

**Anderson County Board of Education**  
**907 North Main Street, Suite 202, Anderson, South Carolina 29621**  
**September 21, 2020**

**Call to Order:** Chairman David Draisen called the meeting to order and Rev. Dr. Rufus Mitchell gave the invocation after which everyone joined in the pledge of allegiance to the American Flag.

**Board Members Present:** The following board members were present for the September 2020 meeting: Mr. Mike Brock, Dr. Gary Burgess, Mr. Nakia Davis, Mr. David Draisen, Mr. Jim Haning, Rev. Dr. Rufus Mitchell and Joey Nimmer, Ex Officio. Ms. Brenda Bradberry, Mr. Mike Upton participated virtually through Zoom.

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

**Approval of Virtual Meeting and Approval of Agenda:** Dr. Gary Burgess made a motion to approve the virtual meeting and Mr. Mike Brock seconded the motion. It was approved unanimously. Dr. Gary Burgess made the motion to approve the agenda. Mr. Mike Brock seconded the agenda and it was approved unanimously.

**Approval of Minutes - August 17, 2020 meeting:** Dr. Gary Burgess made a motion to approve the August minutes and Rev. Dr. Rufus Mitchell seconded the motion.

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

**Alternative School Report:** Mr. Nimmer said the report will be brief since this is only the second week of school. They started with 60 students and that number is similar to what they opened with over the last several years. This is in light of the fact that District Five is not sending any students. There will be a full report at the next meeting after they have completed a full month. Mr. Nimmer responded to a question regarding their schedule during the pandemic answering that they are doing face-to-face learning as far as he knows.

**Administrator's Report:** There are two items Mr. Nimmer had to report on with the first being an update on the current budget situation. The state is still working through the budget process which is an essential component of allowing the districts to put together their budgets. At the current time, all the districts are operating on the continuing resolution as we are. The Senate passed their version of the budget last week which was tweaked a bit from last year. The House is now working on the budget and there are some indications that they may do what the governor suggested which is to hold the entire budget over from the 2019-20 fiscal year until they can pass a new state budget for the 2021-22 fiscal year. While they are working this week and next, that will be what they are concentrating on and then that will have to be reconciled and conferred with in Conference Committee.

Lastly, no district is looking for additional millage this year which will make things easier as we move forward. Mr. Nimmer will keep the board members advised as updates come in. A question regarding the ability for school districts to absorb the extra costs incurred due to the pandemic without a millage increase was posed. Mr. Nimmer answered that most of the costs are being reimbursed through federal money such as investment in PPE, cleaning costs, personnel cost for the leap days, etc. All these expenses were part of the first round from the Federal Government, allocated to the State Department of Education, and then to the districts. There is another round coming that is due to be allocated for this budgeting process.

Next, Mr. Nimmer referenced the multipage hand out in their packets of correspondence between Ken Childs, the District Two attorney, and our attorney, Richard Thompson. These dealt with a question posed by Mr. Childs asking when newly elected board of trustee members are to be sworn in and put into office. There is some conflict there, as is usually the case with state law. With respect to us appointing a replacement, which we did diligently by the book along with legal advice, there was an act from 1982 that basically restructured the duties of the County Board and put clear instructions on how appointments should be handled in the event of a vacancy on an individual district board of trustees. At that time, it was mentioned that the appointment would be for the unexpired term of the seat. In 1983, a year later, a new law called ACT 227 was enacted that dealt strictly with the period of time that the appointment would take place changing it from the unexpired term to the appointment would only be through the next general election.

In our case we have a general election in November, so our appointment for the District Two seat only went through the general election which specifically stated in the law that the person would be sworn in on January 1<sup>st</sup> of the following year. Then there was the question: does that apply to all elected members of boards of trustees. There is a provision in that 1982 Act that says Anderson County elected officials would be seated during that January period.

Then in 1985, Section 59-193-15 was issued statewide stating that the term of office of every elected trustee of the school districts must commence one week following the certification of his election. That clears up the question posed to us according to our attorney when David and I met with him last week to be sure we were following the proper procedures and proper protocol. The only thing that will need clarification moving forward is the term of the individual that was appointed, Mr. Nickles, and that depends on the election result in November. If Mr. Nickles is reelected in November, it won't matter. If someone else is elected to that seat, there is the question of when they would take the position. Would it be one week after the election or would it be January 1<sup>st</sup>. That will need to be clarified. Mr. Draisen said he felt that decision should be up to District Two to handle since the County Board's only responsibility was to appoint an individual to the seat for the term and we have done that.

For the board members joining the meeting by Zoom, Mr. Nimmer will mail the information to them.

## **Financial**

**A. Tax Collection YTD vs. Budget:** Mr. Nimmer referenced the financial report in the packets stating that all the districts are about 1% ahead of where they were last year since we are basically frozen at last year's budget. There has been a little bit of growth in Anderson County and that is the only change there is in local revenue. District Three is ahead of the other districts because they have already received fee in lieu money from Santee Cooper and that comes in at the beginning of the fiscal year.

**B. Assessment Totals:** There is no assessment report in this month's package. Mr. Nimmer went to pick up the report today at the treasurer's office and it was discovered that there was an error in the report. After a conversation with Jackie Hunter, the auditor, Mr. Nimmer was assured that they are working on correcting the error and will have the updated reports as soon as possible. We will have the updated reports at the October meeting which are cumulative and will reflect the correct amounts.

**C. Education Sales & Use Tax:** Year to date, we have collected \$127,204,223.48 county wide with the sales tax for education. As a reminder, 20% of these funds come off the top and is posted to the sinking funds for the districts and goes to offset the cost of debt service for the districts as it existed at the time the sales tax was imposed. Mr. Nimmer said he is continually impressed at the amounts collected since the pandemic started as consumption has not wavered much at all.

**Old Business:** No old business was discussed.

**New Business:**

**A. ADM Accounts Payable**

**B. SFS Accounts Payable**

Ms. Brenda Bradberry made a motion to pay the bills as presented. The motion was seconded by Rev. Dr. Rufus Mitchell and was followed by a unanimous vote.

The meeting was adjourned by Mr. Draisen.

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.