



**NEWBERRY COUNTY COUNCIL  
WORK SESSION  
MINUTES  
JULY 22, 2013**

Newberry County Council met on Wednesday, July 22, 2013, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a work session.

**PRESENT:** Henry H. Livingston, III, Chairman  
Kirksey Koon, Vice Chairman  
Bill Waldrop, Councilman  
Leslie (Les) Hipp, Councilman  
Steven C. Stockman, Councilman  
Scott Cain, Councilman  
Wayne Adams, County Administrator  
Laurie N. Renwick, Clerk to Council  
Debbie Cromer, Finance Director

**ABSENT:** John E. Caldwell, Councilman

**OTHERS PRESENT:** William Phipps, Donna Lominack, Beth Folk, Melinda Long, Tom Pope, Mindy Zimmerman, Beverly Brehmer, Henry Bufkin, Jackie Bowers, Tommy Bowers, Richard Kenan, W.F. Partridge, III, Karen Smith, John Rucker, Kyle Parker, Crystal Waldrop, Ervin West, Karen Brehmer, Benjamin Shealy.

**PRESS:** None Present

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order and determined a quorum present.

**1. Discussion of Courthouse – Wayne Adams, County Administrator**

Mr. Adams reported that there are two basic issues to be discussed regarding the Courthouse. One is the ongoing scope of work and the other is planning for the future

needs of the court system with regard to space. He asked Ervin West to give an update on the status of the Courthouse.

Mr. West stated that the rain has hampered progress; we lost 13 work days in the month of June and as of today we've only worked 6 days in July. The contractor is making good progress when the sun is shining. The new roof panels are already going up on the sloped part, the gutters have been done on the front section and they are finishing up on the internal and external gutters around the rest of the perimeter. The contractor has agreed to work weekends and we are hoping to complete the roof by the middle of September. We have inspection reports from Stafford Engineers who noted some minor infractions such as nail spacing but the quality of work is above satisfactory.

Mr. West reported that we have had two serious leaks in the Courthouse. One on the low slope roof on the far side and another in the stairwell; both have been temporarily patched. The stairwell leak is pretty close to where we are putting on the permanent roofing panels now.

Mr. Adams said that we took bids at one time on waterproofing the basement portion of the Courthouse and the low bid came in at \$260,000.00; however, Council has not yet awarded that scope of work. He asked Mr. West to describe that scope of work.

Mr. West said that all of the landscaping around the building would be pulled out and we would excavate around the entire perimeter of the Courthouse; get down to the bottom of the foundation. We would peel off the application that is on the foundation and get it back down to the bare skin. We would come back and purge the concrete then a drainage/protection mat would be put back on the wall. A French drainage system would be placed in the bottom of the trench then we would backfill after all the testing is done and put in another drain system closer to the top. He said this portion was bid awhile back and was over budget so we split the two scopes up in order to get the work going and awarded the roof portion. We have a scope and a full set of drawings for the basement waterproofing portion so we would have to re-bid it.

Mr. Adams said that number is for waterproofing the basement only and not for outfitting it for office space.

Mr. West confirmed that this was for the waterproofing only and includes repairing the exterior around the windows, repairing cracks and sealing up the brick work.

Mr. Adams commented that a sidewalk around the building is included in the \$260,000.00. He mentioned that there has been some discussion about not putting back the soil and building a retaining wall.

Mr. West said that is a whole different option. There will be no backfilling and this option will leave the foundation open and exposed. You will have a drained, paved, concrete culvert anywhere from 2-4 ft. away from the building allowing the water to go straight down the drain and out to the street. Any depth of 3 ft. or more will be

accompanied by a retaining wall and handrail for protection and the landscaping can be moved to the outside of that. It would not be visible from the street and this option will have to run by the Architectural Review Board (ARB) for approval.

Mr. Adams commented to what extent we would waterproof the basement if it is not going to be used for office space. We have a scope that has been bid but not awarded and another option to construct a retaining wall. This is open for debate and gets us into the future space needs of the court system.

Mr. Cain asked Mr. West to first discuss the issues found during their walk-through of the Courthouse.

Mr. West said there are 8 areas where water has damaged the inside of the building. It is stained and looks bad. We've looked at cutting out most of those areas (drywall and ceiling) and we have a preliminary scope and price of \$7,500.00. This estimate is just to cut these areas out and open it up. If there is anything trapped behind these areas you will know it.

Mr. Cain said his concern is that it is still wet and doing more damage. There is black mildew/mold and the walls are discolored. He said it is not good environmentally or for the building to leave these damaged areas damp. We should consider at least going in and drying them out. If we feel comfortable we have patched the roof, we need to dry it out and preserve what we have not only for the structural integrity but for the people that work in the building.

Mr. Koon said regardless of whether Council decides to use the space in the basement we are still looking at waterproofing it. It has been dug out and repaired two times in the past and he felt it would be cheaper for the county to trench it and put a retaining wall for a permanent fix.

Mr. West responded that a retaining wall will get into some money but this option will hold back ground moisture and ground force and will need to be designed to handle that. It will be the barrier before you get to the building.

Mr. Waldrop asked how thick the retaining wall would have to be.

Mr. West said anywhere from 8 inches to 2 ft.

Mr. Hipp asked if the existing exterior foundation wall was masonry all the way around and asked how thick it was.

Mr. West responded that the foundation wall is every bit of 1 ft. or maybe 2 ft. thick. Parts of the foundation (about 1/2) are the newer concrete addition and the other part is brick/stone. We will find out what we have when we dig it out.

Mr. Koon shared his concerns about fixing it over and over and stated that we needed to fix it right this time.

Mr. Waldrop commented that Stafford would only guarantee the work for 5 years.

Mr. Hipp said even with a 10 year warranty you would expect it to last longer than that when you spend this kind of money. He agreed with Mr. Koon and said we need to do whatever we can to waterproof the building, preserve it and make the facility usable for the people in there and eliminate any health risks. One item we have discussed in the past is making the basement a usable space which is a whole different formula. He questioned if the basement will be enough space in our long range plans or will we be looking at expanding or building something across the street. We need to understand if we are just going to do a preservation envelope by keeping moisture at ground level or below to protect people's health or will it be cost effective to put people down there. We certainly do not need to move people out from there in a couple of years because of a moisture problem.

Mr. Hipp asked Mr. Adams if we had received any input from court officials about a growth plan and if we knew what their needs are going to be in the next 10 years.

Mr. Adams stated that in 2005, Carter Goble Lee did a space needs study for the Clerk of Court's Office and estimated space needs of 5,375 sq. ft. by the year 2025; right now they have 3,349 sq. ft. Circuit Court functions currently have 5,690 sq. ft. increasing to 7,800 sq. ft. by the year 2025 so basically we are talking about a 4,000 sq. ft. increase to accommodate the projected 2025 space needs. If we look at the court system in a larger view and take into account family court, juvenile, and probation and parole which are housed in the Annex Building, we are looking at space needs of about 9,737 sq. ft. (including the Courthouse) to meet 2025 space needs estimate. He said when the county vacated the basement we freed up about 3,000 sq. ft. of office space. If the basement were in good health we would have much of the space needs satisfied there. We also moved the Assessor out which freed up 1,639 sq. ft. where the Circuit Judge and the Legal Self-Help Program are housed now.

Mr. Hipp asked if this included any needed changes for the Magistrates.

Mr. Adams responded that the Magistrates are separate. We have a number for them. Summary Court was projecting a very large jump in space needs from 2,528 sq. ft. to 10,950 sq. ft; an increase of 8,150 sq. ft. over and above what we have just discussed.

Mr. Adams asked Mrs. Bowers, Clerk of Court, what she felt her space needs would be by the year 2025 and if she felt 4,000 sq. ft. was realistic based on the Carter Goble Lee study.

Mrs. Bowers stated that some areas are growing more than others and all she could offer would be an estimate too.

Mr. Hipp asked Mr. Adams to refresh his memory on the square footage in the Annex that is occupied by Council Chambers and the Administrative Offices.

Mr. West replied that administration is using 6,000 sq. ft. with 1,500 sq. ft. being common areas (i.e. bathrooms, hallways, kitchen, and the conference.) Office space alone is approx. 4,000 sq. ft.

Mr. Adams said if you look at the study, the other functions in this building will need an additional 6,000 sq. ft. of space by 2025.

Mr. Adams stated that the only other property we have here that could be used for court purposes would be the Agricultural Building which is 8,500 sq. ft.

Mr. Cain asked how many sq. ft. was in the old library.

Mr. West responded that the old library is 11,000 sq. ft. including both floors.

Mr. Hipp commented that one of the floors offers marginal usage.

Mr. Waldrop said that the school system will be moving out to 219 and they have a nice building right above the Agricultural Building. We might be able to use that and the school might even deed that to the county.

Chairman Livingston stated that there is no parking currently at the school district building. The adjacent land owners are letting the school district use it in kind.

Mr. Hipp said he agrees with Mr. Waldrop in that we needed to look at all of our options for a long range plan. We do not need to jump out there and piece meal it and then in another two years be looking for something else. We need to have a plan.

Mr. Waldrop commented that we have 38,000 people in the county and we pay a lot of taxes already and there is a limit to what people can pay in this county. Unless we have more than 1% growth per year, he did not see how we could afford to do what we are talking about doing. He said he wanted to make sure we preserved the historical Courthouse but felt the basement ought to be used for storage.

Mr. Cain said if we are going to spend 250-260,000 to dry it in then how much more is it going to take to make it occupiable. He said at 3,000 sq. ft. that comes to \$83.00 a sq. ft. and may not be that much more percentage wise to get it to where we can use it.

Mr. Koon wanted to give everyone an idea of how growth has expanded in Newberry County as far as the Courthouse is concerned. He said he went to work with the City of Newberry as a Police Office in 1973 and the Courthouse housed all court functions, the Sheriff's Office, the Treasurer, Auditor, Building and Zoning, County Council and Administration; it house everything.

Mr. Waldrop commented that a lot of people have been moved out of the Courthouse over the years.

Mr. Koon stated that we did need additional space and we moved everything out of the Courthouse other than what is Judicial. He asked if the permanent records could be stored at another location other than in the Courthouse.

Mrs. Bowers responded that they could be stored at another location if she does not have to access them daily. They never know because they have abstractors and member of the public that come in and request to see files that could go back many years.

Mr. Koon commented that we will be lucky if we get by with another 20 years over there. Sooner or later down the road, somebody is either going to have to add on to the Courthouse or build a new one. Has anyone thought of what the Courthouse will be used for if we outgrow it in the next 10 years.

Chairman Livingston allowed public comments at this time.

Mr. Hank Bufkin, Attorney, came to the podium and commented that about 10-15 years ago the county spent about 3 million dollars rebuilding the Courthouse. Since that time we have had some experiences with mold that have not been very good. He asked how many buildings in Newberry County are were going to let mold run us out of. He thought that these county buildings were supposed to last for hundreds of years. Did we think when we spent 3 million on it 15 years ago that it was only going to last another 10-15 years; he thought it would be for our lifetime plus some. The task before Council is to use the dollars the smartest way you can to rejuvenate our Courthouse so that it will last us another 100 years. We are fixing the roof so the water will stop coming in and the technology is certainly available to make the entire Courthouse available to us. We don't want to abandon another building in Newberry County because we couldn't get a hold on the mold. If we let the mold get ahead of us, we will abandon that building 10 years from now and that will be on y'all.

Chairman Livingston commented that he and Mr. Waldrop were the only two Council members seated now that were seated then. The information that was given to us at that time was that the problem was going to be taken care of and obviously it has reoccurred which is very frustrating. It is kind of scary once you have been bitten once and trying to get someone to fix it properly. No one wants to commit to more than a 5 year warranty and to fix it is not that simple. He said he values the historical significance of the Courthouse and would love to preserve it for future generations. We do need to do some long rang planning to figure out what our needs are going to be and he did not think we have all those answers here tonight. We have been a conscience group as far as money for the past 6-7 years; unfortunately, there are going to be some things that will dictate some money spending that we probably really do not want to do. We are going to have to be as frugal as we can to get the most we can. There is going to be some required spending when you look at all the needs across the county and it going to be sooner than

later; at a faster pace than our citizen and economic development growth for bringing in tax dollars.

Mr. Bufkin responded that the county can clearly get the cheapest sq. ft. space by utilizing the basement. The Courthouse is the symbol of Newberry County; that is who we are and have been for the last 100 hundred years. The Courthouse space is what we need to put some money in so the people that come after us will think about that.

Mr. Hipp said there is no one on this Council that is looking at abandoning that building or moving the people out. We are looking at what is the best long range solution for the judicial system growth and if there is money to spend on offices we need to make sure we spend it the wisest way we can.

Mr. Bufkin stated that they are concerned about the mold. If we don't take of the mold, we will be abandoning the building 10 years from now.

Mr. Hipp said that is why we have put the roof on and why we are going to waterproof the structure. Waterproofing and roofing the structure is totally different than putting office space back down stairs and not knowing if that will meet the needs. It is our responsibly to look at all of our options, spend money the wisest, and be able to look back and say we were not narrow minded nor did we have a knee jerk reaction. It is not as important for Administration and County Council to be located here. If the court system needs to grow, it needs to be near the Courthouse. We do have to protect from mold but mold from the basement is not going to be a problem on the second floor if you just waterproof the basement. Moving people into a living space that is underground to a space that was never meant for that is another issue. We have only been given a 5 year warranty at best on the contact. As Chairman Livingston stated, they were told that they would not have a water problem. They spent a lot of money and he does not want to be a part of doing the same thing again and expect a different result. Our concern and obligation is to look out for the employees but look out for growth and our constituents too. There is no easy simple solution.

Judge John Rucker approached the podium and shared that he survived 7-8 years in the downstairs of the Courthouse. His concern is for the Judges of the Court System. He is not familiar the sq. ft. needs but the chances of us having enough court in Newberry to warrant additional court rooms is highly unlikely in the next 25-40 years. We are only running family court around 20 weeks a year. Mrs. Bowers can tell you how many they have for general sessions but it is probably not that many more.

Mrs. Bowers said the total for general sessions and common pleas is 16 weeks; 12 for general sessions and 4 for common pleas.

Judge Rucker said one problem is housing people when they come in; especially on DSS days. We send them over to the Courthouse. Nobody disagrees that the Courthouse is going to be there. Every effort should be made to waterproof the basement because it is

going to cause problems. When he was down there, there was water. We are never going to get a guarantee but we need to do our best. We do not want to lose that space.

Mr. Waldrop commented that the space Judge Rucker was in was not the problem. The problem was caused when the dirt was excavated out. It was not designed for that but we thought we needed that space for more people. We have since moved them over to the agricultural building. He said in his opinion, we need to keep the back side open because it was never a problem. Right now, we are keeping humidifiers down there and he does not know what else we can do.

Mr. Rucker said if it gets to the point where the basement is unusable then that is going to cause problems up in the building. I think we tend to let our buildings drop down to far before we pull them back up. The biggest problem we have is the waiting room and he does not see general sessions expanding very much from where it is now. The chances for more Judges in Newberry are pretty slim.

Mr. Hipp responded that we are not only looking at preserving the building and the environment for the people but we are going to waterproof the Courthouse. At what point is it cost effective to make offices versus storage space. Do we expand the entire area or do we go back to the original designed structure; these are some decisions we will have to make based on what our architects tell us, what the cost will be and the comparison between the two. We are not going to let the building deteriorate. We are going to protect the people and the building.

Judge Rucker stated that sometimes we have the best intentions but we don't do things soon enough and creates a problem that is more expensive to cure later on. His concern is not that anybody has any intentions of sabotaging the building but that we do not react quick enough to get all of the problems straightened out in the basement. We will have the roof on but we will still have moisture coming up through the building.

Mr. Hipp responded that we have that in this year's budget; to do the repairs. We do not have in the budget to expand the repairs to office space.

Judge Rucker said if it is sealed so that it is watertight, then you preserve it to do with what you can at a later date.

Mr. Tommy Pope came to the podium and stated that Judge Rucker hit the nail on the head. We have seen buildings get abandoned; the Sheriff's Office and the Lexington Courthouse. The Judicial Branch is an equal branch of government; we have a Circuit Judge for the first time in 40 years and we need to make him proud to come in that Courthouse and hold court. It is a symbol of our entire Judicial System and we have to preserve it. He asked Council not to wait.

Chairman Livingston commented that money is budgeted for this project. As he stated earlier, Mr. Waldrop and I were two that were on here when it was done last time and we had facts that we thought were facts, took the advice we were given, and believed we

were getting what we were paying for. We know we have to do it but are a bit leery about how to do it. All members of Council want to preserve the building. We are hoping to get the right facts to make this work and Carter Goble Lee is working hard for us to hopefully come up with a plan that will preserve it for many future generations.

Representative McLeod mentioned that the Courthouse and its environment is the heart of Newberry and we need to be careful not to export any more county offices outside the government area. If we keep moving government offices to Wilson Road or elsewhere, there will be grass growing in the streets of downtown Newberry. At the present time, Voter Registration, Clemson Extension, Veterans Affairs, the Health Department and DSS offices are on Wilson Road. He said he did not know when this pattern will cease but urged Council to remember that we need to have the government center in downtown Newberry and be careful about exporting offices outside of what used to be the central business district. If you want to have your heart broken, go to downtown Laurens where they took all government buildings from downtown and put them outside in an old shopping center. The Courthouse is a symbol of Newberry and we have a duty to preserve the roots, the sights, sounds and flavors of Newberry. He said he is confident that the leaks will be fixed and that the area can be used to your discretion but we need to safeguard the foundation of the Courthouse. There are people here who are concerned about the Courthouse and he knows Council shares their concerns and hopes that we can work out something. Remember, the Sheriff's Office is behind us which has been a strain and a pain for a lot of people but should not discolor decisions about any other building. Sometimes you have bad luck but lets get over the fact that it has been a lingering problem for far too long and county government has had no way to extricate itself from this problem.

Councilman Livingston said he felt Council was over the Sheriff's Office and demolition is in the process as of right now. If you happen to ride by, it is being taken care of. He told Representative McLeod that the decision to move the offices to Wilson Road was made to be frugal with county money and if at any time he or the State Legislature wanted to fund us enough to tell us where to put them, we will be more than happy to put them back downtown. He said Representative McLeod has been good to Newberry but the next mandate from state government will be about our jail.

Representative McLeod responded that you are looking at one of your best friends. He said he made a lot of racket about maintaining and preserving the local government fund and he plans to be there for us in the future. With respect to the jail, the State Department of Correction loves to make racket and noise to counties to earn their livelihood and you can bet you will never be able to satisfy the Department of Corrections. Some free advice is, "don't even think about trying to move the jail". The jail is like nuclear waste; where ever it sits it is going to stay. Don't try to move it; you can go eighteen stories high if you want too. He said he will lobby for Newberry anytime to the Department of Corrections but don't let those guys push you around.

Mr. Troop Partridge came to the podium and stated that the members of the bar present here tonight speaks volumes and the consensus is to preserve the Courthouse. He asked

what difference it made if Madame Clerk wants to use the downstairs' basement for personnel or storage. With all due respect, it is her Courthouse. She has the key to the building and has a fiduciary responsible to this county to protect the information that is in it. There is no other building as important to the county as the Courthouse. Who will do business in your county if they cannot prove they own something. If it takes a man or a woman in an office downstairs as a matter of utility for the interest of judicial efficiency then that is what it takes. He said by limiting the remedial measure to this situation to adequately fund the repairs and remove the moisture is very short sighted; that is micromanaging something. He would like to see the downstairs habitable. You say it is not cost effective and that is because it was not funded correctly to begin with. He echoes the statement of Representative McLeod in that we have to have centralization for government. He said he did not know of any records that you would not need to access on a daily basis and having it under your fingertips under one roof is important. It is good to be cautious and frugal but let's bite the bullet and adequately fund it. Things happen and no one asked for this but limiting the basement for just storage is not smart because the biggest bang for the buck is to have space for personnel downstairs. Everyone is in agreement here that Council is going to preserve it; let's maximize the preservation.

Mr. Hipp thanked everybody for attending and participating tonight because most of the time we are in the conference room looking at each other and making decisions in a vacuum. Tonight we talked about a survey that was done about future needs and Mr. Rucker's input was very enlightening because who better to tell us what the needs of the court system are than court officials and Mrs. Bowers. We need that input to know how to plan for the growth. On the other hand, he asked if there were plans to digitize those records that we access so often making them available from many places that don't require fire protection.

Mrs. Bowers stated that they are scanning all of the records now but it would be a major project to go back and scan everything to date.

Mr. Hipp asked Mrs. Bowers how much this would cost.  
Mrs. Bowers responded that she had no idea.

Mr. Hipp said we need a handle on what it would cost to digitize these records so we can compare it to the cost of maintaining hard copies and having people available to retrieve them. He asked Mrs. Bowers if she could provide this information so they could make decisions on space for records.

Chairman Livingston commented that we are all on the same sheet as to preserving the Courthouse and Council is not going to tell Mrs. Bowers where to put her stuff. He said on a personal note, he would like for those utilizing the Courthouse on a daily basis to work with Council on designing the space needs. He would like to task them with coming up with the sq. ft. needs and how to best utilize what we have.

Mr. Hipp and Mr. Waldrop both stated that Council can not do this without their input.

Mr. Adams said one thing we have to get past is not just the old Sheriff's building but the idea that these guys make all the decisions about the building and they are responsible for everything. As planners for the use of this space for the court system, Mrs. Bowers needs to take an ownership stake and if she wants to use the basement she has to stand up and say, "I believe this plan will work and I think we ought to use the basement." In doing that, the court system will be just as responsible if it doesn't work as Council is. They are not engineers either but it can't all be that Council did something wrong. You have got to take the good and the bad. With the freedom and the choice comes the responsibility and it is not that these guys are bad because the Courthouse is a little wet.

Mrs. Bowers stated that she gave Mrs. Renwick a list at the last work session to give to members of Council identifying usage needs for the basement space. She said the entire Clerk's Office needs to be expanded, a room is needed for real estate records and we need a Grand Jury room and a jury assembly room. Back in 2002 when the basement was renovated, Council voted not to use a project manager and that is where we ran into a lot of problems because nobody was right there to oversee the project.

Mr. Adams stated that there was also no engineer to do the design; it was a straight vendor application and the vendor is now out of business. This Council has done a great job making sure that it is going to be done right. They have an engineering firm, took proposals, and went through an interview process. They selected Stafford Consulting Engineers based on their abilities and they have made the design and Ervin West has proven himself as an excellent project manager. One thing that has been built into this waterproofing project is not just the standard inspections but extra inspections at critical points with the engineers by the architect. Mr. West will also be here every day to oversee the project. Everybody has got to share in the responsibility if this is what we are going to do. He said he believes in this but he also knows that it will always be a basement. The engineers and Mr. West are not going to make it be something else. He said he did not know if there is anyone that can guarantee that it won't leak. We pay our money and we take our chances but everybody has got to be on board.

Chairman Livingston said you learn from your mistakes and we could have done better with some of the decisions back in 2002. He said Mr. Adams, Mr. West, and the current Council has the desire to do what is best for our citizens and for our employees. There is no desire to do away with the Courthouse or tell Mrs. Bowers how to use her space but we need to move forward; put something in place and let's go with it.

Mr. Adams commented that Carter Goble Lee did the original study on space needs and asked if they could follow-up and work with the Clerk of Court and other officials to determine our space needs.

Mr. West responded that the study from Carter Goble Lee was the master plan and any master plan needed to be updated.

Mr. Adams stated that we can have a follow-up meeting to begin some conceptual planning of the space use. We have the Courthouse, Annex, Old Library, and the Ag Building to work with.

Mr. Cain commented that there are some issues upstairs that we can address now with a cost between \$5,000.00-\$7,500.00 and asked if we had the ability to go ahead and start on this so we can get it dried out.

Mr. Hipp asked if there was any contingency.

Mr. West said that the budget for this project still has the basement waterproofing and contingency money in it.

Chairman Livingston wanted to know from the Treasurer what the anticipated general fund balance was for June 30<sup>th</sup> of this year.

Mrs. Bowers added that \$63,566.28 will be put into the general fund this year from the 4D funds collected by the Clerk's Office.

Mr. Adams commented that that Council has let the Sheriff plan what the Sheriff needs and said that Mrs. Bowers needs to be involved very closely with this because this body does not want to dictate to her what she needs in the Courthouse. Mrs. Bowers needs to determine her space needs and develop a budget and Council and Administration will work with her just as they have with the Sheriff.

## **2. Discussion of FY 13/14 Tax Levy**

Mr. Adams stated that Mr. Hipp raised the question at the previous work session about how we stood on budget and fund balance and the need for an increase in the tax levy. We had projected early in the budget process that we would have a 4 1/2 month operating fund balance given the capital expenses and the general operating expenses for the coming year. We have since then asked Enzastiga and Rich, our accounting firm, to look at how they see us on actual expenditures for the year ending June 30<sup>th</sup> and we will be approx. \$300,000.00 better than our estimate. The question before Council is whether to have a 4.5 mil increase. There are a couple of factors that enter into this and one is the better than anticipated financial position and some information the Auditor has on the mil value. He asked Mrs. Lominack to share that with Council.

Mrs. Lominack reported that she estimated the mil value at 114.291 but her final figure is 115.104. She said she refigured everything; the bonds, the general fund and community services and has us only raising the levy by 2 mils; from 142.2 to 144.2. She has talked with the schools and their general fund is going to stay the same; they are not changing their levy. We are talking about an overall increase of 2 mils.

Mr. Adams stated that we could certainly cash flow a no tax increase but he would not want to get in the habit of doing it every year because the unexpended amount of the

budget is going to vary from year to year. This is why we treat it as one-time money because we cannot depend on it as a recurring source like we can a tax levy. Mr. Hipp's point is well taken and we would be comfortable at the staff level of going without a tax increase if that is the wish of Council.

Mr. Waldrop asked what 2 mils would do to a \$100,000.00 house.

Mrs. Lominack responded that the increase would be \$4 per mil or \$8.00 on the \$100,000.00 house.

Mr. Hipp said he brought this up and he has had some discussions with Mr. Adams and Mrs. Cromer to make sure we had all our facts in order before we talked about some of the latest items we added to the budget. He said we are finishing up our new Animal Shelter and Public Works Building and asked if we had any budgeted expenses for abandoning the existing facility.

Mr. Adams responded that we have not yet budgeted for tearing down those facilities.

Mr. Hipp commented that we have in our budget to purchase a structure near here and he mentioned the funding request for the growth in scope of the Senior Center. We do have some contingency money but it has been awhile since we have had a tax increase. A 2 mil tax increase is minimal, repeatable, and something we can grow with and adds in some protection against unknown expenses that might come up like the Senior Center. He said he has no objection to a 2 mil tax increase this year. One thing that we have not budgeted that is an unknown is the restoration of office space in the Courthouse basement.

Mr. Waldrop said that the office space is already there; we moved people out because of the dampness. All we have to do is take out some sheet rock.

Mr. West stated that after the basement is waterproofed we would make a plan from there. Restoring it could get expensive if we get into replacing duct work to improve air quality.

Mr. Hipp said the Clerk mentioned meeting space areas that would need to be reconfigured.

Mr. West said they will work with Mrs. Bowers to determine what she wants to use the basement for and then move forward with a plan and cost estimate.

Mr. Adams commented that Council has been prudent about the planning for the waterproofing of the basement and asked if there was some test to see if this is going to work after it is done.

Mr. West said they would do a flood test or hopefully receive the heaviest rainfall before any backfilling.

Mr. Adams responded that he felt the Clerk of Court and anyone else who is interested needed to be there when this happens so the Clerk can decide if she wants to locate offices in the basement.

There was more discussion on digitally saving records and the current need for records storage space and Mr. Adams said we could have an archive facility set up at the Newberry Square to free up some space.

Mr. Waldrop commented that the new Sheriff's Office will have some available space on one side of the building.

Mr. Adams said that space is for any expansion needs of the Sheriff.

Chairman Livingston agreed with Mr. Hipp at looking at the cost of putting the records on some kind of digital system.

Mr. Hipp said there are certainly some records that are accessed on a more regular basis that you would prioritize first.

Chairman Livingston stated that the \$60,000.00 in 4D money would go a long way in digitizing records.

Mr. Hipp said if we do not have the staff available to do this then we can contract it out and make it happen.

Chairman Livingston said this will be more time efficient; a case can be brought up on a screen instantaneously and the cost of labor goes down. Records will be more accessible with less time involved.

Chairman Livingston asked if there was any more discussion on the 2013/2014 Tax Levy.

After no further discussion Mr. Adams responded that Mr. West is going to work on the \$7,500.00 scope of work on the interior of the Courthouse and asked who at Carter Goble Lee will get with Mrs. Bowers about planning the future space needs.

Mr. West said someone will be assigned to the County.

### **3. Questions/Comments from Council**

No comments.

### **4. Public Comments**

No additional public comments.

**5. Adjournment**

Chairman Livingston declared the meeting adjourned at 7:56 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, III, Chairman**

**APPROVED:**

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**Laurie N. Renwick, Clerk to Council**