

Mr. Derrick stated that one-half mill was not enough.

Mr. Wilkerson stated the fund balance one time was not the problem. If it was a one time deal it would be fine.

Mr. Derrick stated he did not know what the numbers were and how could Council vote on something when they did not know what the numbers were.

Mr. Davis stated that the current number was one-half mill unless someone wanted to change it.

Mr. Cullum asked if Council had not determine it was around \$700,000?

Mr. Wilkerson responded, yes.

Mr. Cullum stated, the value of a mill is.....

Mr. Davis responded, \$600,000 plus.

Mr. Cullum stated that a mill and some change would be needed; a half mill was not going to touch it. If you're going to cover the expense on an on-going basis through proper financing, according to some of our philosophies, it would take a mill and some.

Mr. Carrigg stated, it will take about a mill.

Mr. Wilkerson stated that he would amend his amendment that Council will look at the increase in millage for the Solicitor, the Finance Director can get the information to Council before a vote. Seconded by Mr. Jeffcoat.

Mr. Davis asked if everyone understood the amendment that Council would consider an increase in the millage for the Solicitor's Office over and above the CPI which will be done at a public meeting to receive public input.

Vote on Amendment:

|           |              |               |
|-----------|--------------|---------------|
| In Favor: | Mr. Davis    | Mr. Wilkerson |
|           | Mr. Jeffcoat | Mr. Derrick   |
|           | Mr. Rucker   | Mr. Keisler   |
|           | Mr. Carrigg  | Mr. Cullum    |
| Opposed:  | Mr. Owens    |               |

**Midlands TEC** - Mr. Rucker asked Mr. Derrick if he wanted to discuss Midlands TEC.

Mr. Derrick stated that Midlands TEC appeared before Council last year and the year before and requested one mill in order to set their capital improvements based on one mill. He stated Midlands

TEC was told to continue providing the information and the Council would continue to approve the millage necessary to satisfy the capital. He stated this year he believed the millage was .99968 and would request that next year Council set it at a mill so that Midland's TEC would not expect they would be getting anymore than that because that was what they asked for to start with. Mr. Derrick stated that it was sort of a State mandate that the County fund the items and there was not much of a choice.

Mr. Rucker stated that Council did not have to deal with anything, it would be next year.

Mr. Derrick stated that he wanted Midland's TEC to not expect more than that next year.

Mr. Rucker stated that was the report from the Planning and Administration Committee.

A motion was made by Mr. Derrick and seconded by Mr. Rucker that the recommendation from the Planning and Administration Committee be approved; no change in millage for FY 04-05.

|           |             |               |
|-----------|-------------|---------------|
| In Favor: | Mr. Davis   | Mr. Derrick   |
|           | Mr. Rucker  | Mr. Wilkerson |
|           | Mr. Keisler | Mr. Jeffcoat  |
|           | Mr. Carrigg | Mr. Owens     |
|           | Mr. Cullum  |               |

**Justice Committee - J. Carrigg, Chairman** - A motion was made by Mr. Carrigg and seconded by Mr. Keisler that the recommendations of the committee for Law Enforcement as listed on page 11 of the attached be approved.

Mr. Davis opened the meeting for discussion.

Mr. Carrigg asked Mr. Porth if the total was a negative \$112,000.

Mr. Porth responded, right. That was the excess of revenues over expenditures.

|           |              |               |
|-----------|--------------|---------------|
| In Favor: | Mr. Davis    | Mr. Carrigg   |
|           | Mr. Keisler  | Mr. Rucker    |
|           | Mr. Derrick  | Mr. Wilkerson |
|           | Mr. Jeffcoat | Mr. Owens     |
|           | Mr. Cullum   |               |

**Economic Development - J. Jeffcoat, Chairman** - A motion was made by Mr. Jeffcoat and seconded by Mr. Cullum that Council approve the recommendations submitted by staff and as adopted by the Economic Development Committee.

Mr. Davis opened the meeting for discussion.

Mr. Davis asked, this does not include any dollars for Engenuity, is that correct?

Mr. Jeffcoat responded, that's correct.

|           |             |               |
|-----------|-------------|---------------|
| In Favor: | Mr. Davis   | Mr. Jeffcoat  |
|           | Mr. Cullum  | Mr. Rucker    |
|           | Mr. Derrick | Mr. Wilkerson |
|           | Mr. Keisler | Mr. Carrigg   |
|           | Mr. Owens   |               |

**Committee of the Whole - S. Davis, Chairman - Accommodations Tax Fund; Temporary Alcohol Beverage License Fee Fund** - A motion was made by Mr. Wilkerson and seconded by Mr. Carrigg that the recommendations of the Committee of the Whole as listed on pages 14 and 15 be approved.

Mr. Davis opened the meeting for discussion; no discussion occurred.

|           |              |               |
|-----------|--------------|---------------|
| In Favor: | Mr. Davis    | Mr. Wilkerson |
|           | Mr. Carrigg  | Mr. Derrick   |
|           | Mr. Rucker   | Mr. Keisler   |
|           | Mr. Jeffcoat | Mr. Owens     |
|           | Mr. Cullum   |               |

**Public Works - B. Derrick, Chairman - Solid Waste Management** - Mr. Derrick stated staff recommended that they be permitted to request through DHEC that the County be allowed to take out-of-county waste because a couple of the municipalities have a portion of their town/city limits outside Lexington County and the County be allowed to increase the fee to \$50.00/ton for the out-of-county waste which will help offset the 15 per cent increase in the waste disposal cost. He added that the County would not be soliciting waste from out of the County, it would be for those municipalities whose boundaries are split by the County line.

A motion was made by Mr. Derrick and seconded by Mr. Cullum that the recommendation of the Public Works Committee as outlined above be approved.

Mr. Davis opened the meeting for discussion.

Mr. Cullum asked if the 15 per cent increase is from our contractual provider which hauls the County's waste.

Mr. Derrick responded, yes.

|           |            |             |
|-----------|------------|-------------|
| In Favor: | Mr. Davis  | Mr. Derrick |
|           | Mr. Cullum | Mr. Rucker  |

Mr. Wilkerson            Mr. Keisler  
Mr. Jeffcoat            Mr. Carrigg  
Mr. Owens

**Health and Human Services - J. Wilkerson, Chairman - Lexington County Recreation and Aging Commission** - Mr. Wilkerson reported the Commission requested a three mill increase.

A motion was made by Mr. Cullum and seconded by Mr. Wilkerson that a special meeting be held to consider the three mill increase requested by the Lexington County Recreation and Aging Commission.

Mr. Davis opened the meeting for discussion.

Mr. Derrick stated he would like the Recreation Commission to fall under Council's purview; currently this was a special service district and he thought it should fall under County Council and was why he would be opposed to any increase or considering an increase until Council could get a "handle" on the Recreation Commission. Mr. Derrick stated that he thought the commission should be under Council's jurisdiction.

Mr. Wilkerson stated that he wholeheartedly agreed with Mr. Derrick but he did not know exactly how to get that accomplished. If Council has to approve the millage, then Council should also be appointing the members of the Recreation Commission.

An amendment was made by Mr. Derrick that if the Recreation Commission would come under the jurisdiction of Council, he would support the activity; seconded by Mr. Rucker.

Mr. Davis opened the meeting for discussion on the amendment.

Mr. Anderson stated Council would have to see the General Assembly to get the change made.

Mr. Rucker stated he thought it only took the Delegation; they seem to make some moves on their own.

Mr. Cullum suggested that Council send a letter to each Delegation member requesting that the Recreation Commission come under Council's authority.

Mr. Rucker asked that Council ask the Delegation if they support the three mill increase since they appoint the board.

Mr. Owens stated that if no action is taken by Council, the request dies by the wayside.

Mr. Rucker stated that he believed Council needed to have a public meeting on the question in order to find out how the public feels about the three mill increase.

Mr. Cullum stated that he agreed with Mr. Rucker that the Delegation be sent a letter to let them know when the meeting is and for them to be present to support or not support the millage increase from a board which they appoint.

Mr. Davis stated that the invitation would be made available.

Mr. Wilkerson stated if the Delegation members could not attend the meeting that would be fine, they could send a letter either supporting or not supporting the request which would be acceptable.

Mr. Rucker stated that Mr. Derrick would have to rescind his amendment.

Mr. Derrick commented that he didn't finish the amendment, however, did have a question. He stated he understood special purpose districts have to have their own public hearing.

Mr. Davis stated, correct.

Mr. Derrick asked if Council had to have a public hearing for the millage or did the Recreation Commission.

Mr. Davis responded that Council had to because of considering an increase in taxes. The Recreation Commission had to have one for their budget which they had and recommended this increase. Mr. Davis asked the clerk for confirmation of the Recreation Commission's public hearing.

The clerk indicated that the Recreation Commission will be having a public hearing.

Mr. Rucker withdrew his second to the amendment.

Mr. Cullum asked what motion was on the floor.

Mr. Davis responded the motion on the floor was to have a public meeting to consider a three mill increase for the Lexington County Recreation and Aging Commission.

Mr. Owens stated if the motion was amended to not fund the request, the meeting would not be needed.

Mr. Davis stated to Mr. Owens that he could certainly amend the motion.

An amendment was made by Mr. Owens that the request for a three mill increase not be funded.

The amendment died for lack of a second.

Mr. Davis restated the motion that a public meeting be held to consider a three mill increase for the Recreation Commission with everyone invited, the public, as well as the State Legislators.

In Favor:     Mr. Davis                 Mr. Cullum  
                  Mr. Wilkerson         Mr. Derrick  
                  Mr. Rucker                 Mr. Keisler  
                  Mr. Jeffcoat             Mr. Carrigg  
Opposed:     Mr. Owens

Mr. Jeffcoat stated that there were two sides to the Lake Murray dam, one side just asked for three mills and the other side has been begging for one-half mill.

Mr. Wilkerson stated that he was going to address that.

**Lexington County Community Mental Health** - Mr. Wilkerson stated that no one appeared before the committee to discuss the request; the agency requested \$750,000; staff recommended \$500,000. He asked Mr. Porth if the \$500,000 would take a millage increase.

Mr. Porth stated that staff recommendation was to fund at the current fiscal year level.

A motion was made by Mr. Wilkerson, seconded by Mr. Keisler that the Community Mental Health agency be funded at \$500,000.

Mr. Davis opened the meeting for discussion.

Mr. Owens asked how the agency would be funded.

Mr. Porth responded there is a separate millage for the agency and, in fact, could be reduced .15.

An amendment was made by Mr. Cullum that the millage be adjusted to equal \$500,000.

Mr. Davis stated that was what would occur.

In Favor:     Mr. Davis                 Mr. Wilkerson  
                  Mr. Keisler                 Mr. Rucker  
                  Mr. Derrick                 Mr. Jeffcoat  
                  Mr. Carrigg                 Mr. Owens  
                  Mr. Cullum

**Irmo Chapin Parks and Recreation Commission** - Mr. Wilkerson stated that the commission requested the same millage for FY 04-05 and has also requested that the district be considered for any cost-of-living increases that other agencies might receive.

Mr. Jeffcoat stated that both recreation commissions were doing a good job and the Irmo Chapin Parks and Recreation Commission did need more funds, however, the idea of Council appointing the commission members he did not think would “fly.”

A motion was made by Mr. Jeffcoat and seconded by Mr. Carrigg that the Irmo Chapin Parks and Recreation Commission receive the CPI (2.3 percent) increase.

Mr. Davis stated that the CPI increase was allowable without a public meeting.

|           |               |              |
|-----------|---------------|--------------|
| In Favor: | Mr. Davis     | Mr. Jeffcoat |
|           | Mr. Carrigg   | Mr. Rucker   |
|           | Mr. Derrick   | Mr. Keisler  |
|           | Mr. Wilkerson | Mr. Owens    |
|           | Mr. Cullum    |              |

**Other Items - Building Services and Information Services - Additional Positions** - Mr. Porth stated that as the committees were meeting several positions were mentioned that needed considering and staff was bringing those to Council's attention. Those in Building Services were maintenance assistant and custodial worker positions. He stated that the request was a result of increased space in the Judicial Center in addition to maintaining the Courthouse.

Mr. Porth stated that the same was true also of Information Services. These are internal support departments and staff wanted Council to be aware of the positions requested.

Mr. Davis asked if there was support for funding the additional positions totaling some \$200,000.

Mr. Rucker asked Mr. Porth if he recommended any of the positions.

Mr. Porth responded no, staff did not recommend any new positions.

Mr. Rucker stated if Mr. Porth did not recommend any and the Administrator concurred, that was certainly enough information for him.

**Classification and Compensation Study** - Mr. Davis asked Mr. Porth to address the item.

Mr. Porth stated that in the current budget, following the same pattern as in the last budget, staff included three (3) per cent funding in a salary and wage adjustment pool to be drawn from for any annual evaluations that might lead to any type merit increase. He stated that upon receipt of the class and comp study from Dr. Archer, a presentation was made by Dr. Archer to Council in which he discussed several implementation plans with costs ranging from \$700,000 (to only taking employees to minimum) up to \$6 million (that would take everyone to mid-point). Mr. Porth stated that the current funding level has approximately \$1,019,085 in the General Fund or a total of \$1,111,174 in the five different operating categories and would be short of an implementation that staff has identified as Plan A (an equivalent pay point comparison limiting any increase to no more than \$3,500). He stated the additional funding required to implement at that level would be \$731,824 on top of the \$1,111,174 in the fund.

Mr. Davis stated that Council asked for the study, Council may not be able to implement it in FY 04-05, but would be discussed and any motions would be entertained. He asked if implementation would have to be considered at a special meeting.

Mr. Porth responded that it depended on what Council wanted to do - if Council wanted to pay for it with a millage increase, it would require a special meeting.

Mr. Jeffcoat asked if employees would be given an increase in FY 04-05.

Mr. Porth stated that staff needed some direction from Council as to what to do with the funding currently available; if there is no interest in providing additional funding, an alternative strategy would be to delay the implementation of the study and use any funds left over from FY 03-04 that were unused in order to implement the study as soon as possible. He stated that delayed implementation may possibly not occur until September, October.

Mr. Rucker asked the percentage of increase in salary Mr. Porth recommended in the draft budget.

Mr. Porth stated staff knew the class and comp study was being conducted and three (3) percent was included.

Mr. Rucker stated that Lexington County was one of the few government agencies that, over the last two or three years, has given any increase in salary.

A motion was made by Mr. Rucker and seconded by Mr. Jeffcoat that the funds for increases in FY 03-04 be coupled with what staff has included in the proposed budget to implement the class and comp study.

Mr. Cullum stated that he did not understand where the money would be coming from.

Mr. Porth stated the million dollar figure is included in the budget now in a salary and wage adjustment account, and what staff would ask is to implement Plan A and if it can't be done July 1 which costs the \$1.8 million to implement it as soon as possible during FY 04-05 and determine if any funds can be identified in any of the salary and wage accounts from FY 03-04 to be carried over and added to what was initially put into the draft budget. He stated delayed implementation would get the new class and comp into the system and would address those positions which are not at market value; those at less than market value would receive more of an increase than those at market value.

An amendment was made by Mr. Derrick that the class and comp study be caught up over the next two or three years, depending on the amount of money this year. He stated if Council could implement it in October, that told him it could be completely implemented in two years.

Mr. Porth commented that it would be complete then, it would just be late.

Mr. Derrick stated he realized that, however, next year Council would have to face the same thing they're facing this year.....the implementation would be spread over two years.

Mr. Porth asked if this would mean to implement this year in October, the next year September, the next year August, depending on.....

Mr. Rucker seconded the amendment.

Mr. Porth stated staff needed to report back to Council sometime after July to see exactly what the implementation plan was going to look like.

Mr. Derrick asked that staff look at implementing over two or three years and the amount of money needed to implement over two or three years would be more palatable.

Mr. Cullum stated the dollar amount being discussed to be added was \$731,824 over a 24 to 36-month period, right?

Mr. Derrick responded, right.

Mr. Owens asked if the motion passes, how will the plan be implemented, when will it be implemented and how will Council know it has been implemented?

Mr. Porth stated that Council was not adding to the budget so it could not be implemented July 1. He stated Council would be authorizing staff to look at any monies left from FY 03-04 and to report back to Council as to the exact date of implementation. Mr. Porth stated that his guess would be several months into the fiscal year. No salaries would be adjusted July 1.

Mr. Owens stated the \$731,000 funds one year, right; that would bring everyone up to mid-level.

Mr. Porth replied it would take the \$731,000 to implement July 1; staff was proposing that implementation be delayed so no dollars will actually be taken, that much money would be saved in the fiscal year.

Mr. Davis asked Mr. Derrick, for accounting purposes did he want to specify two, or three rather than say, two or three?

Mr. Derrick stated it would be based on the remaining compensation.

Mr. Porth asked that nothing be done until staff could report back to Council.

Mr. Derrick stated this could be part of his amendment, that no action be taken until Mr. Porth reports back to Council.

Mr. Porth stated all Council would be approving for FY 04-05 would be the existing amount, \$1.1 million and staff would come back to Council with an implementation strategy.

Mr. Jeffcoat stated he was amazed at how we can find this kind of money and he certainly thought the employees needed to be paid, he did not have a problem with it at all, it was just how we can suddenly pop up and say well, we're looking at \$1.8 million, and it was amazing to him.

Mr. Porth stated no funds were being added.

Mr. Jeffcoat commented I know we're not doing it, but we're doing it.

Mr. Davis called for the vote on the amendment.

Vote on Amendment:

|           |             |               |
|-----------|-------------|---------------|
| In Favor: | Mr. Davis   | Mr. Derrick   |
|           | Mr. Rucker  | Mr. Wilkerson |
|           | Mr. Keisler | Mr. Jeffcoat  |
|           | Mr. Carrigg | Mr. Owens     |
|           | Mr. Cullum  |               |

Vote on Motion as Amended:

|           |               |             |
|-----------|---------------|-------------|
| In Favor: | Mr. Davis     | Mr. Rucker  |
|           | Mr. Jeffcoat  | Mr. Derrick |
|           | Mr. Wilkerson | Mr. Keisler |
|           | Mr. Carrigg   | Mr. Owens   |
|           | Mr. Cullum    |             |

**Budget Policies** - Mr. Davis asked if there were any changes in the policies.

Mr. Porth responded there were no changes; some portions would need to be rewritten insofar as the personnel policy based on the action just taken by Council; the holidays have been updated, however, were the same as for FY 03-04; employee health insurance is not proposed to be changed.

A motion was made by Mr. Wilkerson and seconded by Mr. Rucker that the budget policies as presented be approved.

Mr. Davis opened the meeting for discussion. No discussion occurred.

|           |             |               |
|-----------|-------------|---------------|
| In Favor: | Mr. Davis   | Mr. Wilkerson |
|           | Mr. Rucker  | Mr. Derrick   |
|           | Mr. Keisler | Mr. Jeffcoat  |
|           | Mr. Carrigg | Mr. Owens     |
|           | Mr. Cullum  |               |

**Millage - County Ordinary** - Mr. Davis asked the advertisement requirements for a public meeting.

The Clerk responded the only requirement would be 24 hours to the media, however, staff would need some time to actually get the notice to the newspaper.

Mr. Davis asked if all millage increases could be considered at one meeting.

The clerk and several Council members responded yes.

Mr. Davis stated that Council would have the public meeting for the additional considerations and Council members would be notified as quickly as a date could be set. Mr. Davis asked that members do their best to be present.

Mr. Davis stated the public meeting would involve increases for the Library, Recreation Commission and the Solicitor's budget.

Mr. Porth commented on page 28 of the prepared information is the CPI indexed to the tax millage for 2004 compared to 2003. He stated staff tried to show the committee items which have been somewhat adjusted and one item which has not been discussed, the millage for indigent care. Mr. Porth stated that State law says that the County has to fund the medically indigent assistance fund and the State tells the County the amount each year. He stated the fund needed a millage increase of .44 mill.

Mr. Davis asked how State law addresses their demanding of us to pay that; did Council have to have a public meeting for that.

Mr. Porth responded, that would be a legal question.

Mr. Davis stated Council would have a public meeting on indigent care, a State mandate of what the County has to pay, because it was certainly over the CPI and affects the County's taxpayers.

**Other Items** - The clerk asked how soon Council wanted to have the special meeting.

Mr. Davis asked Council which day would be better - Monday or Tuesday.

Several members replied that Monday would be better.

Mr. Davis stated Monday, June 21, 6:00 p.m. He added if there was a change, Council would be notified.

Mr. Davis asked if Council could vote on third and final reading at the same time.

Mr. Derrick asked if a public meeting could be scheduled at 6:00 p.m. and a Council meeting

scheduled at 7:00 p.m. on June 29?

Mr. Anderson stated that he would review the statute, it says a special meeting.

Mr. Davis stated the process would be handled as speedily as legally possible.

Mr. Davis adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Dorothy K. Black  
Clerk

George H. Smokey Davis  
Chairman

Diana W. Burnett  
Assistant Clerk to Council