

MINUTES OCONEE COUNTY COUNCIL MEETING FEB.20,1979

The regular meeting of County Council was opened by Vice Chairman Ables in the absence of Chairman Phinney. All Council Members were present along with the news media and a number of teachers.

Mrs. Jennings advised the Council that she would provide information concerning the training of EMS personnel as required by law and the information would be incorporated into the minutes of the meeting. The information which Mrs. Jennings provided is as follows:

" Oconee County has entered into an agreement incorporating and amalgamating all county "rescue squads" under the control and direction of the Oconee County Civil Defense Director and his Staff. The County is the owner of most equipment used by these squads who render emergency services, as well as engage in rescue efforts. Under Section 44-61-80, The Emergency Medical Services Act, the law says that all ambulance attendants must be certified and undergo the necessary training to attain such certification. According to an opinion by the Attorney General, Oconee County rescue squads do not come under the "Good Samaritan" exclusion. It was the intent of this legislation to make certain that all rescue type vehicles were attended by persons who had received certain training and were certified as being proficient."

" The Law Enforcement, Safety and Welfare Standing Committee recommend that the Director, Oconee County Civil Defense, immediately institute a program whereby and wherein all rescue squad members who normally could be expected to serve as ambulance attendants be required to undergo the necessary training for certification under Section 44-61-80, Code of Laws of South Carolina. Further that Mr. Henry Thompson coordinate this program with any other department that is responsible for the safety of other people such as Law Enforcement Center and the Sheriff's Department. Mr. Bill Bond of the South Carolina Appalachian Health Council is being asked to work with us in developing this program."

Mr. Harold Waters representing the OCEA again requested funds for a retroactive pay raise for teachers and the assurance of an adequate raise in the coming budget year.

At the request of Acting Chairman Ables, the County Attorney, Mr. Fedder, explained his interpretation of the current State laws and the Home Rule Act as they pertained to the Budget and Fiscal matters of the County and the School District. A summary of his remarks are outlined below (Note: his remarks were taped; a copy of which is on file and available in the Council Clerk's office).

a. The County Council and School District are two separate and distinct bodies for law and authority. The County Council has no school statutory authority except the budget. In this regard, the Home Rule Act requires the County Council to levy millage for school operations... the Council has final authority of millage

levied for school purposes.

b. Once the millage has been set, the County Council has no authority to appropriate or use any other additional funds for school purposes...the County Council has no authority to transfer county general operational funds to the School District.

c. The County Council can and must (since the law requires it to do so) address itself to the school budget at the time the annual budget is developed and adopted.

d. It is illegal for any political body to engage in deficit spending. Also, you cannot borrow monies except for year revenues are collected..anticipated tax revenues can be pledged only during year collected.

e. The School Board has complete authority to use funds approved by the County Council in any manner the Board deems appropriate...the County Council has no legal authority to transfer funds to the School Board if in fact such funds were available.

Dr. Earle told the audience he felt all persons present as well as the taxpayers not present should know the County Council's position with regard to this request. He assured the group the Council was very understanding in this matter as three Members have served on the School Board. He said Council is committed to do something to correct this and not to blame anyone. He further stated Council should face its responsibility, do their part and to be responsible for its actions or in-actions, and the School Board and teachers are expected to act accordingly. Taxpayers will be informed, and no information will be withheld according to Dr. Earle, and he assured that Council would give first priority to advising the School Department as to how much millage they will receive so they can let teachers know what they can expect.

Mr. Waters disagreed with the County Attorney's opinion stating he worked for Council and was agreeing with them. Mr. Fedder replied that his opinion was an unbiased legal one and that the Attorney General's Office concurred in his interpretation of the Home Rule Act in this matter.

Mr. Crain pledged to meet with the School Board at an early date to discuss the 79-80 budget stating he supports an amount to ensure an adequate pay raise for next year and will work to this end.

Mr. LeCroy's update on the construction of the hospital and libraries revealed the Westminster Library is complete and waiting for the furniture. The Walhalla Library is 80% complete and the hospital construction is moving along well but not on the schedule given at the beginning of the job. Mr. LeCroy said he has approved all work to this point.

Juvenile and Probation Director, Melvin Martin, gave a report of his department. He reported the Children's Home which provides temporary shelter for neglected, abused and delinquent children of

Oconee County or any child that falls within the jurisdiction of the family court has an average daily population of 14 which is continuously rising. The cost per child per day is \$9.04.

In old business Mrs. Jennings announced a new Superintendent of Sanitation has been hired.

Mr. Crain stated the dirt roads will be upgraded when the new rock crusher is in operation and felt this project could be funded with revenue sharing funds. He further stated revenue sharing funds cannot be used for education purposes, however he felt this upgrading of the roads would be of great help to the school department as busses travel many miles of dirt roads each day.

Mr. Ables, Chairman of the Budget Committee, announced that all budgets, with the exception of the school, was in and budget reviews will begin in about two weeks.

Motion to adjourn by Mr. Frady second by Mr. Crain.