

**Anderson County Board of Education**  
907 North Main Street, Suite 202, Anderson, South Carolina 29621  
June 17, 2019

**Call to Order:** Mr. David Draisen called the meeting to order and Rev. Dr. Rufus Mitchell presented the invocation. Everyone joined in the pledge of allegiance to the American Flag.

**Board Members Present:** Mr. David Draisen, Ms. Brenda Bradberry, Mr. Mike Brock, Dr. Gary Burgess, Mr. Nakia Davis, Mr. Jim Hening, Rev. Dr. Rufus Mitchell, Mr. Mike Upton and Mr. Joey Nimmer, Ex Officio.

**Board Members Absent:** Mr. John Martin was unable to attend.

**Approval of Agenda:** Ms. Brenda Bradberry made the motion to approve the agenda. Mr. Mike Upton seconded the motion and the Board members agreed unanimously.

**Approval of Minutes:** Ms. Brenda Bradberry made the motion to approve the minutes of the May 20, 2019 Board meeting and the minutes of the Called Meeting held on June 4, 2019. Rev. Dr. Rufus Mitchell seconded the motion and the Board approved the minutes unanimously.

**Recognition of Media and Patrons/Public Comment Period:** No one from the media or public was present for public comment.

**Consideration of Bond Issue for Anderson School District One:** Mr. Travis Thomas, Director of Finance for School District One, presented the building plan that will replace Palmetto Middle School and Wren Middle School to the Board Members at last week's budget meeting. Both of these school buildings are over 60 years old. The District also plans to upgrade safety and security concerns, replace aging HVAC systems, repair roofing issues district wide, and add additional wings of classrooms due to overcrowding.

In April, voters in District One approved the referendum and the School Board approved the resolution at their May 14<sup>th</sup> meeting authoring the issuance of general obligation bonds not to exceed \$109,000,000.00. Then at the May 28<sup>th</sup> meeting, the 2019-20 general fund budget was approved at \$80,372,940.00. There will be no millage increase.

At this time Mr. Thomas requested that the Anderson County Board of Education consider approving the resolution authorizing the issuance and sale of \$109,000,000.00 of general obligation bonds to finance the cost of projects approved by the referendum held in School District One on April 3, 2019.

Dr. Gary Burgess made a motion to approve the issuance of the bonds for District One not to exceed \$109,000,000.00. Mr. Mike Upton seconded the motion and the board approved the motion unanimously.

**Consideration of Request from Anderson School District Five to Liquidate Surplus Assets:** Mr. Nimmer referenced the letter of request in their packets from School District Five and then introduced Mr. Ben Willis who is the Director of Information Technology Services for the district. Mr. Willis explained that District Five will auction surplus items off, as they always have, but are requesting a blanket approval for a six month period in order to save time and increase expediency as they have very limited space after the closing of the Career Center. This was approved by the District Five Board at their last meeting and Mr. Willis assured the Board Members that the district will continue to provide the County Board with a list of items sold with the amount earned.

Ms. Brenda Bradberry made a motion to approve District Five's blanket request to auction surplus items as needed through December 31, 2019. Mr. Mike Upton seconded the motion and it was approved it unanimously.

**Discussion of Anderson School District Two Board of Trustees:** Mr. Richard Thompson of Thompson & King, who is the legal counsel for the County Board, was introduced by Mr. Nimmer. He was invited to the meeting to provide an expert opinion on the issue of whether or not Anderson School District Two has a vacancy on their Board of Trustees. Mr. Thompson referenced a Supreme Court decision from 1905 State vs. Sticklely dealing with a town council member that submitted a resignation to the town, three days later publically announced that he was withdrawing his resignation. He was not able to retrieve his actual letter of resignation but declared it at the town hall. The town had gone ahead with another election and filled his seat. The case went to the Supreme Court and they ruled it was not an effective resignation because it had not been acted on and, therefore, he was free to withdraw his resignation and the town should not have authorized and held an election to fill his seat. Mr. Thompson said he feels this is a persuasive case and very similar to the one with District Two. Mr. Thompson continued to explain a few other examples of present code under Section 8-1-140 but concluded that was a different scenario than what is happening in District Two.

There was a brief question and answer period between County Board Members and the legal counsel.

In closing, Mr. Thompson was of the opinion that there is no vacancy on the School Board of District Two since the resignation submitted from a member serving on the school board was never accepted. If it had been accepted, the board member would be released from the duties once a qualified person was chosen to take their place. He also felt the initial resignation was not valid since it was not signed by the board member as it was sent in an electronic fashion. The actual letter rescinding the resignation was submitted in letter form and signed. This is Mr. Thompson's opinion and he also stated that this is a very unusual situation. He added that since there is a civil suit in place, the best course of action will be to wait for the decision from the Judge overseeing this case. In the meantime, the Anderson County Board of Education has no duty or obligation to carry out on behalf of District Two.

**Anderson County Alternative School Report:** Mr. Nimmer stated that he and two other Board Members attended the recent Graduation and Award Ceremony held on the May 31, 2019. Mr. David Draisen also attended and described it as a very worthwhile event and encouraged all members who have never experienced an Alternative School graduation to do so. He added, these are students that have been expelled from their home school, have persevered, and were able to graduate adding the system works.

**Administrator's Report:** Mr. Nimmer, who also attended the Alternative School's graduation, added how very rewarding the event is watching students that don't have much in their life that is positive, being able to turn things around and achieve success.

On Thursday of last week, the Anderson County Legislative Delegation met, the County Board and Alternative School budgets were presented, and unanimously approved. We are set to begin our new fiscal year on July 1<sup>st</sup>.

Mr. John Martin was unable to attend tonight due to a death in his family.

**Financial:**

**A. Tax Collections YTD vs. Budget:** Mr. Nimmer said the monthly financial reports in their packets shows year-to-date revenue for all districts through the end of May are at or near 100% collections. Most of this is due to some growth in local revenue as well as growth in state funds that came in ahead of budget. As a reminder, for the Alternative School and County Board some of our revenue is back loaded in the form of reimbursement. All that has been invoiced and will be collected during the month of June so next month's report will have a final accounting for that. We will also have two months' worth of tax receipts which are collected in areas that will be booked into the current fiscal year.

**B. Assessment Totals:** Mr. Nimmer stated the green sheets, which show our assessment totals through May, have virtually remained the same as April which is what we and the districts use as the basis for our budgets for the current year. The growth has been steady and, during the appeal period, we did not lose a lot of value which is a good thing for us especially as we move forward into the fall when these figures plus some growth will be used in invoicing the tax payers for ad valorem taxes for the year 2019.

**C. Education Sales & Use Tax:** Since the inception of the penny sales tax in March, 2015, we have collected \$93,916,864.01 through the month of May, 2019. As a reminder, 20% comes off the top to be used to roll back debt service millage for all classifications of property. The remaining 80% is used for capital projects.

**Old Business: None**

**New Business:**

**A. ADM Accounts Payable**

**B. SFS Accounts Payable**

Ms. Brenda Bradberry made a motion to pay both bills, seconded by Dr. Gary Burgess. The Board unanimously approved.

**Adjourn:** With no further business to discuss, the meeting was adjourned.

Respectfully submitted,

Dr. Gary Burgess, Secretary of the Anderson County Board of Education  
This is a true and correct copy of notes taken at the meeting.