



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS**

358 THIRD AVE.
RIDGELAND, SC 29936

MARCH 1, 2010

3:30 P.M.

MINUTES

WORKSHOP

OFFICIALS PRESENT:

GEORGE HOOD, CHAIRMAN
HENRY ETHERIDGE, COUNCILMAN
REV. SAMUEL GREGORY, COUNCILMAN
HUBERT TYLER, COUNCILMAN

OFFICIALS ABSENT:

LEROY BLACKSHEAR, VICE CHAIRMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADMINISTRATIVE SERVICES
JUDITH FRANK, CLERK TO COUNCIL
DAVID JIROUSEK, PLANNING DIRECTOR
MARVIN JONES, ATTORNEY
CHRISTY HERMAN, DEVELOPMENT PROJECT COORDINATOR

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT THE ELECTRONIC AND PRINT MEDIA WERE NOTIFIED.

DURING PERIODS OF DISCUSSION AND/OR PRESENTATIONS MINUTES ARE TYPICALLY CONDENSED AND PARAPHRASED.

CALL TO ORDER:

CHAIRMAN HOOD CALLED THE WORKSHOP TO ORDER AT 7:00 P.M.

DISCUSSION REGARDING THE ORDINANCE TO AMEND SECTION 20-42 OF THE JASPER COUNTY CODE OF ORDINANCES TO REVISE

COMPOSITION AND MEMBERSHIP OF THE COUNTY PLANNING COMMISSION:

MR. FULGHUM SAID THE WORKSHOP WAS BEING HELD BECAUSE THE COUNCIL WANTED ADDITIONAL INFORMATION ON THIS ORDINANCE. DAVID JIROUSEK SAID THE ORDINANCE ALLOWS THE COUNCIL THE FREEDOM AND FLEXIBILITY TO APPOINT PROFESSIONALS TO SEATS ON THE PLANNING COMMISSION. MR. JIROUSEK SAID THAT CURRENTLY NO PERSON CAN SERVE AS A MEMBER OF THE PLANNING COMMISSION IF THEY ARE INVOLVED IN THE DEVELOPMENT FIELD THAT THE PLANNING COMMISSION REGULATES, UNLESS THE COUNCIL PASSES THIS ORDINANCE TO ALLOW THOSE SEATS. MR. JIROUSEK SAID THE ORDINANCE WOULD REMEDY THAT SITUATION. COUNCILMAN ETHERIDGE SAID THE PLANNING COMMISSION WAS IN FAVOR OF THIS; HOWEVER, THEY WANTED ONLY 3 SEATS FOR PROFESSIONALS INSTEAD OF THE 4 RECOMMENDED BY THE STAFF. MR. JIROUSEK SAID THAT IS CORRECT. COUNCILMAN ETHERIDGE SAID HE COULD UNDERSTAND THAT IF SOMEONE WAS EMPLOYED IN THAT FIELD THAT THEY SHOULD NOT SERVE, HOWEVER, IF A PROFESSIONAL PERSON IS RETIRED HE SHOULD BE ABLE TO SERVE. MR. JIROUSEK SAID THAT THE ORDINANCE COULD STATE THAT THE APPOINTEE MUST NOT BE CURRENTLY EMPLOYED IN A FIELD THAT THE PLANNING COMMISSION REGULATES AND THE NUMBER OF SEATS WOULD BE UP TO THE COUNCIL. COUNCILMAN ETHERIDGE SAID THAT THE COUNCIL IS NOT REQUIRED TO MAKE ANY CHANGES. MR. JIROUSEK RESPONDED THAT IF THE ORDINANCE IS NOT PASSED, IT LIMITS WHO CAN BE APPOINTED TO THE PLANNING COMMISSION. MR. JIROUSEK SAID IF THE ORDINANCE IS NOT PASSED IT WOULD CAUSE A PROBLEM FOR MS. THOMAS SINCE SHE WORKS FOR TILTON HOMES AND THIS IS IN CONFLICT WITH STATE LAW. MR. JIROUSEK SAID THAT TECHNICALLY MS. THOMAS SHOULD NOT BE ON THE PLANNING COMMISSION. COUNCILMAN ETHERIDGE ASKED IF THE PLANNING COMMISSION REQUESTED THIS CHANGE AND MR. JIROUSEK SAID THE ORDINANCE WAS STAFF GENERATED AND THE PLANNING COMMISSION RECOMMENDED ONLY 3 SEATS. COUNCILMAN ETHERIDGE ASKED IF IT WOULD BE MANDATORY TO APPOINT PROFESSIONALS TO THE SEATS. MR. JIROUSEK RESPONDED THAT THE COUNCIL WOULD NOT BE OBLIGATED TO APPOINT A PROFESSIONAL. COUNCILMAN GREGORY ASKED WHAT DIFFERENCE THIS ORDINANCE WOULD MAKE TO THE PLANNING COMMISSION. MR. JIROUSEK EXPLAINED THAT CURRENTLY THE COUNTY IS NOT ALLOWED TO HAVE SOMEONE IN A DEVELOPMENT RELATED TYPE OF BUSINESS SERVE ON THE PLANNING COMMISSION. MR. JIROUSEK SAID THIS IS INCLUDED IN THE STATE LAW AND UNTIL THE COUNCIL CHANGES THE ORDINANCE TO INCLUDE PROFESSIONAL SEATS, THEY CANNOT APPOINT A PROFESSIONAL IN DEVELOPMENT RELATED TYPES OF BUSINESS TO THE PLANNING COMMISSION. COUNCILMAN GREGORY SAID THE COUNCIL WOULD STILL BE ABLE TO APPOINT A PERSON TO ANY SEAT REGARDLESS IF IT IS DESIGNATED A PROFESSIONAL SEAT. ATTORNEY JONES SAID THAT WAS CORRECT, BUT CURRENTLY UNDER STATE LAW IT PROHIBITS THE APPOINTMENT OF ANYONE WHO IS A PROFESSIONAL THAT IS INVOLVED IN AREAS THAT THE PLANNING COMMISSION CONTROLS.

ATTORNEY JONES ADDED THAT THE ORDINANCE WOULD GIVE THE COUNCIL THE AUTHORITY TO APPOINT A PROFESSIONAL TO THE PLANNING COMMISSION, BUT IT WOULD NOT LIMIT THEM TO A PROFESSIONAL FOR THE SEAT. MR. JIROUSEK SAID THE CONFLICTS OF INTEREST ARE COVERED IN THE ETHICS LAW. COUNCILMAN ETHERIDGE ASKED IF THE ORDINANCE WAS NOT PASSED WOULD THE ONE PERSON WHO DOES NOT CURRENTLY QUALIFY TO BE ON THE PLANNING COMMISSION HAVE TO COME OFF THE PLANNING COMMISSION. MR. JIROUSEK SAID THAT ACCORDING TO THE ETHICS ACT, IT IS NOT APPROPRIATE FOR HER TO SERVE.

BEING NO FURTHER QUESTIONS OR DISCUSSION, CHAIRMAN HOOD CLOSED THE WORKSHOP AND THE COUNCIL TOOK A 10 MINUTE BREAK PRIOR TO THE COUNCIL MEETING.

MEETING MINUTES:

OFFICIALS PRESENT:

GEORGE HOOD, CHAIRMAN
LEROY BLACKSHEAR, VICE CHAIRMAN
HENRY ETHERIDGE, COUNCILMAN
REV. SAMUEL GREGORY, COUNCILMAN
HUBERT TYLER, COUNCILMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADMINISTRATIVE SERVICES
JUDITH FRANK, CLERK TO COUNCIL
DAVID JIROUSEK, PLANNING DIRECTOR
DALE TERRY, DEP. ADM. ENG. SERVICES
WILBUR DALEY, DEP. ADM. ENGINEERING SERVICES
HERMAN SMITH, BUILDING DEPT. DIRECTOR
MARVIN JONES, ATTORNEY
GREG JENKINS, SHERIFF
CHRISTY HERMAN, DEVELOPMENT PROJECT COORDINATOR
ARTHUR BENJAMIN, DETENTION CENTER DIRECTOR

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT THE ELECTRONIC AND PRINT MEDIA WERE NOTIFIED.

DURING PERIODS OF DISCUSSION AND/OR PRESENTATIONS MINUTES ARE TYPICALLY CONDENSED AND PARAPHRASED.

CALL TO ORDER:

CHAIRMAN HOOD CALLED THE MEETING TO ORDER AT 4:00 P.M.

PLEDGE OF ALLEGIANCE:

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

INVOCATION:

VICE CHAIRMAN BLACKSHEAR GAVE THE INVOCATION.

APPROVAL OF THE MINUTES:

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE MINUTES OF FEB. 16, 2010 AND FEB. 11, 2010. COUNCILMAN ETHERIDGE ASKED WHY THE COUNCIL DID NOT HAVE TO APPROVE THE MINUTES OF FEB. 11, 2010 SINCE IT WAS A CALLED MEETING AND THE COUNCIL VOTED ON AN ITEM. COUNCILMAN ETHERIDGE SAID THE MINUTES WERE SIGNED APPROVED AND THEY WERE NOT VOTED ON BY COUNCIL. MR. FULGHUM RESPONDED THAT THE COUNCIL WAS APPROVING THE MINUTES AT THIS MEETING. COUNCILMAN ETHERIDGE ASKED WHY THEY WERE SIGNED. CHAIRMAN HOOD SAID THE MINUTES WERE SIGNED IN ERROR. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATIONS:

NONE

PUBLIC HEARINGS AND ORDINANCES

DAVID JIROUSEK – 1ST READING OF AN ORDINANCE TO AMEND SECTION 20-42 OF THE JASPER COUNTY CODE OF ORDINANCES TO REVISE COMPOSITION AND MEMBERSHIP OF THE COUNTY PLANNING COMMISSION:

MR. JIROUSEK EXPLAINED THAT THE COUNCIL HELD A WORKSHOP PRIOR TO THE MEETING TO GET A BETTER UNDERSTANDING OF THE ORDINANCE. MR. JIROUSEK SAID THE ORDINANCE WAS STAFF GENERATED AND IT WOULD CHANGE THE COMPOSITION OF THE PLANNING COMMISSION SO THAT IT WOULD ADHERE TO THE STATE ETHICS ACT. COUNCILMAN GREGORY ASKED IF THIS WOULD PASS, WOULD IT ONLY GIVE THE COUNCIL THE RIGHT TO APPOINT PEOPLE WITH PROFESSIONAL DEVELOPMENT BACKGROUNDS. MR. JIROUSEK SAID THAT WAS CORRECT. THERE WAS NO MOTION MADE TO APPROVE THE 1ST READING OF AN ORDINANCE TO AMEND SECTION 20-42 OF THE JASPER COUNTY CODE OF ORDINANCES TO REVISE COMPOSITION AND MEMBERSHIP OF THE COUNTY PLANNING COMMISSION. THE ORDINANCE DID NOT MOVE FORWARD.

ANDREW FULGHUM – ORDINANCE TO RENEW THE LEASE AGREEMENT BETWEEN JASPER COUNTY AND THE UNITED WAY:

MR. FULGHUM REPORTED THAT THE LEASE WITH THE UNITED WAY WOULD BE EXPIRING AND THEY REQUESTED THAT IT BE RENEWED AT THE SAME TERMS FOR THREE YEARS. MR. FULGHUM SAID THE LEASE WAS FOR \$1.00 PER YEAR. MR. ALDERMAN AND MRS. COLLINS OF THE UNITED WAY THANKED THE COUNCIL. THEY SAID THAT THE UNITED WAY HAS HELPED A LOT OF PEOPLE AND ORGANIZATIONS IN JASPER COUNTY AND THEY HOPED THAT THE COUNCIL WOULD APPROVE RENEWING THE LEASE. MS. MOORE, REPRESENTATIVE FROM TCL, INFORMED THE COUNCIL THAT THE OFFICE SPACE THEY USE IN THE HOUSE OCCUPIED BY THE UNITED WAY HAS PROVIDED OPPORTUNITIES AND HELP TO CITIZENS FROM FOUR COUNTIES WHO ARE STARTING A SMALL BUSINESS. MS. MOORE SAID THAT SHE WAS PRESENT TO SUPPORT THE REQUEST OF THE UNITED WAY AND SHE SAID

THEY WERE DELIGHTED WITH THE PARTNERSHIP TCL SHARES WITH THE UNITED WAY. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO RENEW THE LEASE AGREEMENT BETWEEN JASPER COUNTY AND THE UNITED WAY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS:

THERE WERE NO RESOLUTIONS.

OLD BUSINESS:

THERE WAS NO OLD BUSINESS.

NEW BUSINESS:

MAYOR GARY HODGES – THE RIDGELAND VETERANS MEMORIAL PARK, REQUEST FOR A-TAX FUNDING:

MAYOR HODGES PRESENTED THE PLANS FOR THE RIDGELAND VETERANS MEMORIAL PARK. MAYOR HODGES SAID THE PARK WOULD BE A GREAT TOURIST ATTRACTION AND HE WOULD HONOR ALL THE VETERANS IN JASPER COUNTY THAT SERVED IN THE MILITARY. MAYOR HODGES REVIEWED THE TIME LINE AND ALSO EXPLAINED THE DESIGN OF THE PARK. MAYOR HODGES REQUESTED \$75,000.00 FROM THE A-TAX FUNDS. MAYOR HODGES SAID THAT IN THE FUTURE THEY PLAN TO SELL BRICKS WITH THE VETERAN'S NAMES, BUT IF A VETERAN OR HIS FAMILY COULD NOT AFFORD TO PURCHASE THE BRICK, THEY WOULD STILL BE ABLE TO HAVE THEIR NAME ON A BRICK AND THE COST WOULD BE COVERED. MAYOR HODGES ESTIMATED THAT THE PARK WOULD COST \$260,000.00. COUNCILMAN ETHERIDGE ASKED IF THIS WAS GOING TO BE A COUNTY PARK AND WHO WOULD BE RESPONSIBLE FOR MAINTAINING THE PARK. MAYOR HODGES SAID IT WOULD BE THE TOWN OF RIDGELAND'S PARK, AND THE TOWN WOULD BE RESPONSIBLE FOR THE MAINTENANACE. COUNCILMAN GREGORY ASKED IF THERE WAS GOING TO BE A COMMITTEE TO RESEARCH WHAT CITIZENS WERE VETERANS. MAYOR HODGES SAID THAT THE PEOPLE WILL COME FORWARD. COUNCILMAN ETHERIDGE SAID THAT CURRENTLY THERE WAS NOT ENOUGH FUNDS IN THE A-TAX FUND ACCOUNT TO FUND HIS REQUEST OF \$75,000.00. VICE CHAIRMAN BLACKSHEAR SAID HE DID NOT THINK THE CITIZENS SHOULD HAVE TO PAY TO HAVE THEIR NAME ON THE BRICK. MAYOR HODGES SAID THEY PLANNED TO CHARGE MORE FOR THE BRICKS THAN THEY COST SO THAT THEY WOULD HAVE A FUND TO COVER THE COST FOR PEOPLE WHO CANNOT AFFORD TO PAY FOR THE BRICK WITH THE NAME ON IT. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE REQUEST OF \$75,000.00 AND IT WAS TO BE PAID FROM THE A-TAX ACCOUNT; COUNCILMAN ETHERIDGE SAID THE 1ST PAYMENT OF \$50,000.00 WOULD BE IN MARCH, 2011; THE 2ND PAYMENT WOULD BE \$25,000.00 IN SEPTEMBER, 2011.

ANDREW FULGHUM – RENEWAL OF CONTRACT WITH CROWDERGULF:

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO POSTPONE THE APPROVAL OF THIS CONTRACT UNTIL THE COUNCIL IS PROVIDED WITH THE COST FIGURES. MR. FULGHUM SAID HOURLY RATES WERE PROVIDED IN THE PACKET. COUNCILMAN ETHERIDGE SAID HE WOULD LIKE TO SEE A TABLE OF THE COSTS AND SINCE THE CONTRACT DOES NOT EXPIRE UNTIL SEPTEMBER HE FELT THE COUNCIL SHOULD NOT APPROVE THE CONTRACT UNTIL THEY HAD THE COSTS INVOLVED. THE MOTION CARRIED WITH COUNCILMEN TYLER, ETHERIDGE AND GREGORY VOTING FOR; VICE CHAIRMAN BLACKSHEAR VOTED AGAINST.

ANDREW FULGHUM – APPROVAL OF PROPOSAL FROM BP BARBER FOR ARC SERVER WEB APPLICATION INTEGRATION:

MR. FULGHUM EXPLAINED THAT THE PROPOSAL WAS FOR AN IN-HOUSE MAPPING WEBSITE WHICH WOULD ALLOW EVERY DEPARTMENT ACCESS TO THE COUNTY MAPS. MR. FULGHUM SAID THAT MR. STEVEN MALPHRUS WORKED ON THIS PROJECT. MR. FULGHUM SAID THAT THE FIRST STAGE WHICH WOULD COVER IN-HOUSE WEBSITE WILL COST \$4,750.00 AND IT WOULD BE PAID FROM THE I-T BUDGET. MR. FULGHUM SAID THAT PHASE II WOULD BE TO PUT IT ON THE WORLD WIDE WEB AND THAT WOULD COST AN ADDITIONAL \$4,750.00. MR. FULGHUM SAID THIS IS A ONE TIME FEE. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE PHASE I OF THE BP BARBER PROPOSAL FOR ARC SERVER WEB APPLICATION INTEGRATION AT A COST OF \$4,750.00 AND IT IS TO BE PAID FROM THE I-T BUDGET. THE MOTION CARRIED WITH ALL MEMBER PRESENT VOTING IN FAVOR.

ANDREW FULGHUM-APPROVAL OF CONTRACT FOR INTERNETWORK ENGINEERING FOR COURTHOUSE, DETENTION CENTER AND EMERGENCY SERVICES BUILDING; APPROVAL OF CONTRACT FOR PREMIERE COMMUNICATIONS FOR COURTHOUSE, DETENTION CENTER AND EMERGENCY SERVICES BUILDING:

MR. FULGHUM SAID THAT CHRISTY HERMAN WORKED ON THIS AND SHE TRIED TO CONSOLIDATE THE WORK. MR. FULGHUM SAID THIS WAS STARTED WHEN THE COUNCIL APPROVED HAVING MORELL DO THE SPEC WORK FOR THE COURTHOUSE. MR. FULGHUM SAID THE DETENTION CENTER, THE SHERIFF'S OFFICE AND THE EMERGENCY MANAGEMENT FACILITY ALSO HAD SECURITY NEEDS. MR. FULGHUM SAID THAT PREMIERE COMMUNICATIONS AND INTERNETWORK ENGINEERING ARE BOTH UNDER THE STATE CONTRACT AND THE PROCUREMENT POLICY ALLOWS THE ADMINISTRATION TO USE THEM. MR. FULGHUM SAID THAT A 5% CONTINGENCY IS BUILT INTO THE WORK AT THE COURTHOUSE FOR A TOTAL NOT TO EXCEED \$241,000.00; THE WORK AT THE DETENTION CENTER WHICH INCLUDES CAMERA, 35 CISCO PHONES AND OTHER SECURITY ITEMS FOR THE DETENTION CENTER AND THE SHERIFF'S OFFICE IS IN THE AMOUNT OF \$299,300.00 WHICH INCLUDES A 5% CONTINGENCY FEE; AND WIRING AND SECURITY AT THE EMS BUILDING IN THE AMOUNT NOT TO EXCEED \$65,900.00. MR. FULGHUM ASKED THE COUNCIL TO

APPROVE THE TOTAL AMOUNT NOT TO EXCEED \$606,600.00. COUNCILMAN GREGORY SAID THAT A LOT OF MONEY WAS JUST SPENT ON THE DETENTION CENTER FOR UPGRADES AND NOW ADMINISTRATION WAS RECOMMENDING SPENDING MORE THAN HALF THE BALANCE IN THE SPECIAL 1 CENT SALES TAX FOR THE DETENTION CENTER ACCOUNT. COUNCILMAN GREGORY SAID IF ALL THE FUNDS WERE SPENT NOW, IF AN EMERGENCY COMES UP THERE WILL NOT BE ANY FUNDS TO PAY FOR IT. MR. FULGHUM SAID HE BELIEVED ALL OF THESE ITEMS WERE NEEDED. COUNCILMAN ETHERIDGE SAID THAT AT THE JULY 20, 2009 COUNCIL MEETING, MR. FULGHUM ASKED THE COUNCIL TO APPROVE A CONTRACT FROM MORELL TO TELL THEM WHAT WAS NEEDED AND MR. FULGHUM ALSO SAID THERE WAS NO ONE IN THE COUNTY THAT COULD DO THE JOB AND NOTHING WAS DONE. COUNCILMAN ETHERIDGE SAID THE COUNTY CANNOT AFFORD TO SPEND \$600,000.00 AND HAVE ONLY ONE PERSON TELL THEM HOW TO DO IT AND NONE OF THE CONTRACTS WERE FROM PEOPLE IN JASPER COUNTY. COUNCILMAN ETHERIDGE ASKED WHY THIS DID NOT GO OUT TO BID. MR. FULGHUM SAID HE WAS PROVIDED AN ESTIMATE AND THE AMOUNTS OF THE CONTRACTS ARE LESS THAN THE ESTIMATE. COUNCILMAN ETHERIDGE ASKED HOW DOES THE COUNCIL KNOW IF THIS IS THE BEST PRICE IF IT DID NOT GO OUT TO BID. MR. FULGHUM RESPONDED THAT THE STATE HAD THIS TYPE OF WORK BID. COUNCILMAN TYLER ASKED IF THE CONSTRUCTION ENGINEER COULD COME TO THE NEXT COUNCIL MEETING TO JUSTIFY THESE EXPENSES. CHAIRMAN HOOD SAID IT SHOULD HAVE BEEN IN THE SPECS. MR. FULGHUM SAID THAT THE COUNTY PAID AN ARCHITECT TO TELL THEM WHAT IS NEEDED AND HE ALSO PROVIDED AN ESTIMATE OF THE COST. MR. FULGHUM SAID THEY LOOKED AT THE STATE VENDORS AND THEY CAN PROVIDE IT FOR LESS THAN THE ESTIMATE. COUNCILMAN TYLER MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE CONTRACT PRESENTED BY THE ADMINISTRATOR AND THIS CONTRACT WORK IS NOT TO EXCEED \$241,000.00 FOR THE COURTHOUSE AND IT IS TO BE PAID FOR FROM THE BONDS FOR THE COURTHOUSE RENOVATION, THE CONTRACT WORK FOR THE DETENTION CENTER IS NOT TO EXCEED \$299,300.00 AND IT IS TO BE PAID FROM THE DETENTION ONE CENT SALES TAX FUND AND THE CONTRACT WORK AT EMS IS NOT TO EXCEED \$65,900.00 AND IT IS TO BE PAID FOR WITH A \$12,000.00 GRANT AND THE BALANCE IS TO COME FROM THE 911 ACCOUNT. EACH OF THE AMOUNTS LISTED IN THE MOTION INCLUDE A 5% CONTINGENCY. THE MOTION CARRIED WITH COUNCILMEN GREGORY AND TYLER AND VICE CHAIRMAN BLACKSHEAR VOTING FOR; COUNCILMAN ETHERIDGE VOTED AGAINST.

COMMITTEE REPORTS:

COUNCILMAN GREGORY REPORTED THAT THE ROADS ARE BEING WORKED AND THAT MR. TERRY AND HIS CREW ARE DOING ALL THEY CAN DO TO STAY ON TOP OF THE ROADS. COUNCILMAN GREGORY SAID THE RAIN HAS CAUSED A LOT OF PROBLEMS.

ADMINISTRATOR'S REPORT:

MR. FULGHUM SAID HE REVIEWED THE CABLE COMPANIES AGREEMENTS, RATE CHANGES AND CHANNELS OFFERED. MR. FULGHUM SAID THAT MR. JIROUSEK WOULD LIKE TO HOLD A JOINT MEETING WITH THE PLANNING COMMISSION FOR THE STORM WATER MANAGEMENT REGULATIONS.

OPEN FLOOR TO THE PUBLIC (3 MINUTE TIME LIMIT PER INDIVIDUAL):

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC. MARCUS ALEXANDER, DRIGGERS LANE, SAID THAT THE COUNTY DROPPED ROCKS ONCE AND THEY STILL NEED HELP. MR. ALEXANDER TOLD THE COUNCIL THAT PEOPLE'S CARS HAVE TO BE TOWED OUT AND THE DRAINAGE IS BAD. MR. ALEXANDER SAID HIS PROPERTY LOOKS LIKE THINGS HAVE BEEN DONE TO IT THAT SHOULD NOT HAVE BEEN DONE, LIKE DIGGING HOLES IN IT. MR. ALEXANDER SAID THAT THE TOW TRUCKS HAVE TO GO ACROSS HIS PROPERTY TO HELP THE PEOPLE.

DARLENE MACKEY PROVIDED PICTURES OF DRIGGERS LAND AND TOLD THE COUNCIL THAT 10 PEOPLE HAD TO BE TOWED. MS. MACKEY SAID THAT THE PEOPLE, EMERGENCY VEHICLES AND THE SHERIFF'S VEHICLES CANNOT GET IN AND OUT. MS. MACKEY SAID THAT SHE PAYS TAXES AND SOMEBODY NEEDS TO TAKE RESPONSIBILITY OF THE ROAD.

JERRY FIRTH LIVES ON 2ND AVE. BUT HER 89 YEAR OLD FATHER LIVES ON DRIGGERS LANE AND HE CANNOT GET OUT AND THE EMS CANNOT GET TO HIM. MRS. FIRTH SAID HER FATHER IS LEGALLY BLIND AND SHE CANNOT GET IN TO VISIT AND HELP HIM. MRS. FIRTH PROVIDED MR. FULGHUM WITH SIGNATURES OF SOME OF THE PROPERTY OWNERS ON DRIGGERS LANE. MR. FULGHUM SAID HE ALSO RECEIVED SIGNATURES FROM OTHER DRIGGERS LANE PROPERTY OWNERS. CHAIRMAN HOOD TOLD THE ADMINISTRATOR TO CHECK ON THE SIGNATURES.

MONTANA WILBER, DRIGGERS LANE, SAID THE ROADS ARE TERRIBLE AND HIS SQUAD CAR GOT BOGGED DOWN. MR. WILBER SAID THE PEOPLE DO NOT HAVE THE FUNDS TO FIX THE ROAD.

MS. BOLDEN SAID HER BROTHER LIVES ON DRIGGERS LANE AND THE ROAD IS SO TERRIBLE THEY CANNOT VISIT HIM.

S. MERVIN, DRIGGERS LANE, SAID THAT THE PEOPLE GET BOGGED DOWN IN THEIR YARDS AND ON THE ROAD AND THEY PAY TAXES AND THEIR YARDS AND ROADS ARE A MESS.

MS. KELLY, DRIGGERS LANE, SAID SHE HAS TO PARK AT THE TOP OF THE ROAD AND WALK TO HER HOME. MS. KELLY SAID CARS, TRUCKS, EMS VEHICLES AND MAIL DELIVERY VEHICLES CANNOT USE THE ROAD. MS. KELLY SAID THEY ARE NOT GETTING MAIL DELIVERED BECAUSE OF THE ROAD.

LOUSIE RAWLING STATED THAT THE COUNCIL APPROVED \$600,000.00 FOR UPGRADES AND SHE IS APPALLED AS TO WHY SOME OF THOSE FUNDS CANNOT BE SPENT TO IMPROVE THE ROADS. CHAIRMAN HOOD SAID THE FUNDS SPENT FOR THE UPGRADES WERE FUNDS DESIGNATED AND COULD ONLY BE USED ON CERTAIN ITEMS AND NOT THE ROADS.

ALVONIA BETTERSON SAID SHE COULD NOT VISIT A SICK FRIEND ON DRIGGERS LANE. MS. BETTERSON SAID THEY COULD NOT DRIVE OR WALK BECAUSE OF THE MUD AND WATER. MS. BETTERSON SAID IF THERE WAS ANY MONEY AT ALL, THESE ROADS SHOULD BE FIXED INSTEAD OF TECHNOLOGY BEING ADDRESSED.

CHAIRMAN HOOD SAID A SPECIAL MEETING WILL BE CALLED TO ADDRESS THESE ISSUES. CHAIRMAN HOOD SAID IT IS THE DUTY OF COUNCIL TO PROTECT THE HEALTH AND WELFARE OF THE CITIZENS. CHAIRMAN HOOD SAID THE COUNCIL WILL WORK WITH THE ADMINISTATOR AND THE ATTORNEY TO SEE WHAT CAN BE DONE. CHAIRMAN HOOD SAID THIS PROBLEM NEEDED TO BE RESOLVED.

MR. FULGHUM SAID THAT THIS IS THE FIRST TIME HE HAS RECEIVED ANY SIGNATURES TO TAKE OVER THE ROAD. MR. FULGHUM SAID HE WOULD RESPOND ON THE STAFF LEVEL ON THE REQUEST AND BRING IT BACK TO THE COUNCIL. MR. FULGHUM SAID THAT THE FUNDS APPROVED TONIGHT FOR THE TECHNOLOGY WERE DESIGNATED FUNDS AND COULD ONLY BE SPENT ON CERTAIN ITEMS.

COUNCILMAN ETHERIDGE SAID THAT THE 14 MONTHS HE HAS BEEN ON COUNCIL, DRIGGERS LANE HAS BEEN A PROBLEM AND HE WAS GLAD THE CHAIRMAN SAID THAT SOMETHING NEEDED TO BE DONE.

CHAIRMAN HOOD SAID THE COUNCIL WOULD DO WHAT THEY CAN DO LEGALLY TO SOLVE THIS PROBLEM. CHAIRMAN HOOD ADDED THAT HE HOPED THE STAFF WAS WORKING ON THE APPICATION FOR DRAINAGE GRANT FUNDS.

COUNCILMAN GREGORY SAID THAT THE COUNCIL WANTED TO DO ALL THAT IT COULD LEGALLY DO TO FIX THE ROAD, BUT IT WAS A PRIVATE ROAD AND ALL THE PEOPLE LIVING ON THAT ROAD MUST SIGN FOR THE COUNTY TO TAKE IT OVER AND THEY WILL HAVE TO AGREE TO EASEMENTS IF NEEDED. COUNCILMAN GREGORY SAID THE MAN WHO SOLD THE PEOPLE THE PROPERTY CREATED THIS MESS BY NOT FULFILLING HIS OBLIGATIONS. COUNCILMAN TYLER ASKED ABOUT DRAINAGE DITCHES BEING CUT AND MR. TERRY SAID THE COUNTY CUTS AND CLEANS THE DRAINAGE DITCHES ON COUNTY ROADS, BUT THE STATE MUST TAKE CARE OF THE DITCHES ON THE ROADS THAT THEY MAINTAIN. MR. TERRY SAID HE WAS WORKING ON THIS ISSUE WITH THE STATE, BUT THE COUNTY CANNOT DO ANYTHING ON A STATE ROAD.

COUNCILMAN GREGORY ASKED IF THE COUNTY COULD CONDEMN THE PROPERTY IF THE PEOPLE WILL NOT SIGN. ATTORNEY JONES SAID THE COUNTY CAN CONDEMN THE PROPERTY, BUT THE COUNTY WOULD HAVE TO PAY FOR IT.

CHAIRMAN HOOD ASKED THE ADMINISTRATION TO COMPILE A LIST OF THE INDIVIDUALS WHO WILL NOT GIVE THE COUNTY AN EASEMENT SO THE COUNCIL CAN EXPLAIN WHO IS HOLDING UP TAKING THE ROAD OVER.

COUNCILMAN ETHERIDGE SAID ONE PERSON WHO LIVES IN THE MIDDLE OF DRIGGERS LAND HAS TOLD THE COUNCIL THAT HE DOES NOT WANT THE COUNTY ON HIS PROPERTY.

MELISSA BLACK SAID THAT SOMEONE TOLD HER THAT MR. WALKER WOULD SIGN TO HAVE THE COUNTY TAKE OVER THE ROADS. CHAIRMAN HOOD

SAID THAT THE COUNTY NEEDED TO CHECK THINGS TO MAKE SURE THAT IT CAN BE DONE LEGALLY. MR. FULGHUM ADDED THAT THERE WERE SEVERAL DIFFERENT AGREEMENTS FOR THE PROPERTIES. MS. BLACK ASKED IF THE TAXES WOULD GO UP IF THE COUNTY TOOK OVER THE ROADS. CHAIRMAN HOOD SAID THE COUNTY WOULD WORK ON THIS PROBLEM AND SEE HOW IT COULD BE HANDLED, BUT HE DID NOT PLAN TO MAKE A SPECIAL TAX DISTRICT TO DO THE WORK.

VICE CHAIRMAN BLACKSHEAR SAID THAT WORKING THE ROAD WOULD BE A ONE TIME DEAL IF IT STAYS A PRIVATE ROAD.

CHAIRMAN HOOD SAID THE COUNTY WAS WORKING ON IT AND THEY WANTED TO HAVE ALL THE ANSWERS BEFORE MAKING A STATEMENT.

COUNCILMAN ETHERIDGE SAID MR. FULGHUM HAD A COPY OF A CONTRACT FROM ONE OF THE PEOPLE WHO LIVED ON DRIGGERS LANE.

MS. BLACK SAID THAT MR. WALKER NEVER TOLD THEM THAT ALL THE LAND WAS SOLD.

BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

EXECUTIVE SESSION:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY; AND FOR DISCUSSION REGARDING EMPLOYMENT, APPOINTMENT, COMPENSATION, PROMOTION, DE-MOTION, DISCIPLINE, OR RELEASE OF AN EMPLOYEE, A STUDENT, OR A PERSON REGULATED BY A PUBLIC BODY OR THE APPOINTMENT OF A PERSON TO A PUBLIC BODY; HOWEVER, IF AN ADVERSARY HEARING INVOLVING AN EMPLOYEE OR CLIENT IS HELD, THE EMPLOYEE OR CLIENT HAS THE RIGHT TO DEMAND THAT THE HEARING BE CONDUCTED PUBLICLY NOTHING CONTAINED IN THIS ITEM SHALL PREVENT THE PUBLIC BODY, IN ITS DISCRETION, FROM DELETING THE NAMES OF OTHER EMPLOYEES OR CLIENTS WHOSE RECORDS ARE SUBMITTED FOR USE AT THE HEARING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO OPEN SESSION:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO RETURN TO REGULAR SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN HOOD ANNOUNCED THAT NO MOTIONS WERE NECESSARY AS A RESULT OF THE EXECUTIVE SESSION.

COUNCILMAN ETHERIDGE ASKED FOR A SPECIAL MEETING TO ADDRESS THE ISSUES IDENTIFIED AT THE RETREAT. CHAIRMAN HOOD SAID THE CLERK WILL POLL THE COUNCIL AND A SPECIAL MEETING WILL BE SCHEDULED.

COUNCILMAN ETHERIDGE ASKED ABOUT COVERAGE AT THE RURAL FIRE DEPARTMENT. MR. FULGHUM AGREED TO A ROTATION OF COVERAGE. COUNCILMAN ETHERIDGE SAID THE CITIZENS IN EACH AREA NEEDED TO BE NOTIFIED AS TO WHEN THEIR STATION WOULD BE MANNED. CHAIRMAN HOOD SAID THAT IF PEOPLE BUILD A FIRE STATION, THEY SHOULD HAVE TO MAN IT AND COVER THE EXPENSES. CHAIRMAN HOOD SAID HE DID NOT THINK THE COUNTY SHOULD CONTINUE TO FUND THE CONTRACTS.

ADJOURN:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 7:20 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN