

MINUTES OF MARION CITY COUNCIL
SPECIAL MEETING-BUDGET WORKSHOP
COUNCIL CHAMBERS AT CITY HALL
WEDNESDAY, MAY 16, 2012, 8:30 A.M.

A Special Meeting - Budget Workshop was held by City Council on May 16, 2012 at 8:30 a.m. p.m. over which Mayor Rodney Berry presided. Council members Ralph Atkinson, Betsy Atkinson, Odessa Gregg, Bobby L. Davis and Michael Baker were present. Also present were Mr. Alan Ammons, Mrs. Patricia Brown, Ms. Pam Jones, and Attorney Robert Lee.

Mayor Berry called the meeting to order. Councilwoman Gregg gave the opening prayer.

EXECUTIVE SESSION

Mayor Berry requested the Executive Session be held before the Budget Workshop as it may have some reflection on the budget. Councilman Ralph Atkinson made a motion to enter Executive Session to discuss a Personnel matter at the Recreation Department, seconded by Councilwoman Betsy Atkinson; motion carried.

Mayor Berry stated that no action was taken. Councilwoman Atkinson made a motion to enter Open Session, seconded by Councilman Atkinson; motion carried.

Mayor Berry offered condolences to Mrs. Patricia Brown on the passing of her father-in-law.

Regarding the business licenses, it was brought up at the Council meeting last week that we possibly needed a policy so that we could send out letters like we did last year, verifying they had paid their Business Personal Property Taxes. Attorney Lee talked with MASC and they have passed a model 2012 Business License Ordinance and in comparison to what we currently have, there is no change needed. Under Section 5 of our code, *the applicant shall certify under oath that the information given on the application is true, the gross income is accurately reported or estimated for a business, without any unauthorized deductions* and that all Business Personal Property Taxes payable to the City have been paid. You can't tell them if you don't pay your property taxes you can't have a business license. Mr. Ammons stated that the letter we send out will quote Section 12-54-55 of South Carolina Code of Laws which provides: *A person who willfully attempts to evade or defeat any tax or property assessment, in addition to other penalties provided by law, is guilty of a FELONY and, upon conviction, must be fined not more than \$10,000.00 (ten thousand dollars) or imprisoned not more than five years, or both, together with the cost of prosecution.* Mr. Ammons further stated that when you apply for and sign your business license form, you are certifying that your taxes are paid; if a business comes into question and we

check the rolls (County) and it has not been paid, that information will be sent to the County and by statutory authority the tax collector has the authority to forward this to .

A Resolution Authorizing Participation in the South Carolina Other Retirement Benefits Employer Program was presented by Mr. Ammons. This is regarding health benefits a Municipality provides for retired employees. This is through MASC and our participation is approximately \$50 per year per employee put into a trust for potential future events. Mr. Ammons commented that if we don't do anything it will take away our ability to borrow money from different institutions and could also affect us on USDA/CBDG grants. Mr. Ammons would like to bring some recommendations to Council regarding health benefits for future employees, there would be no changes for current employees. It will not affect retirement benefits as that is through the SC Retirement System, it would only affect health benefits. After some further discussion, Councilman Atkinson made a motion to accept the *Resolution Authorizing Participation in the South Carolina Other Retirement Benefits Employer Program* as presented, seconded by Councilman Baker; motion carried.

Regarding the Proposed Budget for FY 2012-13, Mayor Berry commented that the most valuable asset the City has is its employees and for that, there is a 3% raise scheduled in the budget for all employees. Mr. Ammons stated that the budget is balanced and there is no property tax increase. There is an increase in fuel expense based on what the market is doing now, but as gas prices go down, this should decrease. There was some discussion regarding the Senior Aerobics classes continuing. Also, regarding Mrs. Baldwin's request for \$1,500 for her Feeding Program, Mr. Ammons stated that any money would have to come from the General Fund as this could not come from the Hospitality Fund. Councilman Ralph Atkinson stated that the \$600 Fox Watch allocation for his District could be used for refreshments for this program. In Councilman Baker's District, plans are well underway and everyone is already looking forward to this event. Councilman Atkinson asked that Council get an update when the budget is "tweaked".

The Public Hearing was set for Tuesday, June 12, 2012 at 6:00 p.m. in Council Chambers. The regular meeting will begin at 6:30 p.m.

Mr. Ammons asked for Council to authorize the grant writer to pursue several grant requests (copy attached). Councilman Ralph Atkinson made a motion to move forward with the grant requests, seconded by Councilwoman Atkinson; motion carried.

Mayor Berry asked Attorney Lee to be mindful about getting the contract together for the building we received. Also, Chuck Buck has called about the road behind Wal-Mart and he is willing to give that to the City and we want to make sure that is clear. Mr. Ammons commented that we need to make sure Wal-

Mart doesn't have a clause saying they can approve anything before it comes there. If they do, we may want to stay away from that.

Mr. Ammons would like Council's authorization for him to sign the letter from Richardson-Plowden Attorneys regarding Chief Smith. The City Attorney told Mr. Ammons the letter was in order. Councilwoman Atkinson made a motion to approve that Alan sign the letter, seconded by Councilman Atkinson. Councilman Davis asked Attorney Lee how could it not be a conflict to represent the City and Chief Smith as well. Attorney Lee commented that he respects Mr. Baxter, but to him it is a conflict, but that Mr. Baxter is also going to ask Chief Smith to sign it as well. Chief Smith would also be able to choose a different attorney, should he desire to do so. Motion passed.

ADJOURNMENT

With no further business, Councilman Ralph Atkinson made a motion to adjourn, seconded by Councilman Bobby Davis; motion carried.

Mayor Rodney Berry

City Clerk Pam Jones

Taped May 16, 2012