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**JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS  
358 THIRD AVE., RIDGELAND, SC 29936  
JULY 19, 2010  
MINUTES  
4:00 P.M.**

**DAVID JIROUSEK - SCDOT PRESENTATION AND PUBLIC COMMENT - OLD HOUSE INTERSECTION IMPROVEMENTS**

**OFFICIALS PRESENT:** COUNCILMAN HENRY ETHERIDGE, COUNCILMAN HUBERT TYLER, COUNCILMAN SAMUEL GREGORY

**OFFICIALS ABSENT:** CHAIRMAN GEORGE HOOD, VICE CHAIRMAN LEROY BLACKSHEAR

**STAFF PRESENT:** ANDREW FULGHUM- ADMINISTRATOR, MARVIN JONES- ATTORNEY, JUDITH FRANK – CLERK TO COUNCIL, DAVID JIROUSEK – PLANNING DIRECTOR

**CALL TO ORDER, PLEDGE AND INVOCATION:** COUNCILMAN ETHERIDGE OPENED THE MEETING. COUNCILMAN ETHERIDGE LED THE PLEDGE OF ALLEGIANCE AND COUNCILMAN TYLER OFFERED THE INVOCATION.

**DISCUSSION:** MR. JIROUSEK INTRODUCED MR. HERRELSON AND MR. RIDDLE FROM SCDOT. MR. JIROUSEK EXPLAINED THAT HE HAS BEEN IN CONTACT WITH SCDOT SINCE FEBRUARY CONCERNING THE INTERSECTION OF HWY.462 AND HWY. 336. MR. JIROUSEK SAID THAT THERE HAS BEEN A LOT OF REAR END COLLISION ACCIDENTS AT THIS INTERSECTION AND SCDOT PLANNED A TURNING LANE. MR. JIROUSEK SAID THE PLANS WERE REDRAWN AND ALL THE TREES WOULD BE SAVED EXCEPT FOR 3 PALM TREES. MR. HERRELSON SAID THAT A TRAFFIC STUDY WAS DONE AND FEDERAL FUNDS ARE APPROVED TO MAKE THE IMPROVEMENTS AT THE INTERSECTION. BARBARA BARTOLDUS, CONRAD KNOLLS, RUSTY COOLER, JIM COWART, REV. ALLEN GALLOWAY, THEO DRAYTON, JOY RIDDLE, JANE POWELL, MILTON WOODS, ANDREA MALLORY, RUTHIE WHITE, WILLIAM YOUNG, BOB KNOLLS, SHIRLEY BOLDEN AND ALMETA WHITE ALL QUESTIONED THE GENTLEMEN FROM SCDOT. IT WAS THE CONSENSUS OF THE CITIZENS PRESENT THAT A TRAFFIC LIGHT WAS NEEDED, PROPER SIGNAGE WITH ENFORCEABLE SPEED LIMITS, THE MAINTENANCE OF THE PROPERTY AT THE INTERSECTION NEEDS TO BE DONE ON A REGULAR BASIS; LAW ENFORCEMENT NEEDS TO DO THEIR JOB ENFORCING THE SPEED LIMITS; EXTENSION OF THE LENGTH OF THE TURNING LANE; TO MAKE SURE THAT THE BUSINESSES AND CHURCH WERE NOT

EFFECTED; SAFETY OF CHILDREN; AND THE CITIZENS WANTED TO SEE THE FINAL PLANS PRIOR TO ANY CONSTRUCTION BEING STARTED.  
THE PUBLIC HEARING ENDED AT 5:45 P.M.

**7:00 P.M.**

**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-DIVISION DIRECTOR OF ADMINISTRATIVE SERVICES, JUDITH M. FRANK-CLERK TO COUNCIL, MARVIN JONES - COUNTY ATTORNEY, WILBUR DALEY- DIVISION DIRECTOR EMS, STEVEN MALPHRUS- DEP. DIRECTOR EMS,

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 7:00 P.M.

**PLEDGE OF ALLEGIANCE:** CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE

**INVOCATION:** VICE CHAIRMAN BLACKSHEAR GAVE THE INVOCATION.

**APPROVAL OF THE MINUTES:** COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE MINUTES FROM THE 6/21/2010 AND 6/30/2010 COUNCIL MEETINGS, AND 6/16/10, 6/21/10. 6/23/10 BUDGET WORKSHOP MEETINGS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. CHAIRMAN HOOD ASKED IF THEY HAVE RECEIVED A RESPONSE FROM DHEC CONCERNING THE CITIZEN'S COMPLAINT ON STROBERT ROAD. MR. JIROUSEK TOLD THE COUNCIL THAT HE JUST HEARD FROM DHEC AND THE INCINERATOR HAS BEEN SHUT DOWN FOR ABOUT 6 MONTHS.

**PROCLAMATIONS AND PRESENTATION:**

**DAVID JIROUSEK - SCDOT PRESENTATION AND PUBLIC COMMENT OLD HOUSE INTERSECTION IMPROVEMENTS (VIDEO PLAYBACK OR RECAP OF 4:00 P.M. PRESENTATION):** MR. JIROUSEK REPORTED THAT THERE WAS A VERY GOOD TURNOUT AT THE SCDOT PRESENTATION AND THE PRESENTATION WAS VIDEOED AND FOR ANYONE WHO WOULD LIKE TO VIEW THE VIDEO TO CONTACT HIM.

**WILBUR DALEY – RECOGNITION OF THE JASPER COUNTY FIRE AND RESCUE COMBAT CHALLENGE TEAM:** MR. DALEY REPORTED THAT THE

COUNTY'S COMBAT CHALLENGE TEAM WON THIRD PLACE AT THE STATE FINALS IN MYRTLE BEACH. COUNCILMAN ETHERIDGE CONGRATULATED THE TEAM AND CHAIRMAN HOOD ADDED THAT COUNCILMAN ETHERIDGE EXPRESSED THE SENTIMENTS OF THE COUNCIL.

**PUBLIC HEARINGS AND ORDINANCES:**

**DAVID JIROUSEK - 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THE PROPERTIES BEARING JASPER COUNTY TAX MAP NUMBERS 039-00-02-001, 039-00-02-002, 039-00-02-003 AND GENERALLY LOCATED ON SPEEDWAY BOULEVARD FROM THE COMMUNITY COMMERCIAL ZONE TO THE GENERAL COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP:**

MR. JIROUSEK EXPLAINED THAT THE PARCEL NUMBERED 039-00-02-004 HAS BEEN REMOVED SINCE THE 1<sup>ST</sup> READING AND HAS BEEN ANNEXED INTO HARDEEVILLE. MR. JIROUSEK SAID THAT THE OTHER PROPERTIES WILL BE CHANGED FROM COMMUNITY COMMERCIAL TO GENERAL COMMERCIAL WITH THE PASSAGE OF THE ORDINANCE. COUNCILMAN TYLER ASKED IF THE OTHER PARCELS COULD ANNEX. MR. JIROUSEK SAID THE PARCELS HAVE TO BE CONTIGUOUS TO THE HARDEEVILLE CITY LIMITS. COUNCILMAN ETHERIDGE ASKED HOW MANY OWNERS OF THE PROPERTIES AND MR. JIROUSEK SAID TWO OWNERS. CHAIRMAN HOOD ASKED WHY THE OWNERS DID NOT ANNEX ALL THE PROPERTIES INTO HARDEEVILLE. MR. JIROUSEK SAID THE OWNER OF THE PARCEL THAT WAS ANNEXED NEEDED TO HAVE THE ZONING CHANGED QUICKLY AND HARDEEVILLE'S SCHEDULE MET THOSE NEEDS. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE AMENDMENT TO THE ORDINANCE. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THE PROPERTIES BEARING JASPER COUNTY TAX MAP NUMBERS 039-00-02-001, 039-00-02-002, 039-00-02-003 AND GENERALLY LOCATED ON SPEEDWAY BOULEVARD FROM THE COMMUNITY COMMERCIAL ZONE TO THE GENERAL COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM - 2<sup>ND</sup> READING OF THE ORDINANCE TO AUTHORIZE THE CONVEYANCE OF AN EASEMENT TO THE TOWN OF RIDGELAND FOR IMPROVEMENTS TO THE TOWN WATER SYSTEM:**

MR. FULGHUM EXPLAINED THAT THE COUNCIL HAD THE 1<sup>ST</sup> READING IN

APRIL AND THE TOWN HAS ONE DEEP WELL BEHIND THE MAGISTRATE'S OFFICE AND THEY NEED AN ACCESS EASEMENT TO THE WELL. MR. FULGHUM SAID THE TOWN OFFERED TO PAY \$2,600.00 FOR THE EASEMENT. MR. FULGHUM SAID THAT THE EASEMENT WAS BASED ON A CBDG GRANT APPLICATION REQUIREMENT. COUNCILMAN GREGORY ASKED WHY THE COUNTY COULD NOT JUST GIVE THE TOWN A RIGHT OF WAY. HE ALSO ASKED IF THE COUNTY WOULD BE SELLING THE LAND FOR THE EASEMENT. MR. FULGHUM SAID THAT THE \$2,600.00 WAS FOR THE EASEMENT, AND THE COUNTY WAS NOT SELLING THE LAND. COUNCILMAN GREGORY ASKED WHY ANY MONEY WAS BEING DISCUSSED. MR. FULGHUM SAID THAT RIDGELAND OFFERED TO PURCHASE THE RIGHT TO USE THE ACCESS. COUNCILMAN GREGORY ASKED HOW MUCH LAND WAS INVOLVED AND MR. FULGHUM SAID ABOUT .03 ACRES. CHAIRMAN HOOD ASKED IF THERE WAS A TERM FOR THE EASEMENT. MARVIN JONES SAID IT WOULD BE FOREVER, BUT ON A NON-EXCLUSIVE BASIS. MR. FULGHUM SAID THE TOWN HAS BEEN USING THE EASEMENT FOR MANY YEARS; HOWEVER THE FEDERAL GRANT REQUIRED THE EASEMENT. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE TO AUTHORIZE THE CONVEYANCE OF AN EASEMENT TO THE TOWN OF RIDGELAND FOR IMPROVEMENTS TO THE TOWN WATER SYSTEM. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**WILBUR DALEY – 1<sup>ST</sup> READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO ADD TO ARTICLE II OF CHAPTER 6, DIVISION 3 THEREOF TO CREATE A GATE ACCESS PROGRAM:** MR. DALEY EXPLAINED THAT HE HAS BEEN WORKING ON THIS ORDINANCE WITH HARDEEVILLE, RIDGELAND AND LEVY SO ALL AREAS WOULD FALL UNDER THE SAME ORDINANCE. MR. DALEY SAID ALL OF THE FIRE CHIEFS WERE SUPPORTIVE OF THE ORDINANCE. THE ORDINANCE WOULD REQUIRE THAT ANY PROPERTY SECURED BY GATES WOULD HAVE A "CLICK TO ENTER" TO OPEN THE GATES. MR. DALEY SAID HAVING A "CLICK TO ENTER" WILL CUT DOWN ON RESPONSE TIME. VICE CHAIRMAN BLACKSHEAR ASKED IF THE COUNTY WOULD BE RESPONSIBLE FOR INSTALLING THE GATE. MR. DALEY SAID THE PROPERTY OWNERS OR DEVELOPERS WOULD BE RESPONSIBLE FOR INSTALLING THE DEVICE ON THE GATES. MR. DALEY SAID THE RADIOS WOULD BE THE PRIMARY WAY TO OPEN THE GATE. COUNCILMAN GREGORY ASKED IF MR. DALEY SPOKE WITH THE PROPERTY OWNERS. MR. DALEY SAID HE IS WORKING WITH HILTON HEAD LAKES AND SOME INDIVIDUAL PROPERTY OWNERS. COUNCILMAN GREGORY ASKED IF A SURVEY WAS DONE TO SEE IF THIS IS SOMETHING THE CITIZENS WANTED. MR. DALEY RESPONDED THAT EVERYONE HE SPOKE TO HAD NO OBJECTIONS. CHAIRMAN HOOD ASKED HOW THEY GOT INTO BEES CREEK PLANTATION. MR. DALEY SAID THEY HAVE A CODE. CHAIRMAN HOOD ASKED ABOUT THE COST OF THE DEVICE AND MR. DALEY SAID HE WOULD GET BACK TO THE COUNCIL WITH THE COST. CHAIRMAN HOOD SAID THE CITIZENS WILL WANT TO KNOW THE COST. COUNCILMAN GREGORY ASKED WHY PASS AN ORDINANCE IF THEY

HAVE NO LEVERAGE TO ENFORCE IT. MR. JIROUSEK RESPONDED THAT THE PLANNING AND BUILDING DEPARTMENTS WILL REVIEW THE PLANS AND IT WOULD HAVE TO BE APPROVED BEFORE IT IS INSTALLED. MR. JIROUSEK SAID THAT PERMITTING CAN BE HELD UP IF THE DEVISE IS NOT INSTALLED ON THE GATES. COUNCILMAN ETHERIDGE SAID HE DID NOT THINK ANYONE WOULD REFUSE EXTRA SERVICES AND PROTECTION. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO ADD TO ARTICLE II OF CHAPTER 6, DIVISION 3 THEREOF TO CREATE A GATE ACCESS PROGRAM. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS:** THERE WERE NO RESOLUTIONS.

**OLD BUSINESS:** THERE WAS NO OLD BUSINESS.

**NEW BUSINESS:**

**ANDREW FULGHUM –FARMERS’ MARKET MANAGEMENT CONTRACT:**

MR. FULGHUM EXPLAINED THAT THE CONTRACT IS THE SAME CONTRACT THE COUNCIL APPROVED LAST YEAR. MR. FULGHUM SAID THE COUNCIL AUTHORIZED USING A-TAX FUNDS FOR THE MANAGEMENT OF THE FARMERS’ MARKET AND THE CONTRACT DEFINES THE RESPONSIBILITIES OF EACH PARTY. MR. FULGHUM SAID THE PREVIOUS CONTRACT EXPIRED IN JUNE, 2010. COUNCILMAN ETHERIDGE ASKED ABOUT ADVERTISING AND MS. MALPHRUS SAID FLYERS, WEBPAGE, NEWSPAPERS AND RADIO WERE ALL USED TO GET THE WORD OUT ABOUT THE EVENTS AND THAT THE MARKET IS AVAILABLE FOR RENT. COUNCILMAN ETHERIDGE ASKED IF THE FARMERS WERE CHARGED A FEE TO SET UP AND MS. KENDALL SAID THEY WERE NOT CHARGED A FEE AND THAT THE COUNTY HANDLES THAT PART OF THE OPERATION. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE 1 YEAR FARMERS’ MARKET CONTRACT. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. CHAIRMAN HOOD ASKED ABOUT A COMMERCIAL KITCHEN AND MR. FULGHUM SAID THAT A COMMERCIAL KITCHEN CANNOT BE INSTALLED BECAUSE THEY HAVE A SEPTIC TANK AT THE FARMERS’ MARKET.

**ANDREW FULGHUM - DISCUSSION OF USE OF COUNTY OWNED FACILITIES AND CONFERENCE ROOMS BY LOCAL ORGANIZATIONS:**

MR. FULGHUM INFORMED THE COUNCIL THAT MR. JONES WAS WORKING ON A MASTER FACILITY AGREEMENT THAT WOULD COVER THE COUNTY OWNED PROPERTIES. MR. FULGHUM SAID THERE HAVE BEEN SOME INQUIRIES FROM THE PUBLIC AND CIVIC ORGANIZATION REGARDING USING PORTIONS OF THE GOVERNMENT BUILDING. MR. FULGHUM EXPLAINED THAT THE COUNTY HAS SEVERAL DIFFERENT RENTAL AND USE AGREEMENT FORMS AND MR. JONES IS TRYING TO CONSOLIDATE ALL OF THEM TO ONE AGREEMENT. MR. FULGHUM SAID HE WAS ASKING FOR

SOME DIRECTION FROM THE COUNCIL REGARDING THE GOVERNMENT BUILDING. COUNCILMAN GREGORY ASKED ABOUT THE BUILDINGS THAT WERE AVAILABLE COUNTY-WIDE THAT ARE AVAILABLE FOR THE PUBLIC TO USE. MR. FULGHUM SAID THERE HAVE BEEN REQUESTS REGARDING USING COUNCIL CHAMBERS, CONFERENCE ROOMS AND THE TRAINING ROOM IN THE J.C. GOVERNMENT BUILDING. CHAIRMAN HOOD SAID HE FELT A LIST WAS NEEDED AS TO WHO COULD USE COUNTY OWNED BUILDINGS WITHOUT A CHARGE. MR. FULGHUM SAID THAT CAN BECOME CUMBERSOME AND SOMEONE WOULD HAVE TO BE PRESENT TO LOCK AND UNLOCK THE BUILDINGS. COUNCILMAN GREGORY SAID OPENING THE J.C. GOVERNMENT BUILDING TO NON-PROFITS AND CIVIC GROUPS IS OPENING THE USE OF THE BUILDING TO A LOT OF PEOPLE AND HE DID NOT THINK THIS SHOULD BE DONE ESPECIALLY IF IT WAS AFTER HOURS. CHAIRMAN HOOD SAID A PROCESS IS NEEDED THAT WILL COVER THE REQUESTS. COUNCILMAN GREGORY ASKED FOR INPUT FROM THE ADMINISTRATOR. MR. FULGHUM SAID THE INDIVIDUALS WOULD HAVE TO CLEAN UP, BUT HE COULD NOT GUARANTEE THAT THE ROOMS WOULD BE AVAILABLE ON A STANDING BASIS AND HE WAS CONCERNED ABOUT THE BUILDING BEING OPEN IN THE EVENING AND NOT LOCKED UP PROPERLY. VICE CHAIRMAN BLACKSHEAR SAID HE WAS ALSO CONCERNED ABOUT THE LOCKING AND OPENING OF THE BUILDING AND HE DID NOT THINK IT SHOULD BE DONE BY THE PEOPLE USING THE BUILDING. COUNCILMAN ETHERIDGE ASKED ABOUT THE CONSUMPTION OF ALCOHOL AND MR. JONES SAID IT WAS NOT ALLOWED ON ANY COUNTY OWNED PROPERTY EXCEPT FOR THE FARMERS' MARKET WHICH IS MANAGED BY THE CHAMBER. MR. JONES SAID THAT IT WOULD BE COVERED IN THE AGREEMENT AND IF IT IS NOT ADHERED TO, THEN THE PEOPLE RENTING THE PROPERTY WOULD BE BANNED FROM RENTING COUNTY PROPERTY FOR TWO YEARS. COUNCILMAN GREGORY SAID IF THERE WAS NO COUNTY EMPLOYEE PRESENT, HOW IT WOULD BE ENFORCED. MR. FULGHUM SAID THE INFORMATION WILL BE AVAILABLE AND THE SHERIFF WILL KNOW WHO WAS RESPONSIBLE FOR THE EVENT. MR. JONES SAID THERE SHOULD BE ONE CONTRACT THAT APPLIES TO ALL COUNTY BUILDINGS AND HE WAS GOING TO MEET WITH THE CLERK OF COURT REGARDING THE COURTHOUSE. MS. BOSTICK SAID THE COURT HOUSE WILL NOT BE AVAILABLE FOR PUBLIC USE. CHAIRMAN HOOD SAID HE WOULD LIKE FOR THE LEASE AGREEMENT TO BE APPROVED BY ORDINANCE. COUNCILMAN EHTERIDGE SAID HE FELT A COUNTY EMPLOYEE SHOULD BE PRESENT AT ALL FUNCTIONS.

**WILBUR DALEY – APPROVAL OF SCBA GRANT AND MATCH FOR THE PURCHASE OF SCOTT AIRPACKS:** MR. DALEY SAID THEY RECEIVED A GRANT TO PURCHASE AIRPACKS. MR. DALEY EXPLAINED THAT A MATCH IN THE AMOUNT OF \$17,855.00 WAS NEEDED AND \$834.00 WOULD COME FROM THE EMS BUDGET. MR. DALEY SAID THAT EACH FIRE PERSON WOULD HAVE THEIR OWN AIR PACK AND THE CURRENT AIR PACKS DO NOT MEET THE STANDARDS. MR. DALEY SAID THE AIRPACKS STAY ON THE APPARTUS, BUT THE FIREMEN ARE RESPONSIBLE FOR THEIR OWN MASKS. MR. DALEY SAID HE WOULD LIKE TO SELL THE OLD AIR PACKS TO BUY

CYLINDERS AND MASKS AS NEEDED. VICE CHAIRMAN BLACKSHEAR ASKED HOW MUCH COULD MR. DALEY TAKE FROM HIS BUDGET TO GO TOWARDS THE MATCH. MR. DALEY SAID IT WOULD BE TIGHT, BUT HE WOULD DO WHAT HE HAD TO DO TO KEEP THE GRANT FUNDS. COUNCILMAN GREGORY ASKED WHY THE COUNCIL WAS NOT TOLD BEFORE SO THAT THEY COULD BE PREPARED. MR. DALEY SAID HE APPLIED FOR THE GRANT LAST YEAR, BUT ONLY RECEIVED THE GRANT THIS YEAR. MR. DALEY SAID THE ADMINISTRATOR WAS AWARE THAT A MATCH WAS NEEDED. COUNCILMAN GREGORY ASKED HOW MUCH CAN COME FROM MR. DALEY'S BUDGET. MR. FULGHUM EXPLAINED THAT WHEN THEY STARTED THE APPLICATION PROCESS FOR STIMULUS FUNDING, THE COUNCIL AUTHORIZED HIM TO APPLY FOR GRANTS EVEN IF THEY HAD A MATCH. MR. FULGHUM SAID THERE WAS MONEY IN THE GRANT MATCHING LINE OF THE BUDGET TO MEET THE MATCH. COUNCILMAN GREGORY ASKED WHY THEY DID NOT KNOW HOW MUCH COULD COME FROM MR. DALEY'S BUDGET. MR. FULGHUM SAID THE FUNDS ARE IN THE GRANT MATCHING FUND LINE OF THE BUDGET AND HE DID NOT THINK MR. DALEY WOULD HAVE TO COME UP WITH ANYTHING FROM HIS BUDGET. MR. MALPHRUS SAID THAT ALL GRANT MATCHING FUNDS ARE IN ONE LINE IN THE BUDGET. COUNCILMAN GREGORY SAID THE COUNCIL SHOULD HAVE BEEN TOLD THAT THE GRANT WAS APPROVED. MR. FULGHUM SAID HE PROVIDED THE COUNCIL WITH A LIST OF ALL GRANTS APPLIED FOR AND WHAT THE MATCH WOULD BE IF THEY WERE APPROVED. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE SCBA GRANT AND THE MATCH FOR THE PURCHASE OF SCOTT AIRPACKS. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR, AND COUNCILMEN ETHERIDGE AND TYLER VOTING FOR. COUNCILMAN GREGORY STATED HE VOTED AGAINST BECAUSE OF THE WAY IT WAS HANDLED.

**RONNIE MALPHRUS – APPROVAL OF PURCHASE OF NEW SERVER AND SOFTWARE:** MR. R. MALPHRUS SAID THAT IT CAME TO HIS ATTENTION IN JUNE THAT NEW WORLD WOULD BE UPDATING THEIR SOFTWARE AT NO COST TO THE COUNTY, BUT THE DIFFERENT OPERATING SYSTEM WOULD REQUIRE SOME HARDWARE AND SOFTWARE TO BE UPGRADED AND THERE HAVE ALSO BEEN SOME PROBLEMS WITH THE SERVER. MR. R. MALPHRUS SAID THAT THE PROPOSAL FOR THE NEW SOFTWARE AND SERVER WAS IN THE AMOUNT OF \$75,000.00 AND THERE WAS MONEY LEFT IN LAST YEARS BUDGET TO COVER IT. MR. R. MALPHRUS SAID THAT AN ORDER WAS PLACED BECAUSE THE ORDER HAD TO BE PLACED PRIOR TO JUNE 30, 2010 TO BE COVERED IN LAST YEAR'S BUDGET. MR. R. MALPHRUS SAID IF THE COUNCIL DID NOT APPROVE THE REQUEST, THEY WOULD NOT GET THE EQUIPMENT. STEVEN MALPHRUS SAID THE VENDOR NOTIFIED HIM IN MARCH OF THE CHANGE AND FUNDS WERE AVAILABLE FROM LAST YEARS BUDGET. MR. S. MALPHRUS SAID THAT BY GOING THROUGH A VENDOR THAT THE COUNTY USES, HE ACQUIRED THE EQUIPMENT AND SOFTWARE FOR \$75,000.00 AND NEW WORLD WOULD CHARGE \$97,550.00. COUNCILMAN ETHERIDGE ASKED WHAT DEPARTMENT HAD THAT MUCH

MONEY LEFTOVER. MR. R. MALPHRUS SAID THE I-T DEPARTMENT (#49) BECAUSE THEY DID NOT USE ALL THE FUNDS BUDGETED FOR TECHNICAL ASSISTANCE AND CONTRACTS. COUNCILMAN ETHERIDGE ASKED WHOSE SALARY WAS COVERED IN DEPT. 49 AND MR. R. MALPRHUS SAID MS. ATAR. COUNCILMAN ETHERIDGE ASKED WHY SHE WAS NOT PRESENT TO EXPLAIN. STEVEN MALPHRUS SAID THAT MS. ATAR IS UNDER HIS UMBRELLA OF ADMINISTRATION AND HE OVERSEES HER WORK AND ASSISTS HER WITH TECHNOLOGY. COUNCILMAN GREGORY ASKED WHAT WAS HER KNOWLEDGE OF THE TECHNOLOGY COMPARED TO HIS. MR. MALPHRUS SAID MS. ATAR IS THE COORDINATOR OF TECHNOLOGY AND SHE IS TRAINED TO PUT THE SYSTEMS TOGETHER WHERE HE HANDLES OTHER TYPES OF SYSTEMS. COUNCILMAN GREGORY ASKED MR. S. MALPRHUS IF HE KNEW THIS WAS NEEDED IN MARCH. MR. S. MALPHRUS SAID HE RECEIVED SOME INFORMATION IN MARCH AND IN JUNE. CHAIRMAN HOOD ASKED IF THIS WAS A MUST HAVE. MR. S. MALPHRUS SAID THAT HR AND FINANCE RUNS OFF OF THIS PLATFORM AND IT IS NEEDED. MR. R. MALPHRUS SAID HR AND FINANCE WILL NOT BE ABLE TO OPERATE IF THE SYSTEM IS NOT UPGRADED. COUNCILMAN GREGORY ASKED IF THEY KNEW IT HAD TO BE DONE, WHY THEY WAITED UNTIL AFTER THE BUDGET WAS PASSED AND WHY DID THEY WAIT UNTIL NOW TO SAY THAT THE MONEY WAS AVAILABLE FROM LAST YEAR TO PAY FOR IT. MR. R. MALPHRUS SAID HE WAS UNDER THE IMPRESSION THAT THE UPGRADE WAS NOT GOING TO BE DONE UNTIL 2012 AND IN JUNE HE RECEIVED ANOTHER SET OF DOCUMENTS STATING IT WOULD BE DONE IN 2011. COUNCILMAN ETHERIDGE ASKED WHEN THEY KNEW IT WOULD BE DONE IN 2011. STEVEN MALPHRUS SAID IN JUNE. COUNCILMAN GREGORY SAID THE DEPARTMENT HEADS NEED TO BRING ALL THE FACTS AND THEY DO NOT BRING ALL THE ANSWERS AND THEY DON'T KNOW THE ANSWERS TO QUESTIONS THEY ARE ASKED. CHAIRMAN HOOD SAID THAT NOTHING WAS PROVIDED IN THE COUNCIL PACKET CONCERNING THIS, AND HE DOES NOT LIKE IT AS VERBAL COMMUNICATION LEAVES OPENINGS FOR MISUNDERSTANDINGS. STEVEN MALPHRUS SAID THAT MICROSOFT IS CHANGING THE OPERATING SYSTEM CAUSING NEW WORLD TO CHANGE. CHAIRMAN HOOD SAID HE NEVER HEARD OF A SOFTWARE COMPANY COMING AND SAYING THEIR PROGRAMS CAN NO LONGER BE USED. COUNCILMAN ETHERIDGE SAID HE ASKED FOR THE PAPERWORK ON THIS AND HE DID NOT RECEIVE IT. RONNIE MALPHRUS SAID THEY ONLY HAD THE QUOTE AND HE SAID IT WAS HIS FAULT THAT THEY DID NOT GET ANY PAPERWORK. STEVEN MALPHRUS SAID ON THE STORAGE SIDE HE GOT A SPECIAL PACKAGE DEAL AND IT WILL COST \$20,000.00 MORE IF THIS IS NOT DONE. CHAIRMAN HOOD SAID HE DID NOT WANT TO BUY LEFTOVER EQUIPMENT. COUNCILMAN ETHERIDGE ASKED IF THEY HAD TO HAVE THIS AND IF THE MONEY WAS AVAILABLE. RONNIE MALPHRUS SAID YES TO BOTH. COUNCILMAN ETHERIDGE MOTIONED THAT THE NEW SOFTWARE AND SERVER BE APPROVED. THE MOTION DIED FOR LACK OF A SECOND.

**RONNIE MALPHRUS – TAX ANTICIPATION NOTE:** MR. MALPHRUS EXPLAINED THAT LAST YEAR THEY HAD TO ISSUE A TAX ANTICIPATION

NOTE TO GET THROUGH THE LEAN TIMES AND THEY NEEDED TO DO THAT AGAIN. MR. MALPHRUS SAID THE BUDGET ORDINANCE GIVES THE ADMINISTRATOR THE AUTHORITY TO BORROW UP TO \$6,000,000.00. MR. MALRHRUS SAID THEY WOULD LIKE TO DO A TAX ANTICIPATION NOTE IN THE AMOUNT OF \$5,000,000.00 AND TO DRAW DOWN \$3,500,000.00. MR. MALPHRUS SAID THE INTEREST RATE WOULD BE 2.27%. MR. MALPHRUS SAID THE BUDGET ORDINANCE AUTHORIZES THE ADMINISTRATOR TO SIGN THE DOCUMENTS, HOWEVER, THEY WERE TOLD TO COME BACK TO COUNCIL BEFORE THAT WAS DONE. COUNCILMAN ETHERIDGE SAID THE COUNCIL NEEDS TO KNOW WHEN THEY DO IT AND WHENEVER ANY FUNDS ARE DRAWN DOWN. MR. MALPHRUS SAID THERE ARE TIMES WHEN THEY HAVE TO DO THINGS QUICKLY, BUT THEY CAN WORK WITH THAT AND NOTIFY COUNCIL. MR. MALPHRUS SAID THAT NOW IS A LEAN TIME. CHAIRMAN HOOD SAID THE COUNCIL WANTS TO KNOW WHEN ANY MONEY IS DRAWN DOWN. MR. MALPHRUS SAID EVERYTHING IS IN PLACE AND THEY MAY NEED TO DRAW MONEY DOWN BEFORE THE NEXT COUNCIL MEETING. MR. FULGHUM ASKED IF THE COUNCIL CAN BE NOTIFIED BY A PHONE CALL. CHAIRMAN HOOD TOLD THE ADMINISTRATOR TO PASS THE INFORMATION TO THE CLERK TO COUNCIL AND SHE WILL NOTIFY THE COUNCIL AND THE COUNCIL WILL LET HER KNOW IF THEY WANT TO MEET. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE ATAX ANTICIPATION NOTE AND NO MONEY IS TO BE DRAWN DOWN WITHOUT FIRST NOTIFYING ALL THE COUNCIL MEMBERS. THE MOTON CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

## **COMMITTEE REPORTS:**

### **ADMINISTRATOR'S REPORT:**

MR. FULGHUM REPORTED THAT THE BAILY MILL ROAD AND BRIDGE WILL BE CLOSED UNTIL SEPTEMBER 24, 2010.

MR. FULGHUM PROVIDES THE COUNCIL WITH A COPY OF THE GRANT APPLICATION IN THEIR PACKET FOR 13 TASERS FOR THE SHERIFF'S DEPARTMENT. MR. FULGHUM SAID NO MATCH WAS NEEDED.

MR. FULGHUM SAID THAT THE COUNTY ALSO RECEIVED A GRANT FOR WASTE TIRES AND USED OIL AND A GRANT FROM DHEC FOR \$5,000.00 FOR WETLANDS AT THE SGT. JASPER PARK.

MR. FULGHUM EXPLAINED THE THREE CHANGE ORDERS IN THE COUNCIL PACKET AND SAID THERE WAS A CREDIT GIVEN TO THE COUNTY AS A RESULT OF THE CHANGE ORDERS.

MR. FULGHUM ASKED THE COUNCIL TO CONSIDER AN INDIVIDUAL FOR APPOINTMENT TO THE WORKFORCE INVESTMENT BOARD. MR. FULGHUM EXPLAINED THE MEMBER MUST BE A LOCAL BUSINESS OWNER.

COUNCILMAN ETHERIDGE ASKED ABOUT THE CLEMSON APPRAISAL. MR. FULGHUM SAID HE RECEIVED IT LAST MONTH AND HE HAD IT IN HIS OFFICE.

**OPEN FLOOR TO THE PUBLIC (3 MINUTE TIME LIMIT PER INDIVIDUAL):** CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

**EXECUTIVE SESSION:**

**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 – PROJECT KELLY;**

**DISCUSSION REGARDING EMPLOYMENT, APPOINTMENT, COMPENSATION, PROMOTION, DEMOTION, 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;**

**DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACT ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY, RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM – PROPERTY TAX FOR LEASED BUILDINGS AND BILLBOARD LEASES:**

COUNCILMAN GREGORY ASKED IF ALL ITEMS TO BE DISCUSSED WERE EXECUTIVE SESSION MATTERS OR COULD THEY BE DISCUSSED IN OPEN SESSION. MR. FULGHUM RESPONDED THAT ALL MATTERS WERE APPROPRIATE FOR EXECUTIVE SESSION, BUT IF WHEN DISCUSSED IN EXECUTIVE SESSION IF THE COUNCIL FELT IT SHOULD BE DISCUSSED IN OPEN SESSION, THEY CAN RETURN TO OPEN SESSION FOR THE DISCUSSION. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR THE 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 – PROJECT KELLY; DISCUSSION REGARDING EMPLOYMENT, APPOINTMENT, COMPENSATION, PROMOTION, DEMOTION, 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; DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACT ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY, RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM - PROPERTY TAX FOR LEASED BUILDINGS AND BILLBOARD LEASES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RETURN TO REGULAR SESSION:** COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO RETURN TO OPEN SESSION.

CHAIRMAN HOOD REPORTED THAT THE COUNCIL RECEIVED INFORMATION ON PROJECT KELLY AND HE TOLD THE ADMINISTRATOR TO MOVE FORWARD WITH THE PROPOSAL.

CHAIRMAN HOOD ASKED ATTORNEY JONES TO SEE IF THE EMPLOYEE DISCUSSED HAS TO BE REHIRED.

CHAIRMAN HOOD TOLD THE ADMINISTRATOR TO TRY AND COLLECT ALL THE MONEY POSSIBLE FROM THE BILL BOARD VENDOR HOLDING THE LEASE AGREEMENT AND TO REPORT BACK TO COUNCIL.

CHAIRMAN HOOD ASKED WHY THE MEETING WAS CHANGED TO 4:00 P.M. AND MR. FULGHUM SAID HE RECEIVED A MESSAGE FROM THE CLERK STATING THE TIME CHANGE. THE CLERK EXPLAINED THAT SHE WAS TOLD BY MR. JIROUSEK THAT SCDOT COULD NOT DO THE PRESENTATION AT 7:00 P.M. AND IT WAS HER UNDERSTANDING THAT THE MEETING TIME WAS CHANGED. CHAIRMAN HOOD SAID ALL COUNCIL MEMBERS MUST BE CONTACTED PRIOR TO MAKING A CHANGE OF TIME OF ANY COUNCIL MEETING. COUNCILMAN ETHERIDGE SAID HE FELT ALL COUNCIL MEETINGS SHOULD BE HELD AT 7:00 P.M. SO THE WORKING MAN CAN ATTEND. VICE CHAIRMAN BLACKSHEAR SAID HE FELT ONE MEETING SHOULD BE AT 4:00 P.M. AND ONE MEETING AT 7:00 P.M. COUNCILMAN ETHERIDGE MOTIONED THAT ALL COUNCIL MEETING START AT 7:00 P.M. THE MOTION DIED FOR LACK OF A SECONDED. VICE CHAIRMAN BLACKSHEAR MOTIONED AND CHAIRMAN HOOD SECONDED THE MOTION THAT THE FIRST MONDAY OF THE MONTH THE MEETINGS WILL START AT 4:00 P.M. AND THE 3<sup>RD</sup> MONDAY OF THE MONTH THE MEETINGS WILL START AND 7:00 P.M AND IF THE MEETING TIME NEEDS TO BE CHANGED, ALL COUNCIL MEMBERS MUST APPROVE THE TIME CHANGE. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR, AND COUNCILMEN TYLER AND GREGORY VOTING FOR. COUNCILMAN ETHERIDGE VOTED AGAINST.

**ADJOURN:** COUNCILMAN GREGORY MOTIONED AND COUNCILMAN  
ETHERIDGE SECONDED THE MOTION TO ADJOURN THE MEETING. THE  
MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 10:05 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

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JUDITH M. FRANK, ccc  
CLERK TO COUNCIL

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DR. GEORGE M. HOOD  
CHAIRMAN