



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
NOVEMBER 18, 2009
3:30 P.M. WORKSHOP**

MINUTES

OFFICIALS AND STAFF PRESENT:

DR. GEORGE HOOD, CHAIRMAN
LEROY BLACKSHEAR, VICE CHAIRMAN
HUBERT TYLER, COUNCILMAN
HENRY ETHERIDGE, COUNCILMAN
REV. SAMUEL GREGORY, COUNCILMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES
MARVIN JONES, ATTORNEY
JUDITH FRANK, CLERK TO COUNCIL

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT THE ELECTRONIC AND PRINT MEDIA WERE NOTIFIED.

DURING PERIODS OF DISCUSSION AND/OR PRESENTATIONS MINUTES ARE TYPICALLY CONDENSED AND PARAPHRASED.

CALL TO ORDER:

VICE CHAIRMAN BLACKSHEAR CALLED THE WORKSHOP TO ORDER AT 3:30 P.M.

INVOCATION:

COUNCILMAN TYLER GAVE INVOCATION.

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT THE ELECTRONIC AND PRINT MEDIA WERE NOTIFIED.

DURING PERIODS OF DISCUSSION AND/OR PRESENTATIONS MINUTES ARE TYPICALLY CONDENSED AND PARAPHRASED.

3RD READING OF THE ORINANCE TO CREATE ARTICLE III OF CHAPTER 26 OF CODE OF ORDINANCES OF SOUTH CAROLINA RELATED TO

PROPERTY TAXES AND SECTION 26-45 AS A PART OF ARTICLE III RELATED TO INSTALLMENT PAYMENT OF PROPERTY TAXES:

MR. JONES EXPLAINED THAT HE MADE THE CHANGES TO THE ORDINANCE THAT WERE REQUESTED BY COUNCIL. MR. JONES SAID THAT HE CONTACTED GREENWOOD COUNTY AND THEY WERE CURRENTLY COLLECTING THE INSTALLMENT PAYMENTS AS OUTLINED IN THE STATE LAW. MR. JONES SAID THAT GREENWOOD HAD COLLECTED INSTALLMENTS PRIOR TO THE PASSAGE OF THE STATE LAW AND CHANGED THE SCHEDULE TO ADHERE TO THE NEW LAW. MR. JONES SAID THAT HE WAS NOT AWARE OF ANY COUNTY IN THE STATE NOT ADHERING TO THE STATE LAW. MR. JONES SAID THE ORDINANCE HE DREW UP REFLECTS VICE CHAIRMAN BLACKSHEAR'S REQUEST FOR THE MOST FLEXIBILITY IN TIME OF PAYMENT AND AMOUNT OF PAYMENT. MR. JONES SAID THE CITIZEN CAN PAY ANY AMOUNT, AT ANYTIME FOR THEIR PROPERTY TAX. MR. JONES SAID THAT HE WROTE THE ORDINANCE TO ESTABLISH AN ESCROW SYSTEM SO THAT IT IS DIFFERENT FROM THE STATE INSTALLMENT REQUIREMENTS. MR. JONES SAID THE TREASURER WILL DO A PAPER ENTRY FOR THE FUNDS, THE AMOUNT AND DATE. MR. JONES SAID HE ADDED CLAUSES THAT ORDINANCE WAS WRITTEN TO ADDRESS A PUBLIC NEED AS IT WAS PRECIEVED BY THE COUNCIL. THE COUNCIL DISCUSSED THE STATE LAW AND GREENWOOD. COUNCILMAN GREGORY ASKED FOR A RECOMMENDATION FROM ATTORNEY JONES. MR. JONES SAID HE FELT THE COUNCIL SHOULD ADOPT WHAT IS CONSISTANT WITH STATE LAW. COUNCILMAN ETHERIDGE ASKED IF IT COULD BE CHANGED IN THE FUTURE AND MR. JONES RESPONDED THAT IT COULD BE CHANGED AT ANY TIME. COUNCILMAN GREGORY ASKED MR. JONES HIS OPINION OF WHAT WOULD BE THE DANGER OF ADOPTING AN ORDINANCE THAT IS DIFFERENT FROM THE STATE. MR. JONES SAID HE COULD NOT PREDICT THE OUTCOME IF A LAWSUIT IS FILED AND THE PEOPLE COULD NOT BE OBLIGED TO PAY SINCE THE LAW WAS NOT FOLLOWED. COUNCILMAN GREGORY SAID HE DID NOT SEE A DANGER AND THIS IS AN AGREEMENT THAT THE CITIZENS HAVE TO SIGN AND AGREE TO THE INSTALLMENTS. COUNCILMAN GREGORY SAID THE MONEY PAID TOWARDS THE TAXES COULD BE REFUNDED AT THE CITIZENS REQUEST, BUT THE TAXES WOULD STILL BE DUE. COUNCILMAN GREGORY SAID THE AGREEMENT WOULD STATE THAT IF THE TAXES ARE NOT PAID IN FULL, THE PROPERTY WILL STILL GO TO THE TAX SALE. THE COUNCIL DISCUSSED DIVIDING PROPERTY TO COVER THE AMOUNT OF THE TAX AND NOT SELL ALL THE ACRES. MR. JONES EXPLAINED THAT THE PEOPLE HAVE TO MAKE THAT REQUEST AND PROVIDE A SURVEY OF THE AREA TO BE CUT OUT. MR. JONES SAID THERE COULD BE PROBLEMS IF THE PORTION CUT OUT DOES NOT COVER THE TAXES AND THEN MORE PROPERTY HAS TO BE SOLD. MR. JONES SAID THE COST OF THE SURVEY IS EXPENSIVE AND IT WOULD NEED TO BE PAID FOR BY THE PEOPLE MAKING THE REQUEST. MR. MALPHRUS SAID THAT THEY HAVE A WRITTEN POLICY CONCERNING DIVIDING THE PROPERTY AND IT MUST BE REQUESTED BY A CERTAIN DATE AND THE OWNER MUST AGREE TO PAY FOR THE SURVEY. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE AMENDMENTS TO THE JASPER

COUNTY ORDINANCE NUMBER 09-39. THE MOTION CARRIED WITH VICE CHAIRMAN BLACKSHEAR AND COUNCILMEN TYLER AND GREGORY VOTING FOR; CHAIRMAN HOOD AND COUNCILMAN ETHERIDGE VOTED AGAINST. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 3RD READING OF THE ORDINANCE (NO. 09-39) RELATED TO PROPERTY TAXES AND SECTION 26-45 AS A PART OF ARTICLE III TO CREATE A TAXPAYER ESCROW SYSTEM FOR PAYMENT OF AD VALOREM PROPERTY TAXES. THE MOTION CARRIED WITH VICE CHAIRMAN BLACKSHEAR AND COUNCILMEN TYLER AND GREGORY VOTING FOR; CHAIRMAN HOOD AND COUNCILMAN ETHERIDGE VOTED AGAINST.

BUDGET CONTINGENCY PLANNING MAJOR REVENUE AND EXPENDITURES:

MR. FULGHUM BEGAN BY LISTING VARIOUS COUNTIES AND STATES EXPERIENCING TROUBLED FINANCIAL TIMES.

MR. FULGHUM PROVIDED A POWER POINT PRESENTATION THAT COVERED THE MAJOR REVENUES AND EXPENDITURES OF THE COUNTY. MR. FULGHUM EXPLAINED A MULTI-YEAR REVENUE CHART OF THE REVENUES. THE YEARS COVERED WERE FROM 2004-2008. MR. FULGHUM SAID THE 2009 AUDIT WILL BE READY SOON AND IT WILL ALSO COVER THE PER CAPITA COSTS FOR SERVICES. MR. FULGHUM SAID THE REVENUES HAVE INCREASED SLIGHTLY OVER THE PAST SEVEN YEARS AND THE OTHER REVENUES ALSO INCREASED. MR. FULGHUM TOLD THE COUNCIL THAT THE FIGURES RELATING TO EMS ALSO INCLUDED THE DETENTION CENTER. MR. FULGHUM ALSO REVIEWED THE MULTI-YEAR EXPENDITURES AND THEY HAVE BEEN SIMILAR IN EACH AUDIT. MR. MALPHRUS POINTED OUT THE HEALTH, EDUCATION AND WELFARE ARE COVERED UNDER THE SECTION TITLED "OTHER". CHAIRMAN HOOD ASKED IF THAT WAS ALL THE REVENUE RECEIVED BY THE COUNTY, COULD THE COUNTY AFFORD TO GIVE THE SCHOOLS \$15,000,000.00. MR. MALPHRUS RESPONDED THAT ONLY COUNTY REVENUE WAS LISTED, THE REVENUE FOR THE SCHOOLS WAS NOT INCLUDED. MR. FULGHUM SAID THE COUNCIL NEEDS TO LOOK AT THE REVENUE STREAM. MR. FULGHUM SAID THAT A PIE CHART IS PART OF EACH AUDIT TO SHOW WHERE THE COUNTY REVENUE STANDS. MR. FULGHUM SAID THE COUNCIL SHOULD TRY TO ELIMINATE THE CASH CARRY FORWARD AND THE STATE FROM THE BUDGET AND NOT DEPEND ON THEM. MR. FULGHUM DISCUSSED THE 2010 EXPENDITURES AND THE VARIOUS DEPARTMENTS THAT HAVE THE LARGEST EXPENDITURES. MR. FULGHUM ALSO PROVIDED A PIE SHAPED CHART THAT REFLECTED THE EXPENDITURES. COUNCILMAN GREGORY POINTED OUT THAT EMS AND DETENTION HAD THE LARGEST PIECE OF THE PIE. MR. FULGHUM DISCUSSED THE CHERRY POINT MILLAGE AND IT WAS INCLUDED AS \$460,000.00 FOR FIRE AND RESCUE. MR. FULGHUM SAID THE COUNTY COLLECTS A SPECIAL TAX FROM THE CHERRY POINT AREA, HOWEVER, THOSE FUNDS GO TO HARDEEVILLE SINCE THEY ARE PROVIDING FIRE PROTECTION TO THAT AREA. MR. FULGHUM SAID THE COUNTY STILL HAS AN AMBULANCE AT THAT STATION. COUNCILMAN GREGORY ASKED WHY

THE EXPENSES OF THE AMBULANCE SERVICE IS NOT PAID FOR WITH THOSE SPECIAL TAX FUNDS. MR. MALPRUS SAID THE MILLAGE IS FOR FIRE SERVICE, WHICH HARDEEVILLE PROVIDES. MR. MALPHRUS SAID THERE ARE COUNTY EMPLOYEES ASSIGNED TO THE AMBULANCE SERVICE. MR. FULGHUM LISTED THE VARIOUS DEPARTMENTS THAT ARE COVERED IN THE EMS EXPENDITURES. COUNCILMAN GREGORY ASKED IF THERE IS A PAPER TRAIL TO SEE WHAT EACH DEPARTMENT DOES AND HE ASKED THAT THE COUNCIL BE PROVIDED THAT INFORMATION IN WRITING. CHAIRMAN HOOD SAID THE COUNCIL RECEIVED AN ACTION PLAN IN THE PAST; HOWEVER, THEY HAVE NOT RECEIVED ONE FOR QUITE A WHILE. MR. FULGHUM SAID HE WOULD PROVIDE THE COUNCIL WITH A LIST OF EACH DEPARTMENT, THE EMPLOYEES AND THE FUNCTION OF THE DEPARTMENT. MR. FULGHUM SAID THAT "ALL OTHERS" COVERS ANYTHING THAT HAS NOT BEEN LISTED SPECIFICALLY. COUNCILMAN ETHERIDGE ASKED HOW EMS COMPARES TO OTHER COUNTIES. MR. FULGHUM SAID HE HAS NOT GOTTEN THE INFORMATION YET, BUT HE IS GETTING IT TOGETHER. CHAIRMAN HOOD SAID THE COST OF EMS HAS REALLY RUN THE BUDGET UP WHEN THEY HIRED PAID FIREMEN FOR ALL THE STATIONS. CHAIRMAN HOOD SAID THE COUNCIL VOTED FOR THAT BECAUSE THEY WERE TOLD IT WOULD BRING DOWN THE ISO RATING AND SAVE THE CITIZENS MONEY. COUNCILMAN GREGORY SAID THAT IF THERE IS A CAR FIRE, EVERYONE BRINGS A TRUCK.

THE COUNCIL DISCUSSED THE LOCAL GOVERNMENT FUND AND THE LEGISLATURE PROPOSALS REGARDING THE ATI. MR. MALPHRUS EXPLAINED HOW THE ATI AFFECTS PROPERTY AND THE TAXES.

MR. FULGHUM DISCUSSED THE BUDGET DOCUMENT AND ORDINANCE AND TOLD THE COUNCIL THAT THEY NEEDED TO MAKE SURE THAT EVERYTHING IS ADDRESSED AS IT IS IN THE AUDIT.

MR. FULGHUM ALSO PROVIDED THE COUNCIL WITH A COPY OF ORANGE COUNTY'S PUBLICATION REGARDING WHERE THE TAX DOLLARS GO AND THERE IS A NEED TO BE CREATIVE AND VISUAL FOR THIS YEARS REPORTING TO THE CITIZENS. MR. FULGHUM ALSO PROVIDED THE COUNCIL WITH A COPY OF THE SPARTANBURG TAXPAYERS INFORMATION NEWSLETTER. CHAIRMAN HOOD SAID HE THOUGHT THE NEWLETTER WAS A GOOD IDEA AND ASKED THE ADMINISTRATOR TO LOOK INTO DOING ONE FOR JASPER COUNTY.

MR. FULGHUM SAID THAT THE WORKSHOPS WERE TO GET EVERYONE ON THE SAME PAGE. MR. FULGHUM SAID THAT HE WOULD PROVIDE THE COUNCIL WITH A CHEAT SHEET SO EVERYONE HAS THE SAME ANSWERS TO GIVE TO THE CITIZENS. MR. FULGHUM ADDED THAT THEY WILL REVIEW THE PAST AUDITS, NEW DEBT, INFORMATION ON BOND RATINGS, THE ACCRUED LIABILITY AND HOW THEY CAN BE FUNDED.

MR FULGHUM ASKED THE COUNCIL TO EMAIL OR CALL HIM WITH ANY QUESTIONS.

COUNCILMAN ETHERIDGE ASKED IF THE COUNTY GETS ANY REVENUE FROM WASTE MANAGEMENT ON TRASH BROUGHT THERE FROM OTHER COUNTIES. MR. FULGHUM RESPONDED THAT THE COUNTY IS NOT PAID ANYTHING FROM WASTE MANAGEMENT FOR TRASH FROM OTHER AREAS, HOWEVER,

THE COUNTY GETS A SPECIAL TIPPING FEE OF \$10.00 PER TON. MR. MALPHRUS ADDED THAT THE ONLY REVENUE THE COUNTY GETS FROM WASTE MANAGEMENT IS ON WHAT TRASH IS BROUGHT THERE FROM OUT OF STATE. COUNCILMAN ETHERIDGE ASKED IF THE OTHER COUNTIES WITH LANDFILLS PAY THE SAME RATE. MR. FULGHUM SAID THAT OTHER COUNTIES BRING TRASH TO THE LANDFILL PAY A HIGHER RATE. MR. FULGHUM SAID THAT IF ANOTHER CONTRACT WOULD BE NEGOTIATED SO THAT THE COUNTY WOULD BE PAID A FEE FROM WASTE MANAGEMENT FOR OTHER AREAS USING IT, THE COUNTY WOULD GO TO A SLIDING FEE AND THAT WOULD INCREASE THE COSTS. COUNCILMAN EHTERIDGE ASKED WHEN A CONTRACT IS NEGOTIATED, WHAT IS THE TERM. MR. FULGHUM SAID THE TERM OF THE CONTRACT IS THE LIFE OF THE LANDFILL. COUNCILMAN GREGORY DISCUSSED THE USE OF MONEY THAT IS DESIGNATED FOR A SPECIFIC PROJEC. COUNCILMAN GREGORY SAID IT NOT BE USED FOR ANYTHING ELSE UNLESS IT IS APPROVED BY THE COUNCIL. COUNCILMAN GREGORY SAID THAT THE COUNTY COUNCIL SHOULD HAVE TO APPROVE SPENDING ANY FUNDS ON ANYTHING THAT IT HAS NOT BEEN DESIGNATED FOR. MR. MALPHRUS SAID THAT ANY EXPENSE FROM THAT FUND MUST BE APPROVED BY COUNCIL AND THEY ARE NOT SPENDING THAT MONEY ON ANYTHING EXCEPT THE RDA FUND. MR. MALPHRUS SAID THEY DO NOT HAVE A SEPARATE BANK ACCOUNT FOR THE RDA FUNDS, THE MONEY ALL GOES INTO ONE POOLED CASH ACCOUNT. COUNCILMAN GREGORY SAID THAT IF MONEY IS EARMARKED FOR A SPECIAL PROJECT, IT SHOULD BE SPENT ONLY ON THAT PROJECT AND NOT ON SOMETHING ELSE AND THEN REIMBURSE THE FUND. CHAIRMAN HOOD SAID HE FELT THE WAY IT IS BEING DONE IS THE RIGHT WAY. CHAIRMAN HOOD STATED THAT EVERYTHING IS PAID FROM THE GENERAL FUND AND DUE TO SHORT REVENUE FALL, THEY CAN COME UP SHORT. CHAIRMAN HOOD SAID HE DID NOT THINK THEY SHOULD HAVE SEPARATE BANK ACCOUNT. COUNCILMAN GREGORY SAID HE WAS NOT TALKING ABOUT SEPARATE BANK ACCOUNT, BUT EVEN IF THE EARMARKED MONEY IS IN THE GENERAL FUND, IT SHOULD NOT BE SPENT ON ANYTHING ELSE UNLESS THE COUNCIL KNOWS ABOUT IT AND APPROVES IT. MR. MALPHRUS SAID HE COULD TELL THE TREASURER NOT TO LET THE GENERAL FUND FALL BELOW THE AMOUNT THAT HAS BEEN APPROPRIATED FOR SPECIAL THINGS. MR. MALPHRUS SAID THAT DIFFERENT ACCOUNTS MAKE IT MORE DIFFICULT. COUNCILMAN GREGORY SAID THE COUNCIL SHOULD KNOW IF THE ACCOUNTS OR FUNDS ARE UNDER \$5,000,000.00 AND SPENDING SHOULD STOP TO KEEP THE COUNTY AFLOAT. COUNCILMAN ETHERIDGE ASKED IF TWO PEOPLE DECIDED TO BUILD A HOUSE AND EACH OF THEM PUT \$20,000.00 IN AN ACCOUNT AND ONE OF THEM HAS A FEW BAD MONTHS AND SPENDS PART OF THOSE FUNDS, BUT PLANS ON BORROWING MONEY TO PUT IT BACK, IS THAT ALRIGHT. CHAIRMAN HOOD SAID THAT WAS NOT THE SAME SCENARIO AND THE MONEY SHOULD NOT SPENT ON ANYTHING THAT IT WAS NOT DESIGNATED FOR. MR. MALPHRUS SAID THAT FUND ACCOUNTING IS THE GENERAL ACCEPTED PRACTICE, BUT IT CAN BE CHANGED. COUNCILMAN ETHERIDGE SAID THE PROBLEM WAS NOT ABOUT

ONE BANK ACCOUNT, BUT THAT DESIGNATED FUNDS WERE SPENT IS THE PROBLEM.

CHAIRMAN HOOD ASKED IF THE COUNTY HAD A TELEVISION FROM THE OLD BUILDING THAT COULD BE GIVEN TO THE GRAYS COMMUNITY CENTER. CHAIRMAN HOOD SAID THAT THE CITIZENS WERE TOLD LCOG SAID TO REMOVE IT FROM THAT CENTER. COUNCILMAN ETHERIDGE SAID THAT HE TALKED TO LCOG AND THEY NEVER ASKED THAT IT BE REMOVED. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO CHECK AND SEE IF THE TELEVISIONS AT THE OLD EXECUTIVE BUILDING WERE STILL THERE AND TO HAVE THE ATTORNEY PROVIDE THE COUNCIL WITH THE WAY THIS SHOULD BE HANDLED.

ADJOURN:

COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO ADJOURN. THE MOTION WAS CARRIED WITH ALL MEMEBERS PRESENT VOTING IN FAVOR.

THE WORKSHOP ENDED AT 4:30 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

DR. GEORGE HOOD
CHAIRMAN