



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
NOVEMBER 04, 2009
3:30 P.M. WORKSHOP**

MINUTES

OFFICIALS AND STAFF PRESENT:

LEROY BLACKSHEAR
HUBERT TYLER, COUNCILMAN
HENRY ETHERIDGE, COUNCILMAN

OFFICIALS ABSENT:

GEORGE HOOD, CHAIRMAN
REV. SAMUEL GREGORY, COUNCILMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES
DALE TERRY, DEP. ADM. ENG. SERVICES
JUDITH FRANK, CLERK TO COUNCIL
MARVIN JONES, ATTORNEY

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:

VICE CHAIRMAN BLACKSHEAR CALLED THE WORKSHOP TO ORDER AT 3:30 P.M.

INVOCATION:

COUNCILMAN ETHERIDGE GAVE INVOCATION.

PLEDGE OF ALLEGAANCE:

VICE CHAIRMAN BLACKSHEAR LED THE PLEDGE OF ALLEGIANCE.

ROAD MAINTENANCE:

MR. FULGHUM DISCUSSED HIS PREVIOUS MEMOS AND A LETTER FROM THE ATTORNEY LISTING THE OPTIONS FOR COUNCIL TO CONSIDER REGARDING THE MAINTENANCE OF PRIVATE ROADS. MR. FULGHUM SAID THAT SOME

PRIVATE ROADS ARE IMPASSABLE AND THE COUNTY NEEDED TO ESTABLISH A POLICY BY ORDINANCE AS TO HOW TO HANDLE THESE TYPES OF ROADS.

VICE CHAIRMAN BLACKSHEAR TOLD THE COUNCIL THAT THE ENGINEERING SERVICES COMMITTEE DISCUSSED THE OPTIONS, AND THEY RECOMMENDED BRING IT BEFORE THE ENTIRE COUNCIL AT A WORKSHOP. COUNCILMAN ETHERIDGE ASKED HOW MANY ROADS AND HOW MANY MILES OF ROADS ARE IN THE COUNTY SYSTEM. MR. TERRY SAID THE COUNTY HAD 379 ROADS, AND THEY TOTALED ABOUT 400 MILES. COUNCILMAN ETHERIDGE ASKED HOW MUCH EQUIPMENT DOES PUBLIC WORKS HAVE AND HOW MANY EMPLOYEES TO WORK THE ROADS. MR. TERRY SAID THE COUNTY HAD 3 MOTOR GRADERS, ONE SLOPE MOWER AND 3 EMPLOYEES TO WORK ON THE MOTOR GRADERS. COUNCILMAN ETHERIDGE ASKED IF PUBLIC WORKS HAD ANY IDLE EQUIPMENT AND MR. TERRY RESPONDED THAT THEY DID NOT. COUNCILMAN ETHERIDGE SAID IF THE COUNTY TOOK IN ANY MORE ROADS, THE COUNTY WOULD NEED MORE EQUIPMENT, MORE EMPLOYEES AND MORE MONEY. MR. TERRY SAID THAT IT TAKES ABOUT 3-4 MONTHS TO COVER THE COUNTY AND IF MORE ROADS WERE ADDED, IT WOULD TAKE LONGER. COUNCILMAN ETHERIDGE ASKED IF PUBLIC WORKS WAS STRETCHED OUT AND MR. TERRY SAID THAT IT WAS AND MR. TERRY SAID THEY WERE ALSO TRYING TO PULL DITCHES. COUNCILMAN TYLER DISCUSSED THE ROUTINE THAT PUBLIC WORKS FOLLOWED. MR. TERRY SAID THAT THEY WORK AN AREA AND THEN MOVE TO ANOTHER AREA. MR. TERRY SAID THAT THEY CANNOT MOVE THE EQUIPMENT BACK AND FORTH AS IT MESSES UP THE SCHEDULE. MR. TERRY SAID IF A ROAD IS REALLY BAD, THEY CAN MAKE AN ADJUSTMENT, BUT THE ROAD WOULD HAVE TO BE REALLY BAD. VICE CHAIRMAN BLACKSHEAR SAID THAT THE WAY THE ROADS ARE WORKED IS NOT THE PROBLEM, THE PROBLEM IS THE CALLS FROM PEOPLE ON PRIVATE ROADS, AND THEY ARE NOT PASSABLE FOR EMS. VICE CHAIRMAN BLACKSHEAR SAID THAT EMS WAS ALSO WORKING WITH THE PUBLIC TO CLEAR THEIR ROADS SO THE VEHICLES ARE NOT DAMAGED. VICE CHAIRMAN BLACKSHEAR SAID THE COUNCIL NEEDED TO DECIDE IF A ONE TIME REPAIR COULD BE DONE ON A PRIVATE ROAD IN EMERGENCY SITUATIONS ONLY. COUNCILMAN ETHERIDGE SAID THAT THE COUNTY NEEDS TO LOOK AFTER THE SAFETY OF THE CITIZENS AND IF THE ROAD NEEDS DONE TO GET EMERGENCY VEHICLES IN, THEN IT NEEDS TO BE DONE, HOWEVER, THE COUNTY CANNOT TAKE ANY MORE ROADS INTO THE COUNTY SYSTEM. MR. TERRY SAID THE COUNTY HAD 3 GRADERS AND 3 OPERATORS AND IF SOMEONE IS OUT, HE PERSONALLY WORKS ON THE GRADER. COUNCILMAN TYLER ASKED WHAT WAS A PRIVATE ROAD. MR. TERRY SAID A PRIVATE ROAD IS A ROAD THAT IS NOT IN THE COUNTY SYSTEM OF ROADS AND THAT THE COUNTY DOES NOT MAINTAIN. MR. FULGHUM SAID THAT THEY HAVE NO SENSE OF HOW MANY PRIVATE ROADS ARE IN THE COUNTY, BUT THERE WERE A LOT OF THEM. COUNCILMAN ETHERIDGE SAID THAT IT COULD PUT THE COUNTY IN A LEGAL SITUATION WORKING PRIVATE ROADS, BUT IF IT WAS AN EMERGENCY SITUATION, HE FELT IT WAS ALRIGHT. MR. FULGHUM ASKED MR. JONES ABOUT THE LEGAL RESPONSIBILITY OF THE COUNTY. MR. JONES SAID THAT THE CURRENT

POLICY THAT DEALS WITH ROADS IS A REALLY GOOD ONE IN HIS OPINION. MR. JONES SAID IT WAS PASSED IN 1998 AND A PROCESS WAS ESTABLISHED AND A LIST WAS FORMED AND IF THE ROAD WAS NOT ON THE LIST OF COUNTY MAINTAINED ROADS, THEY WERE CONSIDERED PRIVATE. MR. JONES SAID THE ROAD HAS TO BE A PUBLIC ROAD AND THERE ARE PROVISIONS LISTED THAT MUST BE MET TO BRING THE ROAD INTO THE COUNTY SYSTEM. MR. JONES DISCUSSED THE PROCEDURES AND CRITERIA TO HAVE A ROAD ACCEPTED INTO THE COUNTY SYSTEM OF ROADS. MR. JONES SAID HE FELT ALL THE REQUIREMENTS LISTED IN THE ORDINANCE WERE GOOD AND THERE SHOULD BE NO EXCEPTIONS TO THE RULES AND REQUIREMENTS. MR. JONES TOLD THE COUNCIL THAT IN THE MATTER OF LIFE SAFETY SHOULD BE NARROWLY DISCRIBED SINCE UNDER THE CONSTITUTION IT STATES THAT PUBLIC RESOURCES CANNOT BE USED ON PRIVATE PROPERTY. MR. JONES SAID THAT IN DOCUMENTS FOR SUBDIVISIONS THERE ARE SPECIFIC RESPONSIBILITES ABOUT MAINTAINING THE ROADS. MR. JONES SAID THAT THERE IS A SUBDIVISION AT THE SETTINGS AND THE INFRASTRUCTURE WAS NOT PUT IN, BUT THEY ARE NOT LOOKING TO THE COUNTY TO DO IT. COUNCILMAN ETHERIDGE SAID THAT THERE ARE REQUIREMENTS THAT NEED TO BE MET AND A LOT OF THE DIRT ROADS IN THE COUNTY DO NOT MEET THOSE REQUIREMENTS. MR. JONES SAID HE CAN PREPARE AN ORDINANCE AND IF IT PASSES IT WILL ONLY BE COUNTY COUNCIL THAT CAN APPROVE THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD SYSTEM. MR. FULGHUM SAID THAT THE PUBLIC SAFETY ISSUE CAN BE COVERED WITH STRINGENT CRITERIA BECAUSE SOME OF THE PROPERTY OWNERS DON'T HAVE FULL CONTROL OF THE ROADS. COUNCILMAN ETHERIDGE ASKED WHAT WAS EMS TALKING WITH THE HOME OWNERS ABOUT AND MR. DALEY SAID HE WAS WORKING ON GETTING ACCESS TO THE PROPERTY AND THERE ARE A NUMBER OF ROADS THAT NEED TO BE WORKED ON. MR. DALEY SAID THAT THE HOMEOWNERS HE SPOKE WITH ARE WILLING TO DO THE WORK. MR. DALEY SAID THEY ARE ALSO WORKING WITH THE BUILDING DEPARTMENT ON NEW ROADS. COUNCILMAN ETHERIDGE SAID HE HAD TWO CONCERNS AND THEY NEEDED TO FIND THE MONEY TO TAKE ON ADDITIONAL ROADS AND IF THE ROAD NEEDS WORKED FOR AN EMS VEHICLE TO GET IN, THE COUNTY SHOULD DO IT.

VICE CHAIRMAN BLACKSHEAR SAID THE COUNTY HAD A POLICY IN PLACE TO PROTECT THE COUNTY AND THE CITIZENS AND WHAT MR. DALEY IS DOING IS BEING HANDLED BY THE HOME OWNERS THEMSELVES. VICE CHAIRMAN BLACKSHEAR SAID THE CITIZENS NEEDED TO KNOW THAT IF THE EMERGENCY VEHICLE CANNOT GET INTO THE PROPERTY WITHOUT BEING DAMAGED, THE VEHICLE WILL NOT GO IN AND THE COUNTY IS NOT TAKING IN ANY NEW ROADS. VICE CHAIRMAN BLACKSHEAR SAID A DECISION NEEDED TO BE MADE AND IF THE COUNCIL AGREES TO DO A ONE TIME REPAIR ON THE PRIVATE ROADS, THEN THE OTHER SUBDIVISIONS ARE GOING TO MAKE THE SAME REQUEST. MR. FULGHUM SAID THE CURRENT ORDINANCE DOES NOT ALLOW THE COUNTY TO WORK ON PRIVATE ROADS.

COUNCILMAN ETHERIDGE COMMENTED THAT THERE ARE SOME PRIVATE ROADS THAT ARE OWNED BY ONE PERSON AND OTHER PEOPLE LIVE ON THE ROAD. COUNCILMAN ETHERIDGE ASKED HOW CAN THOSE PEOPLE BE PROTECTED. VICE CHAIRMAN BLACKSHEAR SAID THAT AS FAR AS THE LAW ALLOWS AND MR. DALEY HAS SPOKEN WITH SOME INDIVIDUALS ABOUT THE NEED FOR THE EMS VEHICLE TO HAVE ACCESS. COUNCILMAN TYLER ASKED MR. DALEY HOW MANY HOMEOWNERS ON PRIVATE ROADS THAT HE SPOKE WITH WANT TO COME INTO THE COUNTY SYSTEM. MR. DALEY RESPONDED NONE OF THEM.

VICE CHAIRMAN BLACKSHEAR OPENED THE FLOOR FOR PUBLIC INPUT.

ALVONIA BETTERSON SAID THAT HER HOME IS ON A COUNTY MAINTAINED ROAD AND HER ROAD NEEDS WORKED AND THE PEOPLE IN HER AREA WOULD LIKE TO SEE THE ROAD PAVED. MRS. BETTERSON SAID HER ROAD WAS WORKED ON AUGUST 18, 2009 AND IT NEEDED REGULAR MAINTENANCE. MR. TERRY SAID HE WENT OUT TO INSPECT THE ROAD AND THE OPERATOR IS ON THE SCHEDULE TO BE WORKED. COUNCILMAN ETHERIDGE ASKED IF ALL THE ROADS IN WELLINGTON ARE COUNTY MAINTAINED ROADS. MR. TERRY RESPONDED ALL THE ROADS IN WELLINGTON ARE COUNTY MAINTAINED ROADS WITH THE EXCEPTION OF BELLFIELD.

GLENN STORCK REPRESENTING HONEY HILL PLANTATION SAID THAT THERE ARE 4 MILES OF ROADS IN THAT SUBDIVISION THAT MEET THE COUNTY'S STANDARDS AND THE PROPERTY OWNERS ASSOCIATION HAS TITLE TO ALL THE ROAD AND THE RIGHT OF WAYS. MR. STORCK SAID THAT THE POA PAYS TO HAVE THE ROADS MAINTAINED. MR. STORCK SAID A GRADER SHOULD BE ABLE TO DO 8 MILES PER DAY AND IT SHOULD TAKE 3-4 MONTHS TO DO ALL THE COUNTY ROADS. MR. STORCK SAID THAT IF THE COUNTY WOULD TAKE OVER THE MAINTENANCE OF THE ROADS IN HONEY HILL PLANTATION, THE POA WOULD BE HAPPY TO PAY THE COUNTY FOR TAKING CARE OF THE ROADS. MR. STORCK SAID THAT THE ROADS IN MOULTRIE PLANTATION ARE VERY BAD AND SOMEDAYS YOU NEED A 4 WHEEL DRIVE TO GET THROUGH THEM. MR. STORCK SAID THE PEOPLE WHO HAVE THE RESPONSIBILITY TO MAINTAIN THE ROADS ARE NOT DOING IT. MR. STORCK SAID IF HONEY HILL PLANTATION LET THEIR ROADS GO TO POT, THEY COULD COME AND BEG THE COUNTY TO MAINTAIN THEIR ROADS TOO. COUNCILMAN ETHERIDGE SAID HE WISHED EVERY SUBDIVISION IN JASPER COUNTY WAS MODELED AFTER HONEY HILL PLANTATION AND WELLINGTON; HOWEVER, THERE ARE SOME SUBDIVISIONS THAT NEVER FORMED A POA AND IT IN THEIR CONTRACT THAT THEY ARE TO MAINTAIN THE ROADS.

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

VICE CHAIRMAN BLACKSHEAR SAID THAT THE COUNCIL NEEDS TO STUDY THIS PROBLEM FURTHER AND IT WILL BE PLACED ON THE AGENDA AT THE NEXT MEETING.

ADJOURN:

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

THE MEETING ENDED AT 4:45 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

LEROY BLACKSHEAR
VICE CHAIRMAN