

**HAMPTON COUNTY COUNCIL MEETING MINUTES
MONDAY; SEPTEMBER 12, 2005; 500 P. M.
TRAINING ROOM, ESTILL FIRE STATION, 500 SECOND STREET, ESTILL SC**

Hampton County Council held a special meeting on Monday, September 12, 2005, 5:00 p. m., Training Room, Estill Fire Station, 500 Second Street, Estill, South Carolina. Council Member(s) present: Lisa Ball, Virgin Johnson, Sr.; Margaret S. Parker, Chairman and Willard E. Wilson, Vice Chair. Council Member(s) absent: Lee S. Bowers. Staff present: Sabrena Posey-Graham, Administrator; Aline Newton, Clerk to Council and A. G. Solomons, Jr., County Attorney. Media present: Mr. Mike DeWitt, The Hampton County Guardian. The meeting was advertised as prescribed by law.

CALL MEETING TO ORDER

CALL TO ORDER:

Chairman Parker called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION:

Council Member Johnson gave the invocation.

PURPOSE OF VOTING ON OVERRIDING THE MILLAGE RATE LIMITATION TO ALLOW AN INCREASE ABOVE THAT OF THE CONSUMER PRICE INDEX (CPI):

Chairman Parker stated that the purpose of the meeting is a special called meeting. She stated that when you have a millage increase above the Consumer Price Index (CPI), you have to have a special meeting of Council on overriding that millage increase. She stated that they have it scheduled for 10 or 15 minutes and will close this meeting and have that meeting alone itself, then they will have another meeting which they will have third (3rd) and final reading on the budget for this year and an executive session to discuss a legal matter. She stated that the public was welcome to stay; at 6:00 p. m., Council has a follow-up meeting with the Estill Town Council. She stated that they had a meeting in the early spring and this is to listen to their concerns and give a response to them.

Chairman Parker asked Mrs. Graham to present the information on the millage and the budget. Administrator Graham asked Chairman Parker for clarification, she stated that Chairman Parker said millage and budget and asked if she meant that she would be presenting information on the override. Chairman Parker stated that this was correct. Administrator Graham addressed Council and stated that the first meeting that they were there was to have Council's approval to override the millage rate limitation. She stated that for the Fiscal Year 2006, the State has set the CPI rate at 2.7%, and if the millage for any county was going to exceed the 2.7%, then Council must have a special meeting for the sole purpose of exceeding that millage rate. The millage rate for Hampton County as proposed for or proposed for after this meeting has an increase above the 2.7% CPI, increasing from 154 mills to 189 mills for General Operating purposes. Administrator Graham stated that since the millage is increasing above the 2.7%, County Council must approve an override of that millage rate limitation of 2.7%. She stated that this is the sole purpose of this meeting to override millage limitation. She stated that this meeting was advertised, and comments were to be received by the Clerk to Council, and she has shared with you tonight the comments that she has received. Confirmation was given by

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the Clerk to Council regarding comments received. She stated that she wanted to make Council aware that they have those comments before them tonight. She stated that she would be glad to answer any specific comments that they have regarding the override limitation. Chairman Parker asked that Council be given a second to read a copy of this one (Comments received). Christine Peeples asked if what that meant is that you could only call today to say something, she wanted to know if this was what Council was saying? Chairman Parker stated that unless Council took questions. Administrator Graham asked if there were any questions of Council regarding the millage override limitation. Council Member Johnson asked what override up or down. Administrator Graham stated that you are overriding the 2.7%. She stated that you are going above the 2.7% limit for the general operating. Chairman Parker asked Council Member Johnson if he had any questions.

Council Member Johnson stated that he had a lot of questions and reservations. He stated that he could not see it going up. Council Member Ball stated that she was like Council Member Johnson, like any of them, they did not want the millage to go up, but if they don't do it; Council is not going to be able to fund anything. Chairman Parker restated Council Member Johnson's comments. She stated that Council Member Johnson said that he had reservations about overriding the millage rate and Council Member Ball said that she also thought Council shouldn't but didn't see what else could be done, and the County soon had to start its collections. Chairman Parker asked Council Member Ball if this is what she said. Council Member Ball confirmed the repeat. Chairman Parker stated that she wanted to express what she expressed in the paper back in the springtime when they were passing the budget. She stated that she remembered her exact words, and it was at a Council meeting. She stated that it was an extremely depressing time to be in county government with the large budget that Council had to pass. Chairman Parker stated that at that time, Council had their explanation put in the paper for the increases. She stated that the real problem was loss of revenue. She stated that if the revenue goes down; she stated that you either increase the millage or you try to cut exactly what programs. She stated that this is what Council studied and made the decision. She stated that Council did make cuts and caught heat for some of the cuts that they made. She stated that hopefully after passing this, one of the revenue decreases, you will not see next year. Chairman Parker stated that Council will go ahead and do this and she stated that in the second meeting, Council will talk a little more about the budget. Chairman Parker stated that there are three members there, and she hoped that there would be five members present. Thomas Owens asked a question, he asked if there was going to be a public hearing. He stated that it said that there had to be a public hearing to override the millage. Chairman Parker stated that this was not a public hearing. Mr. Owens asked Chairman Parker if she would share the comments that Council received. Chairman Parker stated that she would be glad to. She stated that it was a letter and what it dealt with was the millage and the budget. She stated that she would be glad to read it now or read it at the next meeting which is immediately after this meeting. Mr. Owens asked if Council did not have to open this as a public meeting. Chairman Parker answered no. ...or a public hearing for the overriding? Chairman Parker answered no, this was not the law. She stated that Council had to have what was called a special meeting to overdo that, but it doesn't have to have a referendum or a public hearing, etc. Chairman Parker stated that the County Attorney just walked in; she explained

**HAMPTON COUNTY COUNCIL MEETING MINUTES
MONDAY; SEPTEMBER 12, 2005; 500 P. M.
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to the Attorney that she was clarifying that this was not a public hearing but a special meeting of Council. County Attorney Solomons inquired for confirmation if Council had the public hearing last week? Administrator Graham stated that it was properly advertised that public comments would be received. There was discussion among the Attorney, the Administrator and Chairman. Mr. Owens asked them to check the law dealing with the part of the law for the overriding to be a public hearing. Chairman Parker stated that Council has. Mr. Owens stated that if you had a public hearing on the budget last week, it could not pass until you went through this step. Chairman Parker read, "public comment must be received by the governing body prior to the override vote...." but it has to be a special meeting. Chairman Parker stated that she felt that they are doing exactly what they should be doing by the law. Chairman Parker told Mr. Owens that she would be happy to read his letter. Mr. Owens asked if they only received one comment, the letter from him. Chairman Parker read the letter. (See letter attached.) Grover Bowers asked if this was not a public meeting. She stated that this was a public meeting. She stated that all Council's meetings are advertised, public meetings. Mr. Grover Bowers stated that he would get out of it if it was not a public meeting. Chairman Parker stated that this was very much an advertised public meeting. She stated that whenever there was more than two council members, Council has to advertise that. Chairman Parker stated that it was a public meeting but not a public hearing where Council was to receive public comments; she stated that she could see that there was a need for some public comments at this time. Chairman Parker stated that Council would not wait until the next meeting; Council would take comments about overriding the millage. Chairman Parker stated that what she would need the citizens to do is come up front to that they could be heard. She stated that Council does this for all of their meetings, not just public hearings. Mr. Grover Bowers asked if this was for the county's overage or the town's overage. Chairman Parker stated that this was for the county. Chairman Parker asked if there was someone who wanted to address the issue at hand of overriding the millage.

Thomas Owens, Citizen

He stated that he was still saying to the Council that first of all he did not think that the Council have an override above the 2.7% without having a public hearing in reference to that. He stated that he knew that for a fact, and Council needs to check that. Secondly, he stated that the County is not treating South District II fairly if they impose or increase the millage rate. He asked that Council go back as he stated in his letter to go back, look at figures and be fair with Hampton County. He stated that Council is saying that they do not care about South District II if they allow this to pass. He stated that this is discrimination. He stated that this is how he feels, and he will be forced to take other actions against the millage increase. He stated that he was asking Council very thoroughly to look at what Council is doing to the people in South District II. He stated that Council was telling South District II residents that they cannot improve their homes; they cannot build houses because of the taxes. Mr. Owens stated that what you're telling the South District II citizens that they need to go and live on the other side in Hampton if the citizens want a fine place to live, because the taxes are much cheaper on that side than on this side. Mr. Owens stated that he was pleading with Council

**HAMPTON COUNTY COUNCIL MEETING MINUTES
MONDAY; SEPTEMBER 12, 2005; 500 P. M.
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very carefully, again; he stated that this was his second time appearing before them to ask them to look at what they were doing. He asked Council to search their hearts very carefully for what they were doing. He asked that they not get in a battle over this for something that Council can do. He stated that Council can eliminate the problem right now. He asked that they not go to war for what the Council was doing. Mr. Owens pleaded with Council and thanked them. Chairman Parker thanked Mr. Owens and asked if there were any other comments.

Marcia Wood

Mrs. Wood stated that she was from the other side of the swamp. She stated that she hoped that it would be filled in one day. She asked Council if they could explain the decrease in revenue. She asked if they would highlight what areas the revenue was decreased in, and if there were any increases in the general operating funds, if they could highlight the cost estimate increases. She stated that the CPI quote/ unquote was the same as the cost of living increase. Mrs. Wood stated that she asked what the cost of living increase was for the employees, and she stated that the answer was about 2%. She stated that this has gone up. She stated that the CPI was 2.70%. She asked if they could tell them from 2.70% to what the increase would be if this override became effective tonight. Chairman Parker asked what the last question was. Mrs. Wood stated that if the increase was only 2.70%, and it stopped right there, but it is going beyond the 2.70%, what percentage is it or if it is going to stop there, what percentage will it be? Chairman Parker asked Administrator Graham what was the percentage increase. Administrator Graham stated that the percentage increase from last Fiscal Year of 154 mills to the proposed 189 mills is about 22%. Mrs. Wood stated that it would be from 2.70%, which is what the law allows, to an override of up to 22%. Administrator Graham stated that this was correct. Mrs. Wood asked if Administrator Graham could highlight some of what revenue was lost and not going to get next year and what caused the increase, was it workmen's comp , was it insurance, was it added employees or whatever? She stated that if Administrator Graham could highlight those two things; the citizens would have a clearer understanding of why it was 22%. Mrs. Wood thanked Council. Chairman Parker asked Council if they wanted to hear on the millage any other comments or if they wanted to take that vote. She stated that Council wanted to hear it now. Chairman Parker asked if there were any other comments, Mr. Owens stated that going back to what he was saying, by knowing what the increase is doesn't matter, if you increase, you increase. He stated that what was lost doesn't matter, what increase, will increase. He stated that, 1%, 2%, you're increasing it.

Truett McKenzie of Furman

Mr. McKenzie stated that Council stated that they were losing revenue, and this is the reason that they are doing this. Mr. McKenzie stated that people from this side of the county has lost revenue as well. He stated that the County is hitting them twice. He stated that this is why the Mayor is talking the way he's doing, because their income is down and now the county is going to hit them again with an increase of twenty something percent. He stated that this does not make sense to people over

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MONDAY; SEPTEMBER 12, 2005; 500 P. M.
TRAINING ROOM, ESTILL FIRE STATION, 500 SECOND STREET, ESTILL SC**

here. He asked if everyone understood what he was saying. Chairman Parker stated that she did. Mr. McKenzie stated that he did, and he understood it well.

Chairman Parker asked Administrator Graham if she had prepared for them what she could review for them what she had prepared before. Administrator Graham stated that she did not have that in specific detail; she did not bring that report. She stated that she could give a general overview, but she did not have it. She stated that when they went through the budget process, she prepared that report and went through the details on all the changes. Administrator Graham stated that she did not have that report with her. Chairman Parker stated that she remembered the big ones. Chairman Parker asked if Administrator Graham and Mike Meyer, Finance Director, could address some of the \$500,000 ones, etc. Administrator Graham stated that she did not know if she could give specific numbers, but she could give a general overview. Administrator Graham stated that the major changes to the budget were:

- workers' comp - had to make adjustments because of the workers' comp claims and losses and just an increase across the state for those who participated in the workers' comp program
- made adjustments or had to adjustment for revenues for calculations for homestead exemptions of about \$400,000. She stated that this was calculated in error which is another reason why the increase is so large.
- implemented a class and comp study last year. She stated that they implemented half of it last fiscal year and implementing the other half this fiscal year - about \$150,000.
- insurance increases - not just workers' comp, but tort liability and other insurances
- mandated increases in which the County had no choice in the matter
- added one new position - Grant Administrator in which Council's opinion was that this Grant Administrator would help identify grant funding which would very well cover itself in cost for filling this position.

She stated that she did not know if there were any others that she did not mention. Finance Director, Mike Meyer, reminded Administrator Graham about the magistrates' fines and EMS. Administrator Graham stated that one of the losses was a decrease in revenue from magistrates' fines which is a direct relation to the State reducing the number of highway patrol that Hampton County has which played a major role in the decrease in magistrates' fines. She stated that there was a decrease in revenue from EMS (Emergency Services Service) transport, because there are not many calls from hospitals, nursing facilities. She stated that there was a decrease from the transports as well. Administrator Graham asked if there was anything else. Chairman Parker introduced Mike Meyer, Finance Director, for the county. Council Member Ball stated that the increase that they are talking about is for general funds. She inquired if this was for both North and South District. Administrator Graham clarified that this was correct. She stated that this was countywide. Council Member Ball asked if the difference in South District being higher would be with the school. Administrator Graham stated that the only difference that she is aware of in

**HAMPTON COUNTY COUNCIL MEETING MINUTES
MONDAY; SEPTEMBER 12, 2005; 500 P. M.
TRAINING ROOM, ESTILL FIRE STATION, 500 SECOND STREET, ESTILL SC**

whatsoever for differences in taxes are school taxes - all county taxes are countywide. She stated that the fire tax is different, because there are municipalities that provide their own services and they are not taxed for fire service. She stated that everyone who is taxed for fire service is taxed at the same rate. She stated that the only difference is the millage that you set for schools. She stated that this is based on the EIA that is mandated by the State to set. She stated that they were able to reduce that this year by special revenue that they have collected in the previous year. She stated that also explained when they discussed the millage ordinance, that the fact that the assessed value in Estill decreased which played a part in the millage needing the increase to cover that amount that decreased in the assessed value. She stated that North District's increased which played a factor in not having to increase as much. She stated that the only difference countywide fire depending on where you live and district in which you pay fire tax or not and the schools which that is set by the State. Administrator Graham stated that they set millage to basically cover the amounts for the EIA less the amount collected in the prior year. Chairman Parker summarized and said that it is done equally across the county except for the schools in which they have no control over. She stated that they get the piece of paper that tell them what they have to pay the schools as some other counties do. Some other counties give a lot more to their schools, but Hampton County gives no extra money to the schools. Chairman Parker stated that this has been the hardest year that she's been on Council. She stated that she's said this three times at the county council meetings. Chairman Parker stated that is the worst year that they have seen. She stated that Council sat back then and studied and studied and saw that it was no other way except to do this. Chairman Parker stated that they would take a few more comments, because they advertised to start their next meeting at 5:15 p. m. on time. She stated that she could say that what she calls the black hole, they have been talking with the Department of Commerce, and there are several things on the table. She stated that all she can say is to sit tight, because they do have some things happening. She stated to change taxes, that takes law and that takes industry. Chairman Parker stated that she has to tell the citizens that when it all is said; it has to be done. She asked if there were any other comments. Mr. Grover Bowers asked a question. He stated that he noticed that the millage for South District was about 90 mills more than North District; he asked if this was approximately right. Chairman Parker stated that it was 208 for District I and 298 for District II. He wanted to know how much did South District's school go up over last year's-percentage wise. Council Member Ball stated that this was something that was brought down by the State. Chairman Parker stated that they had the millage history. Administrator Graham stated that she thought that he was referring to the EIA numbers, and she did not bring them with her. Chairman Parker stated that she had the millage history. Mr. Bowers asked what it was for the school. Chairman Parker stated that it was 416 - she stated that this was for the whole county and everything. Council Member Ball stated that if it was 293 last year with a difference of five. Chairman Parker asked if this sounded right 293 to 298. Mr. Bowers asked what the percentage was. Chairman Parker stated that it was not an awful lot. She stated that it was 293 to 298. Chairman Parker stated that the big increase was county operations. Mr. Bowers stated he knew what this was; it was in the workers' compensation money. Chairman Parker stated that this was some increase, but it was a huge decrease in revenues. Chairman Parker said that if you put those together. She stated that there was a huge decrease in revenues. Mr. Bowers asked if this was a county meeting; he asked if the town would be subjected to the same rules and regulations as the county would with the 2.7. Chairman Parker stated that she did not know municipality law. Mr. Bowers stated that according to what he was reading the town was. Council Member Wilson stated that he wanted to say one thing, he stated that he felt that Council came to the point that they

**HAMPTON COUNTY COUNCIL MEETING MINUTES
MONDAY; SEPTEMBER 12, 2005; 500 P. M.
TRAINING ROOM, ESTILL FIRE STATION, 500 SECOND STREET, ESTILL SC**

are tonight is that over the last five years, they've tried to stay status quo and make adjustments for the problems that they were having with budget shortfalls . He stated that all of a sudden this year, they had to make that adjustment. Mr. Bowers stated that he understood that the county had a plus at the end of 2003. Council Member Wilson stated that they had a plus on the revenue side. Mr. Bowers stated that when they got through; they had a plus-money wise. Council Member Wilson stated that money wise. Mr. Bowers wanted to know how they fell short. Council Member Wilson stated that they did not fund things that they needed to fund; he stated that they ended up with revenue but at the same time we had to fund those things this year. Mr. Bowers stated that Council's explanation is not satisfying the people of Hampton County. Council Member Wilson stated that he is just coming on. He stated that he came there six months before the budget. In those six months, it was on the table; they created it, and they were trying to adjust to make sure. He stated that this is why he is sitting here today; to make sure it does not happen again next year. Chairman Parker asked if there were any other comments.

Mrs. Christine Peeples

Mrs. Peeples stated that she had a comment. Mrs. Peeples stated that she wanted to know what power the council has in overriding the general assembly and having one school system which would automatically be over a million dollars in savings.

Chairman Parker stated that Council had to deal with the millage override tonight. She asked her to sit tight and would possibly have some comments at the next meeting. Chairman Parker stated that she wanted to stick with the millage override thing. She stated that Mrs. Peeples comments were a whole other thing.

Chairman Parker asked if Council was ready to vote? Chairman Parker stated that she needed a motion to override the millage rate to allow an increase of that above the CPI. **Moved** by Council Member Ball to override the millage rate to allow an increase of that above the CPI. Chairman Parker asked for a second. Chairman Parker stated that she seconded the motion. Chairman Parker stated that there was a motion and a second and asked for discussion. Chairman Parker called for the vote. Council Members Ball and Parker voted "Yea". She stated that she needed an opinion, because it was a vote of two out of four present. She stated that it has to be a positive majority vote whether present or not which would be... Administrator Graham stated that you would need three in favor. Chairman Parker stated that the motion does not pass to override. Administrator Graham asked Chairman Parker to get those who opposed for the record. Chairman Parker asked for those who opposed to please raise their right hand. Council Member Johnson and Wilson opposed. Chairman Parker stated that you had two opposed to the override.

ADJOURNMENT

Chairman Parker stated that she needed a motion to close the meeting. **Moved** by Council Member Ball, seconded by Council Member Johnson, to close the meeting. Motion carried. Chairman Parker closed the meeting at 5:50 p. m.