

MINUTES OF THE SPECIAL MEETING  
OF THE  
LANCASTER COUNTY COUNCIL

September 15, 2008

Chairman Carter called the special meeting to order at 6:00 p.m. on Monday, September 15, 2008. Fred Thomas offered the invocation.

County Council members present were Rudy Carter, Fred Thomas, Wesley Grier, Jack Estridge, Wayne Kersey, Bryan Vaughn, and Larry Honeycutt. Also present were Steve Willis, Veronica Thompson, Chris Karres, Frannie Heizer, several department heads and employees, several citizens, and a member of the press.

The following press were notified of the meeting by mail or by fax in accordance with the Freedom of Information Act: Lancaster News, York Observer, Kershaw News Era, The State, The Rock Hill Herald, Fort Mill Times, WRHI Radio, Cable News 2, Channel 9, and the local Government Channel.

AGENDA APPROVAL

MOTION was made by Fred Thomas to amend the agenda to add an executive session to discuss the number of employees needed to cover court security. SECONDED by Wayne Kersey. PASSED UNANIMOUSLY 7-0

PUBLIC HEARING

MOTION was made by Larry Honeycutt to go into public hearing to receive oral and written comments from the public concerning the amendment of Ordinance #920, Section 4, relating to the levying of taxes for the fiscal year beginning July 1, 2008, so as to increase the millage rate imposed for the General Fund and USC-L; and to suspend the millage rate limitation because of a catastrophic event and to increase the millage rate to address funding needs arising from the catastrophic event. SECONDED by Wesley Grier. PASSED UNANIMOUSLY 7-0

Chairman Carter read the court order mandating around the clock security coverage for all buildings housing court operations and/or court records. A copy of the court order is attached.

Lilli Kee, 2389 Fork Hill Road, 273-3353, spoke about raising property taxes. Was happy to hear that it will not be 8.9, but 3.5 mills. However, she was opposed to raising taxes because it will be a burden to the young citizens of the county who are already struggling. Feels the courthouse was burned by someone who wants to have a new courthouse built.

Wade Nashum spoke and noted that he has only been here a year. He asked County Council that in reviewing the budget during the budget process, why hadn't this been considered knowing the number of officers, knowing the different costs that will be associated with this. Rudy Carter stated that the 1 cent sales tax is being put in place for the construction of a new courthouse. This has nothing to do with the old courthouse. The old courthouse will be rebuilt through insurance. What will be discussed this evening is what the final number of officers the county will have to have to secure court records and meet the mandates of the court order from Chief Justice Toal. Mr. Nashum asked where the money will come

from and how much millage will it take. Rudy Carter advised that is what will be discussed by Council in executive session.

John Realmuto, 1770 Windsor Drive, 283-3490, also has a concern about the millage. Don't understand why the county needs to hire more Sheriff's Deputies. Most companies will have a night watchman watching their buildings and it doesn't cost close to \$2 million a year for a night watchman, since we are dealing with only nighttime guards. He doesn't understand why we need for deputies for that. He also doesn't understand that if the old courthouse was adequate before the fire, why wouldn't it be adequate after it is rebuilt.

Nancy Evans, 207 Azalea Road. She and her parents worked for Springs and the fact that they no longer have Springs and insurance through them is devastating. Many people are struggling just to stay in their homes. Asked Council to find another solution to this situation other than placing the burden on homeowners.

Delmar Soyers, 625 Eaton Lane, hopes that the county is not planning to leave a guard on all the buildings the rest of their lives and hopes this is only a temporary thing. Asked for the county to look at other avenues to secure these buildings. Rudy Carter read from the court order that periodic reviews will be conducted to insure that Lancaster County remains in compliance with the Standard Operating Procedure Guidelines. Steve Willis advised that electronic security measures were in place when Chief Justice Toal visited Lancaster and the order still reads that 24/7 security coverage by the Sheriff's will remain in place until further modified.

A person who did not identify himself stated that there has been a lot of construction in Indian Land and the Sheriff's Office now has a lot more responsibility in checking the new businesses that are going up along 521. They have a lot more people to deal with who have moved in and a lot more responsibility in checking that area. Asked Council to realize that their responsibilities have increased based on growth.

Winston Smith, 1820 Havenwood Drive, noted that it doesn't do any good for our Sheriff to arrest people if they can't be taken to court and tried in a fair and impartial way, and the court won't work unless we have security. There's a lot of confusion amongst people about security and the new courthouse and the old courthouse. He understands that tonight, only the cost of securing the existing court facilities and some costs for some period of time going on into the future. One thing that concerns him is that we may be having a tax increase for a one-time costs. He feels Council is doing it right by using some available money for one-time costs and reducing the millage to 3.5 mills. He hopes the county doesn't leave itself strapped for cash by using one-time money. However, now that the county is 3 months into the budget, he asked Council to reevaluate the budget as a whole to see if that 3.5 mils can be decreased a little more.

Mark Culler, 961 Community Lane, stated he also has 2 pieces of property in the City. He doesn't understand why the taxes have to be raised when the county has \$15 million in the bank. This is supposed to be a contingency, and if it won't be used, then it ought to be given back to the taxpayers. He doesn't feel the citizens should be asked for \$33 million when there are no set plans for the courthouse. Asked that the referendum be put off for a year or two since the county is looking for temporary quarters for the courthouse and this would give the county an opportunity to get some plans drawn and shown to the public. Also feels the county should hire an outside source for the temporary security rather than hiring deputies who have to have benefits.

Larry Snyder, 3529 Helms Road, agreed with Mr. Culler. There is a surplus of dollars that are available as a contingency. He doesn't understand why there will be a tax increase. There is no talk about rescinding it at any time.

Steve Willis stated for the record that if County Council were to approve this tonight, this millage will have to be a separate line item on the tax bill and will go into a separate account. At some point, if Chief Justice Jeanne Toal modifies her order, those funds still could not be put into the general fund. If the deputies are no longer needed for court security, that line item would be removed from the tax bills in the following year.

MOTION was made by Jack Estridge to go out of public hearing and back into regular session. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0

#### EXECUTIVE SESSION

MOTION was made by Larry Honeycutt to go into executive session to discuss court security. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0

MOTION was made by Fred Thomas to go out of executive session and back into regular session. SECONDED by Bryan Vaughn. PASSED UNANIMOUSLY 7-0

As Council came out of executive session, Chairman Carter advised that Council went into executive session to discuss the ordinance and a motion would be forthcoming.

#### CITIZENS COMMENTS

There were no other comments from citizens.

#### ORDINANCE #947

MOTION was made by Fred Thomas to reduce the number of deputies from 18 to 14 needed for security. SECONDED by Wayne Kersey. FAILED 2-4. For: Fred Thomas, Wayne Kersey. Opposed: Larry Honeycutt, Bryan Vaughn, Jack Estridge, Rudy Carter, Wesley Grier.

ADMENDMENT was made by Bryan Vaughn that we amend 2<sup>nd</sup> reading to include the ATI revenue that's recommended by the Administrator and also include the building permit revenue and distribution and increase tax millage by 3.5 mils, which exceeds the cap, to cover the cost of hiring 18 deputies and equipment for those deputies. SECONDED by Larry Honeycutt. PASSED 5-2. For: Bryan Vaughn, Larry Honeycutt, Jack Estridge, Wesley Grier, Rudy Carter. Opposed: Fred Thomas, Wayne Kersey.

MOTION was made by Bryan Vaughn to adopt 3<sup>rd</sup> reading of Ordinance #947 to increase the millage to 3.5 to hire 18 deputies as included in the amendment. SECONDED by Larry Honeycutt. PASSED 5-2. For: Bryan Vaughn, Larry Honeycutt, Jack Estridge, Wesley Grier, Rudy Carter. Opposed: Fred Thomas, Wayne Kersey.

County Attorney Frannie Heizer noted that the 5 positive votes meets the requirement of state law for a super majority.

ADJOURNMENT

MOTION was made by Wesley Grier to adjourn. PASSED UNANIMOUSLY 7-0

The meeting adjourned at 7:52 p.m.

Respectfully submitted,

Irene Plyler  
Clerk to Council

APPROVED BY COUNCIL 09-08-2008

---

Wesley Grier, Secretary