

**City of New Ellenton
City Council Work Session
City Hall Council Chambers
Minutes**

Tuesday, February 21, 2012

1. Welcome

Mayor Anthony Shaw welcomed everyone to the Work Session at 6: 26 p.m.

2. Items to be Discussed

Tim Cornelison (Auditor) - "I will point out the good before I point out the bad."

Mayor Shaw - "Okay."

Mr. Cornelison - "If you look on Page 3 it is called the Statement of Net Assets, but to sum up what it is it's a picture of your organization on day June 30th and when I look at this there's two main parts. I look at everything but current assets and current liabilities. Current assets are the things that are going to be turned into cash within a year. Current liabilities is going to be an outflow of cash within a year. If your current liabilities are more than your current assets you're still not in trouble because sometimes you might have a loan where there's a balloon payment coming due next year and so that's got to go into the current assets section, which will throw it off. But if I looked at your current assets compared to your current liabilities current assets are \$348,000.00 in the General Fund compared to \$70,000.00 in the General Fund I think that looks real good. The net assets at the bottom that is that's a running total of income or loss that you have since the beginning of the organization and ya'll have got positive balances in both General Fund and your business type activities and your business type activities consist of the Commission of Public Works and your sewer system and you've got one-and-a-half million in the General Fund and then over two-and-a-half million in net assets."

Mayor Shaw - "The Commission of Public Works total is separate from us so whatever money they got don't make a hill of beans to us."

Mr. Cornelison - "That's right but they are considered a component unit of New Ellenton."

Mayor Shaw - "Correct but if you ask them they're not."

Mr. Cornelison - "Yeah I know the battle."

Councilman Roy Shaw - "Does that mean we have a say so over them?"

Mayor Shaw - "No."

City Clerk Vernel Sanders - "Yes and no. Yes and no. Mr. Cornelison stated ya'll have to co-sign on their debt which means you kind of hold something over their heads."

Mayor Shaw - "If we have to co-sign on their debt all we can do is say how many members they're going to have on the committee. We have nothing to do with their money, we can't spend their money, and we can't do anything else but we have to sign for them to give them the money."

Mr. Cornelison - "Correct. I don't know the legal aspects of it but my personal opinion if y'all wanted to lay down the hammer y'all have got the authority to do it because they're a component and unit of y'all. I know that would be bad blood but..." (interrupted)

Mayor Shaw - "You know they sued to separate so I don't know how we could ever get it back together."

Mr. Cornelison – “They did what?”

Mayor Shaw – “They sued to separate their self from the City.”

Mr. Cornelison – “Okay did they accomplish it?”

Mayor Shaw – “Yeah they accomplished it.”

Councilman Daniel Braswell – “Within the perimeters we had said yes.”

Mayor Shaw – “We have no control over any money they have down there period.”

Mr. Cornelison – “So the only thing y’all hold over them is that you have to sign for debt that they’re going to be incurring?”

Mayor Shaw – “Right.”

Mr. Cornelison – “Okay.”

City Clerk Sanders to Mr. Cornelison – “Can I ask you a question?”

Mr. Cornelison – “Sure.”

City Clerk Sanders – “Business-type activities, does that category mean because they are revenue generating because you only mentioned CPW and sewer?”

Mr. Cornelison – “Yes.”

City Clerk Sanders – “Okay.”

Councilman Braswell – “That’s what’s under business-type activities?”

City Clerk Sanders – “Yes that clarified it for me, thank you.”

Mr. Cornelison – “You said it’s an exchange transaction. You provide services. They give you money.”

City Clerk Sanders – “A service, money, okay. That’s what I thought.”

Mr. Cornelison – “Provide water they give you money.”

City Clerk Sanders – “Okay.”

Mr. Cornelison – “So it’s actually, it’s run like a business whereas the General Fund we just get taxes sent to us whether we do anything or not.”

City Clerk Sanders – “Gotcha. Okay.”

Mr. Cornelison – “Because it’s all allocated.”

City Clerk Sanders – “Right. Okay. Thank you.”

Mr. Cornelison – “But both of those funds look good and I know the Commission of Public Works isn’t included in

anything that y'all have to do with but I mean even if I look at even if I look at just the sewer fund balance that's 2.2 million as an ongoing balance of net income that y'all have got."

Councilman Braswell – "That blows my mind."

Mr. Cornelison – "Yeah, well, one of the things that's really skewing it is that bond where you submit 60% of your revenue."

Councilman Braswell – "Okay that's included in that amount?"

Mr. Cornelison – "Yes."

Councilman Braswell – "On paper."

Mr. Cornelison – "On paper. What happens is" (interrupted)

Mayor Shaw – "That explains it there."

Mr. Cornelison – "Year 2020 supposedly that's all supposed to go away."

Councilman Terence Williams – "Right."

Mr. Cornelison – "But now what happens is during that period of time they have somebody auditing the ...what's it called, the authority the resource authority."

City Clerk Sanders – "The resource authority yes."

Mr. Cornelison – "So when they audit the resource authority they assess your ability to pay them back or not and in the past up until the past five years or so y'all weren't really paying anything so it's like they were writing it off. So when you write that off it was reducing that amount but now it's like they're doing just the opposite. They're assessing it and they're not writing off as much as they were in the past. But regardless in 2020 it's all going to go away. So that's actually kind of a non-cash adjustment that they make, that the auditors who audit them make, and I've got to put it in here. So but anyway seven more years and I think we're done with all this."

Mayor Shaw – "That's a long time."

City Clerk Sanders – "Or sooner if we can get them to see the light."

Mr. Cornelison – "I know some of the questions was you had on Page 6 there was a that really is basically a cash statement. Cash income cash going out and I think kinda it looks like we spent or we spent \$40,000.00 more than..." (interrupted)

Councilman Braswell – "I thought that wasn't how I saw it at the end of June but I might not have been...could part of that be one cent money that we already had or something? Because I didn't feel like we did it. I thought we broke even. I thought we even spent a little less than we broke."

Mr. Cornelison – "Well that but also if you and down there at the bottom where it says debt service in general you can only expense interest expense because debt you receive the money and then you pay back the debt. So if you had no interest rate you'd get the money in as revenue you'd pay it back as an expense. It would zero out so really the only true expense would be interest. However, on this statement this has the amount of principle that y'all pay including interest so that debt service amount includes interest and principle and that's the negative. But now on the positive side whenever you receive a loan, say you receive a \$100,000.00 loan you know that's actually money coming in so that would be counted as revenue. So it's basically a cash-in flow cash-out statement."

City Clerk Sanders – “What is this debt service representing?”

Councilman Braswell – “Fire trucks and stuff.”

City Clerk Sanders – “I’m wondering. I want you to tell me.”

Mr. Cornelison – “Interesting and well, let me look at your notes.”

City Clerk Sanders – “Tell me what page you’re on Tim.”

Mr. Cornelison – “20.”

City Clerk Sanders – “Thank you. Okay.”

Mr. Cornelison – “A KME 1999 aerial truck.”

City Clerk Sanders – “Fire truck. Okay. I just wanted to make sure. All right.”

Mr. Cornelison – “But if you also flip over to Page 26.”

City Clerk Sanders – “The budget.”

Mr. Cornelison – “The budget. If you look at, I guess about right there I can point to it but Local Option Sales Tax. We budgeted \$37,000.00 but we only received \$4,500.00, so that was kind of under budgeted. I guess Parks and Recreation was under budgeted by \$22,000.00. We were counting on \$33,000.00 and only got \$10,000.00. Property taxes we were down but you can’t really it’s hard to guesstimate that. Aid to sub-divisions that’s kind of a guess also whenever you’re budgeting because really most of the time the only time you can really budget accurately is based on last year’s unless you’re actually billing. If you’re budgeting and you say I’ve got ten customers then you know I know I’m going to be billing them this then you can budget that. But now as far as guessing what the State and County is going to send you that’s all you have is historical value and historical mileage. Just like this local option sales tax in Parks and Recreation. I don’t know why that was budgeted. Parks and Recreation was budgeted a little high because that seems like that would be kind of steady throughout the years. But I think we just budgeted high and if we budgeted high on the revenue we spent according to the budget because our expenditures budgeted compared to actual there is only a \$600.00 difference. But you look on the budgeted revenue there was an \$80,000.00 difference. So you know if I’m in charge of recreation, or library, or fire department and somebody says this is my budget then, I mean, I spend accordingly and if you don’t get the tax money to cover it or whatever then you know you’re kind of out of it. That just means you didn’t give me my information right.”

Councilman Braswell – “That’s why it’s important, this is not for your sake Tim it’s for all of us, that’s why it’s important to have a mid-year budget meeting.”

City Clerk Sanders – “Budget review.”

Councilman Braswell – “Because it’s more important to control spending than it is budget because you’ve got to actually have money. So from our end that would help us to have those numbers much better if we would reassess things half-way in on a big picture standpoint.”

City Clerk Sanders – “That’s true but I’m thinking I’m looking at Parks and Rec and what we budgeted for them that \$33,500.00. Wasn’t that with local option in mind? To do something? Because that wasn’t a figure that we pulled out that we were going to get from registration and concession.”

Councilman Braswell – “No not at all.”

City Clerk Sanders – “So where did we get \$33,500.00 from? Wasn’t it with a capital project in mind? Does anyone remember?”

Mayor Shaw – “I don’t know. We all discussed I think Ann was here when we discussed all that.”

City Clerk Sanders – “Ann was here.”

Mayor Shaw – “I don’t know where we actually got that figure at.”

City Clerk Sanders – “I don’t know. That’s confusing to me Tim because I think that that’s exactly what it was and we actually did not do the projects that we anticipated doing and like I explained to you that’s when we take the money out.”

Mr. Cornelison – “Uh-huh draw it down.”

City Clerk Sanders – “I draw it down then when we actually do something but I still thought you know what that’s right. Okay never mind because it ends June 30. This audit is ending June 30. I’m thinking about the last half of the year and the last half of the year was on next year’s audit. Next year’s audit is going to look a little bit differently. Yeah.”

Mr. Cornelison – “Is it going to look better?”

City Clerk Sanders – “Yeah, it’s going to look much better. That’s where you’re going to have the money for the library is there and all kinds of other things that were actually planned in this audit budget year but didn’t actually happen until after.”

Councilman Braswell – “Wait a minute. Did we buy...never mind. That was like three years ago never mind.”

Mayor Shaw – “That’s something else we’ve got to look at. We’ve got to start working on our budget very soon.”

Councilwoman Debbie Maddox – “We weren’t discussing fencing in the park at one time?”

Councilman Braswell – “We fenced, we put the fence around the ball field out there by the middle school but that was way before this fiscal year when that happened.”

Mayor Shaw – “We need to actually have Streets and Roads fix the fence.”

Councilwoman Maddox – “But I have people driving in the park.”

Mayor Shaw – “The corner down there where it’s tore out. Streets and Road could actually fix that fence.”

Councilwoman Maddox – “No they’re driving back here behind the...” (interrupted)

Councilman Shaw – “Like driving on the walking track?”

Councilwoman Maddox – “Yeah they just drive right across. I sent the cops around there twice.”

City Clerk Sanders – “Okay well I just thought that that might explain something but go ahead Tim.”

Mr. Cornelison – “One tool that I’ve seen towns use is the ability to actually move budgeted items within a budget, not changing the total budget but like for example property taxes looks like it was down. You look at police fines it looks like it was up by about the, you know, the same amount. You know, you could probably approve something where you can move it within different line items but just not change the total. But I mean that’s not really, you

know, seems like the culprit right here was we thought we were going to get revenue and we didn't and so we actually budgeted our expenses based on that."

Councilman Braswell – "And still spent them."

Mr. Cornelison – "And still spent them. So you know a mid-year meeting I think that would be a great idea like in January maybe right after Christmas because everybody's crazy through then. But yeah I think that would be great."

Mayor Shaw – "I think we actually discussed it this year and it never came to be."

Councilman Williams – "That's true."

Mayor Shaw – "We discussed it a couple times didn't we Terence?"

Councilman Braswell – "I remember talking about it. We talked about it."

Mayor Shaw – "We talked about it but we never got to it."

City Clerk Sanders – "We actually do have that available to us Tim and we've utilized it before but never on the revenue end, only on the expense end. I've done it with the fire department. I've done it with the police department where we've actually moved lines but what has to happen is we have to have a meeting and then that has to be approved prior to a meeting with the department heads prior to that actual change to record it."

Mr. Cornelison – "Okay."

Mayor Shaw – "There's one question too. The fire department has the understanding that every penny that comes into the fire department belongs to the fire department but all the money that comes into the city fire department regardless or anything is actually city money. Correct?"

Mr. Cornelison – "That's right."

Mayor Shaw – "So we can spend it as needed."

Mr. Cornelison – "Stated unless it is restricted funds."

Mayor Shaw – "Okay."

Mr. Cornelison – "I know that's going to be that's always a constant battle too because you've got volunteer firemen in there. You know you want them around to fight fires."

Mayor Shaw – "Right."

Mr. Cornelison – "So but yes legally y'all can do with it as long as it's not restricted."

Mayor Shaw – "What I was saying we have some that believe that every penny that comes in to the fire department belongs to the fire department and the city can't use it."

City Clerk Sanders – "But they're part of the city. The city can use it."

Mayor Shaw – "So we can use it and we don't have to ask them if we want to use it. Correct?"

City Clerk Sanders – "No."

Councilman Braswell – “From a legal standpoint.”

Mr. Cornelison – “From a legal standpoint and the way I explained it is you’ll see fireman out with their boots, the City of New Ellenton, or City of Chapin, or whatever getting money and stopping people at the red lights and I’m like you know if you want to go you know fund Tim’s party but you’ve got the city’s shirt you’re an agent of the city when you’re collecting that money. People’s giving it...” (interrupted)

Mayor Shaw – “That’s right. I’m talking about fire fees that come into the city for the fire department is actually city funds.”

Councilman Braswell – “Come off of property tax.”

Mr. Cornelison – “Correct.”

Mayor Shaw – “So if we need to spend if there is excess money there we need to spend it somewhere else we can spend it.”

Mr. Cornelison – “If you need to. I mean you’re not required to but yes if you need to.”

Mayor Shaw – “If we need to, but we don’t have to ask the fire department to ask for no...”

Mr. Cornelison – “Legally no.”

Mayor Shaw – “Okay that’s what Ann told us because we had a few run in’s in the past with the fire department money we used.”

Mr. Cornelison – “Ann said she agreed with me?”

Councilman Braswell – “She agreed with the same thing you’re saying.”

Mayor Shaw – “She said it’s city money we can use as needed.”

Mr. Cornelison – “That’s right.”

Mayor Pro Tem Rex Nordeen – “Y’all agreed.”

Councilman Braswell – “Y’all agreed that’s correct.”

Mr. Cornelison – “Yeah, I’m not saying she’s wrong. She didn’t agree with me.”

Mayor Shaw – “I just wanted to get a make sure everybody’s on the same page.”

Councilman Williams – “One thing you need to be careful of doing with that situation is for people that’s in the county that’s paying their fire fees they’re going to the county and raising sand about they can they don’t know of what we’re doing but they can have a legitimate argument about people in the City of New Ellenton spending money that they are giving to the fire department and they’re not reaping any benefits from it.”

Mayor Shaw – “But as long as they’re getting fire coverage they shouldn’t have any complaints. Correct?”

Councilman Williams – “But it’s a very thin line there though.”

Mayor Shaw – “Right.”

Councilman Braswell – “Yeah.”

Mayor Shaw – “As long as they have fire coverage it’s really, you know, the County sets up what people out of the city pays actually from what we decide but as long as they have fire coverage and they get correct fire coverage they shouldn’t have any complaints about the money we spend from anywhere. Correct?”

Mr. Cornelison – “Right now if they you know if I were a citizen and I saw a brand new library pop up and then, you know, all of a sudden my house burns down and the firemen don’t get out there for two hours I can see the complaint.”

Councilman Braswell – “Sure.”

Mayor Pro Tem Nordeen – “Because if you got a truck that’s got a flat tire...” (interrupted)

Mayor Shaw – “We don’t actually have that problem. We actually have a very efficient fire department.”

Mr. Cornelison – “Okay.”

Councilman Braswell – “Yeah.”

Councilman Williams – “Yeah we do but I would just like for us to be aware of what can happen and the repercussions to that is that we would we would have to collect our own fire fees, which we have the County doing now and if we had to do it ourselves it would put us in a predicament to have to go out and make sure the people would come and pay their fees. With them having to pay it with their taxes is not a problem. But if they were to come directly to us it could be a problem.”

Mr. Cornelison – “Because y’all can’t take the property.”

Councilman Williams – “Right, right.”

Councilman Braswell – “We don’t have any problems with people paying the fire fee because it’s coming...”

Mr. Cornelison – “The only other thing was the Victims Assistance account and Vernel brought up something that she said in pre-2005 2006...”

City Clerk Sanders – “Yeah before 2006.”

Mr. Cornelison – “We would send a victims assistant money to the County so that we could use their victim’s advocate and if we’re sending money there and it’s looking like we’re supposed to be increasing our balance within a checking account. That’s going to skew things. So from an audit standpoint, you know, I carried numbers forward from a previously audited statement so you roll audited numbers forward audit and when I rolled that balance forward that’s how it seemed like we were, you know, we didn’t have enough money in the victims assistance account that we were supposed to.”

City Clerk Sanders – “Right.”

Councilman Braswell – “So you’re saying we still should earmark certain income to set aside?”

City Clerk Sanders – “It is earmarked.”

Councilman Braswell – “It is earmarked. So this is already good then.”

City Clerk Sanders – “No, I have to figure out what’s wrong. Something is wrong. Tim is showing that we need to

deposit \$22,200.00 into the victim's assistance fund to make it jive with his numbers. I'm saying that Tim's numbers are wrong and I have I just wrote a note to myself to call because Tim just made a good suggestion to actually call the State Treasurer's office and see what records they have because it seems like we're missing a year. It's either 2005 or 2006. We're missing records for that year for that period and that's the period where I think we incurred these figures here that aren't correct. So I'm going to contact the State Treasurer's Office tomorrow and see how far back their records go and I've been trying to see if I can find someone at the County who knows because I'm pretty sure it was Hugh Ray that told me they sent like chunks like \$10,000.00 up to the County because we didn't have our own victims person and we were using the County so we in turn transferred that money up to the County because they were the ones who actually were providing service."

Mr. Cornelison - "So it's supposed to be a cash balance that increases on a regular basis."

City Clerk Sanders - "Exactly."

Councilman Braswell - "Sure."

Mr. Cornelison - "And when I rolled in Michelle was the Victim's Advocate and anyway her salary as a Victim's Advocate, or a portion of it, can be you can use that money to spend it. But anyway, hopefully, between Vernel and I we'll find out that that needs to be lowered."

City Clerk Sanders - "Yeah that we'll find it because it was already two years ago it was up to \$60,000.00 and Tim and I found we found out a lot of that was not being the expenses were not being charged to this account and so on and so forth."

Mr. Cornelison - "When they first started this program it was real vague."

City Clerk Sanders - "Very, it's not anymore."

Mr. Cornelison - "It's supposed to be for victim's assistance and so if my car gets broken into am I going to get some money? You know it's for certain things like hospital bills for a woman who gets sexually assaulted or what not."

City Clerk Sanders - "Hotel stays."

Mr. Cornelison - "Hotel stays stuff like that."

City Clerk Sanders - "Transportation."

Mr. Cornelison - "So actually because it's starting to become a problem to all the towns and that's why they're actually laying out guidelines."

City Clerk Sanders - "They're auditing. Did you know that?"

Mr. Cornelison - "Yeah they get City two years in a row."

City Clerk Sanders - "Yeah they're auditing you. They're auditing now."

Mayor Shaw - "So we pretty much went through this. Correct?"

Mr. Cornelison - "Yes."

City Clerk Sanders - "Does anyone else have any more questions?"

Mayor Shaw - "Well no I've got one more thing. I have a citizen here that would like to address us in the Work

Session real quick here.”

City Clerk Sanders – “No, I mean for the audit.”

Mayor Shaw – “No, for the audit? No, I don’t have any more questions.”

Councilman Braswell – “I don’t have anything else.”

Mr. Cornelison – “Well, if y’all do y’all know how to reach me.”

City Clerk Sanders – “Thank you Tim.”

Councilwoman Maddox – “Thank you Tim.”

Mr. Cornelison – “Thank y’all. Y’all have a good evening.”

Councilwoman Maddox – “You too.”

Mayor Shaw to citizen, Richard Willard – “Would you like to address us?”

Mr. Willard – “Sure.”

Mayor Shaw – “Rex will be right back. One more thing involved Roy actually made a asked a question about how much council members can spend without approval and Rex is making a copy.”

City Clerk Sanders – “He did find it? Okay.”

Mayor Shaw – “I think that some council members have spent over what they should have spent and I really think we need to take that into consideration and we need to chastise them on that because they actually should pay the difference back to the City if they spent more than what they should have spent because I do not have a City credit card. I do not spend City money but I know there was a case at Christmas where there was more money spent than council members could spend buying wiring and all to wire up the Christmas tree and I really feel like whatever was over the limit should be paid back by the council member. That’s what Roy wanted to address and Rex is making copies of it now.”

Councilman Shaw – “Yeah, I just wanted to...” (interrupted)

Mayor Shaw – “And we’ll address it under Administration but I think Roy agrees, you know, that we, you don’t go out there and I mean this is citizens money that we’re spending.”

Councilman Braswell – “How much was it?”

Mayor Shaw – “Roy could probably tell you. You was there wasn’t you?”

Councilman Shaw – “I don’t know the exact amount. It was four hundred and some odd dollars.”

Mayor Shaw – “Four hundred and something dollars.”

Councilman Braswell – “To get some wiring for the Christmas tree?”

Councilman Shaw – “Yeah.”

Mayor Shaw – “But that’s beside the point. It was over the limit.”

Councilman Shaw – “The bottom line is rules the rules are there to be followed and they should never be deviated from.”

Mayor Shaw – “When I addressed it with the person that done it all I got was a smart comment.”

Councilman Shaw – “We’ve got rules out there for a purpose that they need to follow and...”

Mayor Shaw – “And we’re actually fixing to get a copy of it and we’ll address that during the council meeting under Administration. Rick, do you want to come up and address us about your issue?”

Unknown speaker – “What about this? Do we just want to do it in Regular Meeting? Is that what you were talking about?”

Mayor Shaw – “Yeah, we’ll talk about that too.”

City Clerk Sanders – “Do you want me to see what’s taking him so long because I hope he’s not breaking the machine?”

Mayor Shaw – “I don’t know if he knows how to use the machine.”

City Clerk Sanders – “Yeah, let me do that real quick.”

Mayor Shaw – “We’ll let Rick (Willard) address us, we’ll get Rick to address us real quick and then we’ll take about a five minute break. Alright Rick you can come on up and if you’ll just pull the podium out and address us about your issues sir.”

Mr. Willard – “Thank you for letting me speak here. I’ve been a resident of this town for a long time until I moved out but I still had property here and that property became rental property and then my boys talked me into getting even more rental property so and we’ve got several other rental properties here. I became aware of the sewer deal, the garbage stuff after we got some of these houses. At least one house on Hillcrest we had to put the sewer in there when the septic tank went out and we ended up putting in our lease agreements that it’s their responsibility to pay the bills. We give them the contacts for city water and electricity so they could make the contacts and get everything started. We’ll it’s worked pretty good up on Hillcrest. It’s 405 Hillcrest where we used to live. Except this last thing he left owing a bill. Well, we didn’t know but she told us they paid everything up. They picked up the garbage can and she turns out hadn’t paid since August so her bill was \$141.00 and then we get the bill, as the owners of the property, saying that we owe it. But you have the agreement whatever with her for that property not me. I understand she lives somewhere up on Powder House. If I had known this ahead of time I could have withheld it from her deposit but we had returned all of that. The other one is 109 King and we told those people that they needed to contact everybody and then I didn’t think about it anymore. We found out a few weeks ago that there was a \$900.00 bill there. Now we have taken their deposit with \$500.00 and applied it to that bill to try to get them somewhere caught up and we’ll arrange for them to get a payment plan to do the rest of it but the problem with that is they had actually contacted the I guess the people that pick up the trash and they said no we don’t deliver to that address which was probably the wrong thing to do to is talk to them but they just assumed they didn’t have any garbage pickup and they haven’t had any garbage pick up until we just got a trash can this week or last week. So the balance on that one is \$500.00 less than the nine hundred and something dollars that was on it. I don’t have to pay water or anything. It’s always their responsibility on everything else. This one just kinda sticks you in the rear because you have a hard time monitoring it I know and I don’t get any use out of the sewer here or the garbage pickup. As far as I’m concerned it’s their responsibility. We’ll do what we can to make sure that they do that.”

Mayor Shaw – “Well and I’m going to tell you straight forward my personal opinion is if it’s a rental property the person that lives there when they’re renting it are responsible for it, not the property owner, and if the city was in better shape where we had control of the water department I mean once they got the water turned on we’d know

that but we don't know that but I don't feel like it's your responsibility. It's the renter's responsibility to pay for the garbage and pay for the sewer and I don't see how the City can hold you responsible and that's my personal opinion."

Mayor Pro Tem Nordeen – "Mr. Mayor you have an ordinance that says the landowner is responsible for any debt on that property."

Mayor Shaw – "Yeah well I think the ordinance needs to be rewritten because I think that it should be that the renter should be responsible for it and I think most people here probably on City Council agree with that."

Councilman Braswell – "It's been a challenge for the past few years."

Mayor Shaw – "I think we need to change the ordinance."

City Clerk Sanders – "We cannot control renters. Renters come renters go. We have no way of knowing if they're coming or going."

Mayor Shaw – "Because the water department is separate from the City."

City Clerk Sanders – "That's true however..." (interrupted)

Mayor Shaw – "But we need to find a way to hold the renters responsible for what they owe. It's not up to the landowners. The renters are going to use the sewer and the garbage."

City Clerk Sanders – "And I understand that and I appreciate that however, our ordinance says that we hold the landowner responsible ultimately if the renter does not pay. Now what we suggested to our landlords, all of them, and a lot of them have even done this, we suggest that they actually put the cost of that service in their rent and they don't have to worry and a lot of them have already gone ahead and done that."

Mayor Shaw – "Put a copy of that ordinance in my box tomorrow."

City Clerk Sanders – "I sure will. I sure will."

Mayor Shaw – "I think that's an ordinance we will rewrite."

City Clerk Sanders – "Because we couldn't control and it's a simple like you Mr..." (interrupted)

Mayor Shaw – "That's an ordinance we will rewrite."

City Clerk Sanders – "Okay let me just finish this. Mr. Willard the last, I think it was you and please forgive me if it wasn't you. It might have been another landlord but there was a note that the property was vacant and that was told to us by the homeowner, by the landlord, the landowner."

Councilman Braswell – "That's helpful."

City Clerk Sanders – "And that the property was vacant and they would let us know when someone moved in. No one ever let us know that anyone moved in. We didn't find out that someone moved in until later and yeah we do back bill."

Mayor Pro Tem Nordeen – "That was Mr. Zachmann."

City Clerk Sanders – "That was Mr. Zachmann. Okay, fine. Like I said forgive me if it wasn't you."

Mayor Shaw – “That was an ordinance that needs to be changed though because you can’t hold a landowner responsible for something that a renter has not paid.”

City Clerk Sanders – “We have to hold someone responsible.”

Councilman Braswell – “Or we have to eat it and then the cost for everybody in this area is going to go up.”

City Clerk Sanders – “Exactly. Exactly because you have renters coming and going all the time and we have no way of knowing that.”

Mayor Shaw – “That’s beside the point though.”

Councilman Braswell – “It’s not the point that the thousand citizens who live here if we had the more cost we have to eat the more and this is no, I mean, I understand the problem.”

Mayor Shaw – “You figure out a better way to do it then and we’ll do it that way but I think most of us agree that the people that live there actually owe the bill.”

Councilman Shaw – “That’s who you ought to be going after.”

Mayor Shaw – “Yeah, the people that live there go back and...”

Councilman Braswell – “I’d love to do it if we could have a way to do it.”

Mayor Shaw – “Well, we’ll find a way.”

Councilwoman Maddox – “Pam’s got a question.”

Mayor Shaw – “Question?”

Pam Willard – “Sir the lady that lived there that left us with a six months bill I called her and her husband twice. He’s actually in Afghanistan. She does live on Powder House Road. I can try to get her address. I mean we don’t mind paying what we owe. That’s never been an issue. But when you get a \$900.00 and something bill and the only reason we got this bill is because there was a sewer back up in that house and I had no idea. No one knew that here and I was and it was like I said it was news to me but they came to work on it then they realized that they didn’t know anybody was living there. Well, I don’t know how that came about that way. I really honestly don’t because it’s in their contract and she is not from here. They’re from South America and we went over things with them. I even talked to her a couple times and told her you know if they haven’t delivered this you need to go get it, go down and get it, but she said when she called and her not realizing that the contract came from here they said we don’t pick up at your address. So she took it at face value they don’t pick up at her address and she didn’t talk to me about it.”

Mayor Shaw – “They should actually if she called Tyler they should have told her where he was and she should have gone to New Ellenton.”

Mrs. Willard – “They should have told her to go to New Ellenton and because she’s not from here I understand her confusion, I really do.”

Mayor Shaw – “Right.”

Mrs. Willard – “But the other lady now I don’t understand that. She is a realtor in Aiken. She lived in this house for over a year and you know it was just very confusing to us that this could go by, especially when she moved out and they had already picked up the trash can and everything and she hadn’t paid.”

Councilman Braswell – “Mrs. Pam she got that information from that’s what Tyler told her?”

Mrs. Willard – “Yes.”

City Clerk Sanders – “Tyler usually refers them directly to our office.”

Councilman Braswell – “They should have told her.”

Mrs. Willard – “Her mother lives here and her mother stated and she knew she would swear to that that they told they just don’t pick up. They never gave her anywhere else to go but her mother lives in Aiken so she didn’t know either because the girl couldn’t even speak good English then.”

Mayor Shaw – “Okay we’ll address this issue. Let me get a copy of the ordinance and we’ll address it because I really don’t feel like landowners ought to be paying the sewer bills for renters.”

Mr. Willard – “Do you want to put something in there about the landowners notifying the City when the people come in? I notify my residents. I have it in my lease agreement this is who you’re supposed to contact.”

Mayor Shaw – “I’m going to have a copy of the ordinance tomorrow and we’re going to readdress that ordinance and see if we work this change because I personally don’t feel like you’re responsible for it.”

Mr. Willard – “Right now I have lady who’s moving into 405 Hillcrest and she can’t get anything done because we’ve got this bill.”

Mayor Shaw – “And that’s not correct. Personally she can’t get garbage pickup or sewer?”

City Clerk Sanders – “No she can’t get service here until that bill is paid.”

Mayor Shaw – “Well, I don’t feel like that’s correct either. I think she needs to...”

City Clerk Sanders – “Well, that’s the ordinance. All we can do is follow the ordinance.”

Councilman Williams – “In your lease agreement what did you have in your lease agreement as far as the renter? What do you do you ask them to come up here and pay the bill or...”

Mr. Willard – “I’m telling them that they need to come to the City and sign up for garbage or sewer if they happen to have sewer.”

Mayor Shaw – “And you know the biggest problem is is water works is separate from the City and that’s not our problem that they’re separate from the City because they seek to separate us and we don’t know because they don’t tell us until three months or six months after the fact.”

City Clerk Sanders – “They don’t tell us at all.”

Mayor Shaw – “They don’t tell us at all so we don’t know so we can’t hold them accountable.”

Mr. Willard – “I’ll be glad to tell you but ...”

Mayor Shaw – “We can’t hold you, I don’t see where we can hold him accountable when they go get the water turned on and water works don’t inform us that we got somebody else living in the city.”

Mr. Willard – “But you got a delinquent bill all the way back in August and didn’t notify me. She continued to have it until December and now she leaves and I’m holding the bill.”

Mayor Shaw – “Right and what I’m saying is the water department should notify the City every time somebody comes to gets the water turned on.”

Councilman Shaw – “Can’t we do something about that?”

City Clerk Sanders – “We may not know, you’re telling your people that they need to come here but, and everybody should know that not everyone’s going to do what you tell them to do.”

Mayor Shaw – “But they’re going to get the water turned on regardless.”

City Clerk Sanders – “Exactly. They’re going to get the water turned on but there’s nothing to require them to come here.”

Mayor Shaw – “But the water department should have enough respect for the City to tell us that they’re getting their water turned on and that’s something we’re going to have to address because I don’t feel like Mr. Willard owes it. I feel like the renter owes it. Yes sir (to Chief Mike Kellems).”

Chief Mike Kellems – “Mr. Mayor if I may add this real quick. Several years ago City Council, and Terence you might remember, the CPW down there was doing a bond referendum or something and I don’t remember exactly you can look back in the minutes.”

Councilman Braswell – “I was here.”

Chief Kellems – “But the City Council had to sign off on that and one of the agreements were that they would work with the City on a very regular basis of letting the City know of new basically new customers. I don’t remember a time frame. If that was on a 30 day 90 day something like that.”

Mayor Shaw – “Vernel how often did they do that?”

City Clerk Sanders – “They don’t do it at all.”

Chief Kellems – “It’s part of the agreement.”

City Clerk Sanders – “They don’t do it at all and we said...” (interrupted)

Mayor Shaw – “They don’t do it at all and I feel like we ought to take.. I will be at the next Commission of Public Works meeting.”

Chief Kellems – “That was one of the things that the City Council members at that time requested.”

Mayor Shaw – “And it never came to be.”

Councilman Williams – “And they agreed.”

Mayor Shaw – “So how can we hold these people responsible when we don’t even know...most of the time you move into a city you go to one place and you sign up for everything and what I’m saying is Mr. Willard I don’t feel like owes this. The renter owed this. If the Commission of Public Works doesn’t notify us. I think they ought to notify us every time somebody comes and has their water turned on or turned off and if they can’t do that evidently we need to take some actions to get the water works back under the City.”

Mrs. Willard – “Mr. Mayor I feel like if they don’t do what they’re supposed to do and they haven’t been doing it that if they were held accountable for these kind of situations once in a while that would start working. That would start holding them accountable. I just feel like it’s not right.”

City Clerk Sanders – “We cannot hold CPW accountable.”

Mayor Shaw – “Do we have the minutes of that meeting where they said they would inform us?”

City Clerk Sanders – “I don’t know if it was an actual meeting. Was it a meeting?”

Mayor Pro Tem Nordeen – “Yes.”

Chief Kellems – “It’s been a long time ago.”

Councilman Braswell – “It was a dual meeting. We sat right in here and we agreed on that because we...”
(interrupted)

Chief Kellems – “That was just something that the City had asked.”

Councilman Braswell – “We agreed on that before we signed the bond.”

Mayor Shaw – “We need to try to dig that up.”

City Clerk Sanders – “We don’t even have to go back that far. It was just last year. Just last year I sent two or three letters over to Harold Craig and they were supposed to present that at their meeting to give us that information.”

Mayor Shaw – “I called you and asked for it.”

City Clerk Sanders – “Exactly you called me. Exactly, and it’s two or three letters and each time it was two, thank you. Each time it was well tell us what you want it for. Well, tell us what you want to do with it and making us jump through hoops and still never gave it to us.”

Mayor Shaw – “Well I’ll tell you what we need to do. We got to get into our regular meeting.”

City Clerk Sanders – “Yes we do.”

Mayor Shaw – “Rick’s renter needs garbage and sewer service.”

City Clerk Sanders – “I can’t do that, sir. You will have to vote on that as a Council because of the mere fact that if we do that for one we have to do it for all.”

Mayor Shaw – “Well, if...”

Councilman Williams – “May I say something Mr. Mayor?”

Mayor Shaw – “Yes.”

Councilman Williams – “Mr. Willard I sympathize with you in your situation but I see it as once you took that deposit and you took that \$500.00 and you paid it toward that bill I see it as you assuming responsibility for that bill. Do you understand what I’m saying?”

Mr. Willard – “I’m going to help, that’s for the one over here on Keen Avenue. I want to help them get caught up and we’re going to sign an agreement to come down here and make a payment plan for the usage of the sewer. What I have a problem with is they haven’t had garbage pickup in over a year and that’s on that bill too. That’s the one thing that they actually called about. I mean if we could come...”

City Clerk Sanders – “And you’re going to have that.”

Mr. Willard – “...to some reconciliation on that I want to get the bills paid and I want to help them get caught up.”

Mayor Pro Tem Nordeen to Mr. Willard – “What would it take to change your loan agreement for them for your renters to pay that to you and then you pay the City?”

Mr. Willard – “Well it’s in there that if they don’t pay it if they don’t come down here and make arrangements then I will increase the bill.”

Mayor Pro Tem Nordeen – “I know we have other landlords that have that system set up.”

City Clerk Sanders – “Grace Covenant. Grace Covenant just got hit with an \$1,800.00 bill. \$1,800.00 and the people that went in could not get service until that was paid.”

Councilman Braswell – “In other words for right now...”

Mayor Shaw – “Now Grace Covenant did we not send them a bill prior to that before it got to \$1,800.00?”

City Clerk Sanders – “No because we didn’t know it was their property. We find out a lot of things after the fact or by accident or whatever.”

Mayor Shaw – “Well if the water department doesn’t inform us when they turn the water on then we’ve got a problem. The City is not working together and if the City can’t work together we have a big problem.”

City Clerk Sanders – “I don’t disagree with that.”

Mayor Shaw – “I guess we’re going to have to look into putting the water works back under control of the City then we’ll have control of all of it.”

Councilman Williams – “Mr. Mayor when you go down to that meeting I think some other council members need to go with you and remind them of the agreement.”

Mayor Shaw – “Agreement?”

Councilwoman Maddox – “Yes.”

Councilman Braswell – “Agreement.”

Mayor Shaw – “We’ll do that at their next meeting.”

City Clerk Sanders – “Sammie McDuffie knows about it.”

Councilwoman Maddox – “Yes, he does.”

Chief Kellems – “Sammie McDuffie is the one that was here.”

City Clerk Sanders – “I’m sure he was.”

Councilwoman Maddox – “He was here that night.”

Councilman Braswell – “Oh yeah, he was here that night.”

Mayor Shaw – “He was the one that agreed to it.”

Councilwoman Maddox – “Yes, he was.”

Mayor Shaw – “Okay, well we’ve got to move onto our regular council meeting. Rick I will keep you informed on this and let you know and we’re going, I’m going to get a copy of the ordinance we’re going, we’ve got to put something in place where we can make people accountable for what they owe because you don’t owe for what they do.”

Mr. Willard – “Especially when you’ve had an agreement for a year and then they walk off.”

Mayor Shaw – “Right.”

Mr. Willard – “I mean if you had told me two months ago it wouldn’t have been a problem.”

Mrs. Willard – “My question to you all is still this. That lady lives in Aiken that signed the agreement with you for our house on 405. She’s still breathing and above ground and she lives on Powder House. She’s a realtor in Aiken. Is there no way you can bill her for that bill?”

Mayor Shaw – “If you know her address we can certainly send her a bill.”

Mr. Willard – “I’m sure they got a forwarding address.”

Mrs. Willard – “But the thing is until she pays it the other lady doesn’t get service. Correct?”

City Clerk Sanders – “Correct.”

Mrs. Willard – “That’s ridiculous. That’s not right.”

Mayor Shaw – “I think that’s not right.”

Mrs. Willard – “It’s not right. This woman came here from Nebraska got a job at the plant and she’s called me...”

Mayor Shaw – “And she can’t get garbage service.”

Mr. Willard – “Well she’s afraid to flush her toilet.”

Mayor Shaw – “Tell her to flush the toilet. They can’t cut off the sewer.”

Mr. Willard – “But she wants to do it right.” [SEVERAL CONVERSATIONS AT ONCE]

Councilman Braswell – “Miss Vernel can’t we try to bill her, this lady that lives on Powder House, to see if we can get anything out of her?”

City Clerk Sanders – “We probably have already. We only assign that bill to the landowner when the renter refuses to pay or does not pay. We have no way of controlling renters in and out of the City. We have a lot of transient people throughout the city because of the plant. We have no way of knowing.”

Councilman Braswell – “Like you did with the shop over here where grandma paid it but then she paid...”
[SEVERAL CONVERSATIONS AT ONCE]

Mrs. Willard – “I’m telling you that’s where I’m telling you she’s at.”

Mayor Shaw – “Ordinances are fine but ordinances are not always right.”

