

A special meeting of the Beaufort City Council was held on February 22, 2005 at 5:45 p.m. in County Council Chambers, 100 Ribaut Road. In attendance were Mayor Bill Rauch, Donnie Ann Beer, Councilmen Frank Glover, Gary B. Fordham, George H. O'Kelley, Jr., City Manager John F. McDonough. In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place and agenda of this meeting.

CALL TO ORDER

The special meeting was called to order by Mayor Rauch for the purpose of considering a vote to override the limitations of Sections 6-1-320(A) and 12-37-251(E) of the South Carolina Code of Laws regarding tax millage calculations in a reassessment year and to increase the millage rate above that and provided by these statutes.

PUBLIC HEARING

A public hearing was held to receive public comment with the City Attorney William B. Harvey, Jr. conducting.

Mr. Harvey noted that on January 31, 2005, the South Carolina Supreme Court in the case *Angus v. City of Myrtle Beach*, ruled that in a rollback tax year in which tax millage is calculated based upon a collection rate less than 100%, which is what the Cities of Myrtle Beach and Beaufort used, there needs to be a special meeting to override the limitations of the statute. Section 6-1-320 of the SC Code of Laws specifically allows a special meeting for that purpose. The City of Myrtle Beach did not follow that procedure. This meeting is being held to entertain a motion to override those limitations and to ratify the millage rate that was earlier set which would be his recommendation. He added that Council has the option to revisit the issue.

David Taub, 414 New Street, said his taxes were increased approximately 30% as were others during this reassessment. Tourism is an economic burden on the City as it does not pay for itself. He asked Council to be mindful when setting the tax rate of the #1 special interest group - the tax payers.

The Finance Director reminded Council that the millage rate set in October was 55.8 mils. Prior to the roll back, the millage rate for last year was 77.4 mils.

MOTION

Councilwoman Beer made a motion to override the restrictions of the statute with regard to the assessment and the millage rate and adopt the millage rate of 55.8 as previously adopted. Councilman Glover gave second. The motion was unanimously approved.

ADJOURNMENT

Councilman Glover moved to adjourn the special meeting. Councilwoman Beer gave second. The motion to adjourn the meeting at 5:57 p.m. was unanimous.

BILL RAUCH, MAYOR

COUNCILWOMAN DONNIE ANN BEER

COUNCILMAN FRANK GLOVER

COUNCILMAN GARY B.FORDHAM

COUNCILMAN GEORGE H. O'KELLEY, JR.

ATTEST:

BEVERLY W. GAY, CITY CLERK