Minutes 1207 Town of Blacksburg

Regular Town Council Meeting November 13, 2018

Present at the meeting were Councilman Darren Janesky, Councilwoman Christy Gibson, Councilman S.L. Ford, Councilman Dennis Stroupe and Mayor Mike Patterson presiding.

Councilman S.L. Ford gave the invocation.

Councilman Stroupe made the motion to approve the bills as written and distributed with the exception of Patterson’s Wrecker. Councilwoman Gibson seconded the motion. All were in favor. Councilman Stroupe made the motion to approve Patterson’s Wrecker and Councilman Janesky made the second. All were in favor with Mayor Patterson recusing.

Administrator Carter brought the Millage and Tax Rate back before Council for approval. Administrator Carter informed Council that she along with the Town Auditor visited with the County Auditor about the surcharges that needed to be added to cover prior year deficits. There was a question at the last Council Meeting brought up about the deficit being made up over three years. It was questioned if Council approved the three years surcharge. She could not find where a vote was taken but that it was mentioned in the minutes from July 11, 2017. The new millage of is set at 175.8 for this year which is .8 above last year. The difference for an $87,000 home would be $9.00 from last year. There was in increase in value due the reassessment but there is also a property tax credit given making the difference minimal. Councilman Stroupe mentioned that Council had voted to accept the audit but that it had not voted on adding the surcharge going on over the three years. It is stated in the ordinance that a 2/3 vote is needed and is questioning how it was added without a vote. Administrator Carter stated that there was still a second reading pending on an ordinance to amend the budget and that she could put a clearer breakdown of the exact charges. The actual millage is 163.7 plus the cost of living increase and the 7.4 surcharge. She would list each as a line item. It was received as information. No action was taken.

Clerk Foster requested Council to donate $14,000.00 of the Victims Assistance monies to Safe Homes Rape Crises in Spartanburg because the maximum that is allowed to be kept on hand is $24,000.00 and the total now is $24,561.22. They work with Cherokee County victims which includes Blacksburg. The latest victim’s totals are enclosed with the minutes. Councilman Stroupe asked to see the financials and to see where the monies are being spent. Even if the money is given to them, it is ultimately our responsibility to account for how it is used. Councilman Stroupe made the motion to give the $14,000.00 to the organization with the request for financials to be given when received. Councilman Ford seconded the motion and all were in favor.

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Administrator Carter reminded Council that the current fire code does state that the Chief has arrest powers when there is an interference with them in the line of duty. This has been in the ordinance since 1971. It isn’t something that the current fire department administration has requested in the newly requested updated ordinance. Councilman Stroupe mention that he was worried about the liability involved with the Council voting on an ordinance allowing the fire chief arrest powers and not being an employee of the Town. Assistant Chief Jacob Mullinax stated that he believed that portion of the new ordinance has been removed. It was then said that they would call in the police if there is every a problem with disorderly people at a fire scene. Administrator Carter said that they would need to revoke the current code 7-2 in the existing ordinance and replace it with the new ordinance they are proposing. This would be the requested first reading of the new ordinance. The current ordinance is only two pages and the new proposed ordinance will be more in depth to cover much more in way of operating procedures that need to be brought up to a newer standard of coverage. Councilmen Stroupe and Janesky were concerned with the burden to business owners of having to upgrade their business to meet the new standards of the proposed new ordinance. Mayor Patterson said that this should be received as information until more research can be done about certain aspects of ordinance.

Departmental Updates is next on the agenda and Mayor Patterson call Chief Jamie Ham to give the police update and he stated that the police department was about the same as usual. The new K-9 units are being utilized in the schools and in traffic stops. He gave statistics about how many times and where the dogs have been used. He also stated that he has received great feedback about the dogs being used in the schools. Public Works Director Michael Smiley informed Council that they have gotten the water line installed at Steel Creek, the new industry on Tribal Road. Assistant Chief Mullinax gave the fire department update. He stated that they had 39 calls for the month of October. Over half the calls were Ems/Rescue calls mostly wrecks on the interstate. Administrator Carter informed Council that she and Public Works Director and Mr. Rich Anderson, our engineer, has been in conference calls with the state about the expansion on I-85 and what it impact it will have on us. Exit 100 and 106 will be impacted the least and that the work needed to comply with those will most likely be able to be handled by Town crews. However, Exit 102 will have the greatest impact which we will involve new water and sewer lines and boring under the interstate. Exit 104 has been discussed with the design build group and we’re waiting for SCDOT to make a decision on how the sewer will specifically be relocated. We believe test holes will show our bores under the interstate at 104 will be deep enough to remain in place. Administrator Carter was asked on the cost of the expansion and her response was two to three million dollars. Councilman Janesky raised concerns about why the Town should incur the cost of permitted lines with SCDOT. Administrator Carter responded that although we do receive permits to place water and sewer lines in SCDOT right of ways, there are legal aspects SCDOT can implement to make the Town move our lines at their request. Administrator Carter advised that we will seek funding through state resources and grants and we are waiting the final requirements from SCDOT. Administrator Carter then informed Council of the Environmental Study for the Lime Street Park and Trail Head is nearing completion and is going well.

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Administrator Carter gave Council the current budget amounts with revenues and expenditures to date. Councilman Stroupe had several questions about the totals with the expectations of the taxes coming in that will help the Town portion level out. She went over the top expenditures and the total expense for the administration portion is at 51% which is where it should be at this time in the year. The police expenditures are at 61%, the street expenditures are at 61%, the water is at 51% with the sewer being at 54%. They are all near the expected amount for this time of the budget year.

Mayor Patterson went on to the executive session part of the agenda. Administrator Carter acknowledged a request to discuss some operation policies in public. Administrator Carter request changes to the previous approved personnel handbook dated December 18, 2015. The changes included issues being addressed to Town Council and not just the Mayor, an additional section added to the conflict of interest policy, leave times including comp time, leave time and sick time, modifications to the health insurance plan may be completed by the Administrator and the insurance agent, drug free workplace policy, the addition of Town vehicles in general and drug testing, and the word retaliation added to disciplinary action and grievance description, and revising the employee grievance committee to include a five person panel. Administrator Carter asked for the first reading to the update of the handbook. Councilman Stroupe asked that it be received as information at this time so everyone can study the changes.

Administrator Carter made mention of a property in which we have an easement to repair and take responsibility for the storm drain through the property. The property has issues now with erosion and holes developing. She wanted Council to decide for an alternate plan to move the drain out of his yard. Councilman Stroupe said that for a quick solution now, if we could fill in the holes and then revisit this situation as a later time. Everyone was in agreement. Then there was a second property that was questioned about a drain that had been installed, however it is believed that the state was the responsible party for this drain. There is nothing found that states that the Town did this installation. The state says it is not their responsibility and that they did not do it because it is private property. Council said we need to get in contact with our State Representatives to find out where we can get information on the responsibility of this drain.

Mayor Patterson asked for a motion to go into executive session, being compliant according to S.C. Code 30-4-70(b), for personnel issues, S.C. Section 30-4-70(a)(1) and land contract S.C. Section 30-4-70(a)(2). Councilman Stroupe made the motion to go into executive and Councilwoman Gibson made the second. All were in favor. Councilman Stroupe made the motion to return from executive session. Councilman Ford seconded the motion. All were in favor.

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Mayor Patterson stated that they received information about the possible sale of a piece of property. It was then decided that any compensatory and overtime must now be approved by the Administrator. Councilman Janesky made the motion with Councilman Ford seconding. All were in favor.

Clerk Foster requested sewer adjustments in the amount of $501.85. Councilman Stroupe made the motion. Councilwoman Gibson made the second. All were in favor.

With there being no further business, Mayor Patterson requested a motion for adjournment. Councilman Ford made the motion and Councilman Stroupe seconded the motion. All were in favor.

The time of adjournment was 10:30 p.m.

Respectfully submitted,

Laura B. Foster

Town Clerk

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor, Town of Blacksburg, SC