

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
MARCH 3, 2008
4:00 P.M.
MINUTES**

OFFICIALS PRESENT:

FRED TUTEN, VICE CHAIRMAN
GLADYS JONES, COUNCILWOMAN
LEROY BLACKSHEAR, COUNCILMAN
HUBERT TYLER, COUNCILMAN

OFFICIALS ABSENT:

DR. GEORGE M. HOOD, CHAIRMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADMINISTRATOR ADMINISTRATIVE SERVICES
DALE TERRY, DEP. ADMINISTRATOR ENGINEERING SERVICES
JUDITH FRANK, CLERK TO COUNCIL
MARVIN JONES, ATTORNEY
EVELYN LEE, DEPUTY CLERK TO COUNCIL
GLORIA LUCAS, HUMAN RESOURCES DIRECTOR
STEVE SAGER, PROJECTS MANAGER

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

INVOCATION:

COUNCILMAN TYLER GAVE THE INVOCATION.

PLEDGE OF ALLEGIANCE;

VICE CHAIRMAN TUTEN LED THE PLEDGE OF ALLEGIANCE.

APPROVAL OF THE MINUTES:

COUNCILMAN TYLER MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION TO APPROVE THE MINUTES OF THE FEB. 19, 2008 MEETING OF THE JASPER COUNTY COUNCIL. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATIONS:

PRESENTATION OF THE AUDIT:

MR. MALPHRUS INTRODUCED MR. BAIRD, OF BAIRD AND COMPANY, CPAS, AND LLC. MR. BAIRD EXPLAINED THAT HIS COMPANY AUDITED THE FINANCIAL STATEMENTS OF THE GOVERNMENTAL ACTIVITIES, THE MAJOR FUND, AND AGGREGATE REMAINING FUND INFORMATION FOR THE COUNTY FOR THE YEAR ENDING JUNE 30, 2007. MR. BAIRD STATED HIS REPORT DESCRIBES THE SCOPE OF THEIR TESTING OF THE INTERNAL CONTROL OVER THE FINANCIAL REPORTING AND COMPLIANCE AND THE RESULTS OF THAT TESTING. MR. BAIRD SAID THE COUNTY WAS IN GOOD FINANCIAL CONDITION AND THE COUNCIL HAS BEEN GOOD STEWARDS OF THE TAXPAYERS' MONEY. MR. BAIRD REPORTED THAT THE NET ASSETS OF THE COUNTY WAS \$30,125,918.00 AND OF THIS AMOUNT, \$11,718,280 WAS UNRESTRICTED ASSETS. MR. BAIRD CONTINUED TO OUTLINE THE VARIOUS SECTIONS OF THE AUDIT. MR. BAIRD INFORMED THE COUNCIL THAT THERE WERE NO DEFICIENCIES FOUND THAT WOULD BE A MATERIAL WEAKNESS. COUNCILWOMAN JONES ASKED HOW MR BAIRD'S AUDIT WAS DIFFERENT FROM THE WORK DONE BY MR. MELLON. MR. BAIRD EXPLAINED THAT MR. MELLON GETS THE INFORMATION READY FOR THE AUDIT AND MR. BAIRD'S FIRM AUDITS THE ACCOUNTING.

PRESENTATION OF NATIONAL REGISTRY OF HISTORIC PLACES

PLAQUE FOR GRAYS SCHOOL:

VICE CHAIRMAN TUTEN PRESENTED THE PLAQUE TO THE MEMBERS OF THE COMMITTEE THAT WORKED TO GET THE SCHOOL ON THE NATIONAL REGISTRY OF HISTORIC PLACES. MRS. LINDA STANLEY THANKED THE COUNCIL FOR THEIR SUPPORT AND FOR THE PLAQUE.

2ND READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY COMMONLY KNOWN AS RED OAK PLAZA PHASES I & II FROM COMMUNITY COMMERCIAL ZONE TO GENERAL COMMERCIAL ZONE:

MS. LAMB PRESENTED THE ORDINANCE AND EXPLAINED THAT THE PUBLIC HEARING WOULD BE HELD AT THE NEXT MEETING. MS. LAMB SAID THAT 21 LOTS WOULD BE CHANGED. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION THAT THIS BE THE 2ND READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY COMMONLY KNOWN AS RED OAK PLAZA PHASES I & II FROM COMMUNITY COMMERCIAL ZONE TO GENERAL COMMERCIAL ZONE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

2ND READING OF THE ORDINANCE CONCERNING THE SALE OF PROPERTY AT THE CYPRESS RIDGE BUSINESS INDUSTRIAL PARK (PROJECT SUDS):

MR. FULGHUM SAID THE COUNCIL HAS HAD A 1ST READING OF THIS ORDINANCE AND THE CONTRACT OF SALE ACCOMPANIED THE ORDINANCE. MR. SAGER SAID THAT THE SIZE OF THE PROPERTY WAS INCREASED TO 3 ACRES. MR. SAGER SAID THE BUYER MADE A DOWNPAYMENT IN THE AMOUNT OF \$3,000.00; MR. SAGER ALSO EXPLAINED THE ROAD IMPROVEMENTS TO SERVICE THE PROPERTY. MR. SAGER SAID THE PROPERTY WAS INCREASED TO 3 ACRES TO SQUARE OFF THE PROPERTY. COUNCILWOMAN JONES SAID THAT AT THE 2ND READING OF AN ORDINANCE TO SELL PROPERTY, A SIGNED CONTRACT OF SALE MUST ACCOMPANY THE ORDINANCE AND SHE FELT THE BUSINESS NAME SHOULD BE LISTED NOT SOME PROJECT NAME LIKE PROJECT SUDS. COUNCILWOMAN JONES SAID THAT SALE OF LAND WAS TO SAMMY MOCK, DBA DIXIE LAUNDRY, AND THAT IS THE NAME THAT SHOULD BE IN THE ORDINANCE. COUNCILWOMAN JONES ASKED MR. SAGER FOR DETAILS CONCERNING THE BUSINESS. MR. SAGER SAID THERE WOULD BE 5 EMPLOYEES AND THAT THE OWNER HOPED TO EXPAND TO 7 EMPLOYEES. COUNCILWOMAN JONES ASKED WHAT TYPE OF BUILDING WAS GOING TO BE CONSTRUCTED AND MR. SAGER SAID HE HAS NOT TALKED TO THE BUYER ABOUT THAT, BUT THE REVIEW BOARD WOULD HAVE TO APPROVE THE DESIGN. COUNCILWOMAN JONES ASKED MR. SAGER IF PLANS WERE SUBMITTED AND MR. SAGER SAID NO, HE ONLY RECEIVED A VERBAL DESCRIPTION. COUNCILWOMAN JONES SAID THE BUILDING WAS TO BE 5,000 – 7,000 SQ. FEET WITH 5 EMPLOYEES AND THE OWNER HOPED TO EXPAND TO HAVE 7-8 EMPLOYEES AND IT WAS A COMMERCIAL LAUNDRY COMPANY, THE BUILDING WOULD BE MOSTLY A WAREHOUSE, BUT SOME REPAIR WORK WOULD ALSO BE DONE. VICE CHAIRMAN TUTEN ADDED THAT THERE WAS TO BE AN OFFICE AT THE FRONT OF THE BUILDING. MR. SAGER SAID THAT THE REVIEW BOARD WOULD HAVE TO APPROVE OF THE DESIGN. VICE CHAIRMAN TUTEN ASKED IF RETAIL SALES WERE INVOLVED AND MR. SAGER RESPONDED THAT ONLY A LIMITED AMOUNT OF RETAIL TRANSACTIONS. COUNCILWOMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 2ND READING OF THE ORDINANCE CONCERNING THE SALE OF PROPERTY AT THE CYPRESS RIDGE BUSINESS INDUSTRIAL PARK (DIXIE LAUNDRY – SAMMY MOCK). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

1ST READING OF THE ORDINANCE TO AMEND THE COUNTY'S ORGANIZATIONAL CHART (BY TITLE ONLY):

ATTORNEY JONES SAID HE DID AN ORDINANCE TO REVISE THE ORGANIZATIONAL CHART AND THAT THE NEW ORGANIZATIONAL CHART WOULD BE ATTACHED TO THE ORDINANCE. ATTORNEY JONES SAID HE WAS PROVIDED THE INFORMATION FROM THE CLERK TO COUNCIL, MS. FRANK. COUNCILWOMAN JONES SAID THE COUNCIL DECIDED ON THE CHANGE TO THE ORGANIZATIONAL CHART SO THAT THE ADMINISTRATOR, THE CLERK TO COUNCIL AND THE COUNTY ATTORNEY

WOULD ALL BE EMPLOYEES OF THE COUNTY COUNCIL. COUNCILWOMAN JONES SAID THAT THERE WERE OTHER CHANGES AND THE COUNCIL WAS GOING TO HAVE ANOTHER MEETING TO FINALIZE THE OTHER CHANGES. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO AMEND THE COUNTY'S ORGANIZATIONAL CHART. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

1ST READING OF THE ORDINANCE TO AMEND THE COUNTY ORDINANCE 08-02 REGARDING THE PLANNING COMMISSION (BY TITLE ONLY):

ATTORNEY JONES SAID THAT HE PREPARED THE ORDINANCE TO INCREASE THE NUMBER OF MEMBERS ON THE JASPER COUNTY PLANNING COMMISSION FROM FIVE TO SEVEN. COUNCILWOMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO AMEND THE COUNTY ORDINANCE 08-02 REGARDING THE PLANNING COMMISSION BY TITLE ONLY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

OLD BUSINESS:

APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS:

VICE CHAIRMAN TUTEN HAD MS. FRANK READ THE NAMES AND APPOINTMENTS.

PLANNING COMMISSION – DR. EARL BOSTICK, ALEX PINCKNEY, COURTNEY FLEXON, WILLIAM YOUNG, KIM THOMAS, JUANITA WHITE, THEODUS DRAYTON

BOARD OF ZONING APPEALS – BEN MILLS, WELDON WALL, BARBARA BARTOLDUS, LAWRENCE BOWERS, FREDDY MORGAN

LIBRARY BOARD – CLARA BOSTICK, KYSIA KESSLER, ELLEN PEAVY, DEAN GOEN

AERONAUTICS BOARD – CLAUDE DEAN, CHARLES PINCKNEY, JESSE EUGENE CLELAND

NEW LIFE CENTER BOARD – JOE BOWMAN, JACKIE CHAVER, MARTHA DAVIS, PHIL LAVENDER

ASSESSMENT APPEALS BOARD – L.G. SMITH, CINDY DANTZLER, LEROY MERVIN, WILLIAM TUTEN, MARIE RAWL

LOWCOUNTY WORKFORCE INVESTMENT BOARD –GEORGE SANCHER
COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE APPOINTMENT OF THE MEMBERS OF THE BOARDS AND COMMISSIONS AS PRESENTED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILWOMAN JONES SAID THAT COUNCIL WILL SCHEDULE A MEETING WITH THE THE PLANNING COMMISSION, THE BOARD OF ZONING APPEALS AND THE ASSESSMENT APPEALS BOARD TO DISCUSS THEIR DUTIES AND THE COUNCIL WILL PULL LOTS TO DETERMINE THE TERMS OF EACH MEMBER. COUNCILWOMAN JONES STATED THAT MR. YOUNG AND MS.

FLEXON WOULD NOT BE ABLE TO BE VOTING MEMBERS OF THE PLANNING COMMISSION UNTIL AFTER THE 3RD READING OF THE ORDINANCE INCREASING THE SIZE OF THE PLANNING COMMISSION FROM 5 MEMBERS TO 7 MEMBERS.

ANDREW FULGHUM – BURNING AT STROBHART ROAD:

MR. FULGHUM SAID THAT THE INDIVIDUAL WAS NOTIFIED AND THE BURNING HAS STOPPED. MR. FULGHUM SAID THE INDIVIDUAL ALSO HAS PURCHASED A BUSINESS LICENSE. COUNCILWOMAN JONES ASKED THAT IF A CITIZEN SUSPECTS AN INDIVIDUAL IS DOING BUSINESS WITHOUT A BUSINESS LICENSE TO CONTACT THE COUNTY BUSINESS LICENSE OFFICE.

APPROVAL OF CONTRACT FOR ON-CALL SERVICES WITH ATM:

MR. FULGHUM PRESENTED THE CONTRACT FOR PROFESSIONAL SERVICES AND EXPLAINED THE TYPE OF WORK THAT ATM WOULD BE DOING ON AN AS NEEDED BASIS. ATTORNEY JONES SAID HE DISCUSSED HIS CONCERNS ABOUT LIMITING LIABILITY AND THAT HE CONSULTED WITH THE STATE ENGINEER AND ATTORNEY JONES SAID HE DID NOT RECOMMEND THOSE TYPES OF PROVISIONS. ATTORNEY JONES SAID HE MET WITH ATM AND THEY HAVE COME TO AN AGREEMENT. ATTORNEY JONES SAID HE WOULD DRAFT A LETTER TO COUNCIL ADDRESSING THE ISSUES. VICE CHAIRMAN TUTEN SAID THE COUNTY HAS PAID ATM A LOT OF MONEY AND HE ASKED IF THEY WERE ON A RETAINER. ATTORNEY JONES RESPONDED THAT ATM WAS NOT ON A RETAINER. MR. FULGHUM SAID THIS WAS NOT AN EXCLUSIVE CONTRACT AND THE COUNTY COULD HIRE SOMEONE ELSE, BUT WHAT THE CONTRACT DOES ALLOW IS TO CONTINUE ONGOING SERVICES. VICE CHAIRMAN TUTEN ASKED IF THE FEES THAT THEY CHARGED WERE PASSED ON TO THE DEVELOPERS. MR. FULGHUM RESPONDED THEY WERE IN CERTAIN SITUATIONS. COUNCILWOMAN JONES ASKED FOR AN EXAMPLE OF WHEN A TASK ORDER WAS WRITTEN. MR. FULGHUM GAVE THE EXAMPLE OF EXTENDING WATER AND SEWER LINES. COUNCILWOMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE ON-CALL SERVICE CONTRACT WITH ATM BASED ON THE RECOMMENDATIONS OF AND CHANGES REQUESTED BY THE COUNTY ATTORNEY BEING MADE PART TO THE CONTRACT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

APPROVAL OF TASK ORDER #42 WITH ATM TO DESIGN ROAD EXTENSION PHASE II AT THE CYPRESS RIDGE BUSINESS/INDUSTRIAL PARK:

MR. FULGHUM REFERRED TO THE PLAT PROVIDED BY MR. SAGER TO THE COUNCIL. MR. FULGHUM SAID TASK ORDER #42 WAS TO EXTEND THE ROAD AND THE UTILITIES TO PROJECT SUDS. MR. SAGER SAID THAT PHASE I HAS ALREADY BEEN APPROVED AND \$160,732.00 HAS BEEN APPROVED BY THE TRANSPORTATION COMMITTEED AND PHASE II HAS

BEEN FUNDED \$192,500.00 BY THE TRANSPORTATION COMMITTEE. MR. SAGER SAID THAT THE CONSTRUCTION CAN BE CARRIED OUT AS A CHANGE ORDER TO TAKE ADVANTAGE OF NOT HAVING TO PUT THE PROJECT OUT TO BID. COUNCILWOMAN JONES ASKED IF THE CONTRACTOR AGREED. KIRK CROASMUN, ATM. SAID IT WAS NOT OUTLINED, BUT WAS DISCUSSED AND THE CONTRACT HAS NOT BEEN SIGNED. MR. CROASUM SAID THEY WERE GOING TO ASK THE CONTRACTOR TO HOLD THE PRICES FROM PHASE I AND THAT THEY BE THE SAME FOR PHASE II. MR. CROASMUN SAID THE CONTRACTOR HAS NOT AGREED TO THAT YET. MR. CROASMUN SAID THAT PHASE I WAS ALREADY BID AND HE WAS GOING TO ASK THE CONTRACTOR TO HONOR THE SAME PRICES FOR PHASE II. COUNCILWOMAN JONES SAID THAT WHENEVER ANYTHING IS DONE PIECEMEAL IT COSTS MORE AND SHE SUGGESTED GOING TO PALMETTO ELECTRIC TO SEE IF THE FUNDS THEY GAVE THE COUNTY FOR SPEC BUILDING III COULD BE USED FOR THE INFRASTRUTURE (THE ROAD AND WATER AND SEWER) TO BE COMPLETED. COUNCILMAN BLACKSHEAR SAID HE THOUGHT THAT WAS AN EXCELLENT IDEA. COUNCILMAN TYLER SAID THE COST OF THE LAND COULD BE INCREASED FOR NEW PEOPLE LOCATING IN THE PARK. COUNCILMAN BLACKSHEAR SAID HE FELT THE ENTIRE ROAD AND THE WATER AND SEWER IN THAT AREA SHOULD BE COMPLETED. MR. FULGHUM SAID THAT HE WAS TRYING TO GET AS MUCH ROAD DONE AS POSSIBLE WITH THE FUNDS FROM THE TRANSPORTATION COMMITTEE. COUNCILWOMAN JONES SAID IF THEY COULD DO WHAT SHE SUGGESTED, 3 MORE PARCELS WOULD BE OPENED UP AND AVAILABLE FOR SALE. MR. FULGHUM ASKED THE COUNCIL TO EMPOWER HIM TO EXTEND THE ROAD AS FAR AS THE MONEY WOULD ALLOW. COUNCILWOMAN JONES ASKED THE COUNCIL TO INSTRUCT THE STAFF TO PURSUE THE REQUEST WITH PALMETTO ELECTRIC. MR. SAGER SAID THE \$192,000.00 FROM THE TRANSPORTATION COMMITTEE WAS ONLY FOR PAVING THE ROAD AND DID NOT INCLUDE WATER AND SEWER. THE COUNCIL INSTRUCTED MR. FULGHUM TO NEGOTIATE THE DEAL AND BRING THE RESULTS BACK TO COUNCIL FOR APPROVAL.

NEW BUSINESS:

APPROVAL OF DETENTION CENTER MEDICAL CONTRACT:

MR. MALPHRUS PRESENTED THE CONTRACT WITH SOUTH HEALTH PARTNERS IN THE AMOUNT OF \$11,932.92 BASED ON 80 INMATES. MR. MALPHRUS EXPLAINED THAT ANY INMATE OVER 80 THE FEE WOULD BE \$1.34 PER DAY PER INMATE. COUNCILWOMAN JONES MOTIONED AND COUNCILMAN TYLER MOTION TO APPROVE THE DETENTION CENTER MEDICAL CONTRACT WITH SOUTH HEALTH PARTNERS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COMMITTEE REPORTS;

THERE WERE NO COMMITTEE REPORTS; HOWEVER, VICE CHAIRMAN TUTEN DISCUSSED HIS PARTICIPATION IN JUDGEMENT HOUSE AT THE RIDGELAND BAPTIST CHURCH.

COUNCILWOMAN JONES ASKED MR. FULGHUM TO CHECK TO MAKE SURE ALL THE WORKERS BUILDING THE NEW ANNEX BUILDING HAVE PROPER DOCUMENTS AND ARE LEGAL TO WORK IN SOUTH CAROLINA. MR. FULGHUM SAID HE WOULD PROVIDE THIS INFORMATION AT THE NEXT COUNCIL MEETING.

ADMINISTRATORS' REPORTS:

MR. FULGHUM AND KENDALL MALPHRUS REQUESTED APPROVAL OF USING THE LAND AT CYPRESS RIDGE BUSINESS INDUSTRIAL PARK (THE LAND BEHIND THE DEVELOPED AREA) FOR A COUNTRY MUSIC CONCERT. MR. FULGHUM EXPLAINED THAT THIS WOULD BE A LIVE CONCERT WITH TOP NAMES IN THE COUNTRY MUSIC BUSINESS. MS. MALPHRUS SAID THAT ATTENDANCE WOULD BE BETWEEN 10,000-40,000 PEOPLE AND IT WOULD BE A FAMILY EVENT. MS. MALPHRUS SAID THAT IN ADDITION TO PAYING THE COUNTY FOR THE USE OF THE LAND, THE COMPANY WOULD MAKE A DONATION TO A CHARITY OR ENTITY BASED ON THE COUNTY'S RECOMMENDATION. MR. FULGHUM SAID THAT THE CHAMBER OF COMMERCE SUGGESTED USING THE FUNDS TO CREATE THE "COUNTY IMAGE". COUNCILWOMAN JONES SAID SHE WOULD RATHER THE FUNDS GO TO PLACES LIKE THE RELAY FOR LIFE AND THE BOYS AND GIRLS CLUB. MS. MALPHRUS SAID THAT THE COMPANY WOULD PAY FOR THE INSURANCE, SECURITY, PREPARING THE SITE AND RESTORING THE SITE. MR. FULGHUM SAID THE ONE THING THAT THE COUNCIL NEEDED TO CONSIDER WAS THE COMPANY WOULD HAVE TO BE ALLOWED TO SELL ALCOHOL AT THE EVENT. MR. FULGHUM SAID THE ALCOHOL WOULD BE LIMITED TO BEER AND WINE. MS. MALPHRUS SAID THE COMPANY WOULD LIKE FOR CIVIC GROUPS TO BE PART OF THE EVENT AND THEY COULD SET UP TENTS AND SELL FOOD OR OTHER ITEMS, BUT NOT ANY BEVERAGES. VICE CHAIRMAN TUTEN SAID HE THOUGHT THE COUNTY HAD A POLICY ABOUT NO ALCOHOLIC BEVERAGES ON COUNTY PROPERTY. MR. FULGHUM SAID HE WAS NOT AWARE OF ANYTHING IN WRITING. COUNCILMAN BLACKSHEAR ASKED IF THE COMPANY WOULD ASSUME ALL LIABILITY. MR. FULGHUM SAID THAT THEY WOULD AND THEY ALSO HAVE INSURANCE. ATTORNEY JONES SAID THE COUNTY ALSO HAS INSURANCE AND THAT HE CAN DRAW UP AN AIRTIGHT AGREEMENT. KENDALL MALPHRUS SAID THE PROMOTER CARRIES 5-10 MILLION DOLLARS WORTH OF COVERAGE. COUNCILMAN BLACKSHEAR SAID HE HAD NO PROBLEM WITH IT AS LONG AS THE COUNTY WAS NOT IN JEOPARDY.

VICE CHAIRMAN TUTEN SAID HE WOULD NOT BE PART OF SELLING ALCOHOL AND DID NOT AGREE. COUNCILMAN TYLER SUGGESTED RUNNING THE IDEA PAST SOME OF THE LOCAL MINISTERS. KENDALL MALPHRUS SAID A LOT OF THE CHURCH MEMBERS LISTEN TO COUNTRY

MUSIC AND THEY DO NOT HAVE TO PARTAKE OF THE ALCOHOL AND THE EVENT IS GOING TO BE A FAMILY ORIENTED EVENT.

COUNCILWOMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO HAVE THE STAFF AND THE ATTORNEY PERSUE THE REQUEST AND TO REPORT BACK TO THE COUNCIL. THE MOTION WAS CARRIED WITH COUNCILWOMAN JONES, AND COUNCILMEN TYLER AND BLACKSHEAR VOTING FOR; VICE CHAIRMAN TUTEN VOTED AGAINST.

MR. FULGHUM REPORTED THAT THE JASPER COUNTY/BEAUFORT COUNTY ALLIANCE WILL MEET ON MARCH 10, 2008 AND HE WILL GET A NOTICE OUT REGARDING THE MEETING. MR. FULGHUM SAID THAT CHAIRMAN HOOD IS THE COUNCIL'S REPRESENTATIVE.

MR. FULGHUM UPDATED THE COUNCIL ON THE EVENTS PLANNED BY THE COUNTY'S RELAY FOR LIFE TEAM.

MR. FULGHUM SAID THAT BJWSA ASKED FOR THE COUNTY'S INPUT FOR WATER AND SEWER PROJECTS IN JASPER COUNTY. MR. FULGHUM SAID THAT HE WILL WORK ON THE REQUEST AND BRING THE INFORMATION BACK TO COUNCIL AT THEIR NEXT MEETING.

MR. FULGHUM REPORTED THAT IN AN ATTEMPT TO CLEAN UP THE AREA AROUND SPEC BUILDING II, A PILE OF DIRT, THAT WAS ACTUALLY A PILE OF LIME THAT BELONGED TO D.P. LOWTHER, WAS REMOVED. MR. LOWTHER SENT THE COUNTY A BILL FOR \$3,722.00 FOR THE LIME. MR. FULGHUM SAID IT WAS AN HONEST MISTAKE AND FELT THE LIME SHOULD BE REPLACED. VICE CHAIRMAN TUTEN SAID HE FELT THAT WAS AN ISSUE THE ADMINISTRATOR COULD HANDLE ON HIS OWN. MR. FULGHUM SAID HE ALSO NEEDED TO KNOW WHERE THE LIME WAS GOING TO BE STORED. COUNCILMAN BLACKSHEAR ASKED IF MR. LOWTHER HAD A LEASE ON THE PROPERTY THAT HE CUTS. MR. FULGHUM SAID THAT HE DID NOT HAVE A LEASE. COUNCILWOMAN JONES SAID THE CONCERT WAS GOING TO BE HELD ON THE LAND WHERE MR. LOWTHER MOWS THE HAY AND SHE ASKED HOW THAT WOULD EFFECT THE HAY. MR. FULGHUM SAID THAT GOPHER HILL HOLDING OWNS PART OF THE LAND MR. LOWTHER MOWS, AND SINCE THE CONCERT WILL BE HELD ON THE COUNTY'S PROPERTY AND A NEW ROAD MAY NEED TO BE CUT, HE WAS NOT SURE HOW IT WOULD EFFECT THE HAYING OPERATION. MR. FULGHUM SAID HE WOULD DISCUSS THE MATTER WITH MR. LOWTHER. COUNCILMAN BLACKSHEAR SAID A TIME FRAME FOR THE EVENT WAS NEEDED IN CASE MR. LOWTHER WOULD WANT TO PLANT HAY AGAIN.

APPOINTMENT TO LOWCOUNTRY WORKFORCE INVESTMENT BOARD:
COUNCILWOMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPOINT MR. GEORGE SANCHER TO THE LOWCOUNTRY WORKFORCE INVESTMENT BOARD. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

STEVEN MALPHRUS INFORMED THE COUNCIL OF A PAN-FLU EXERCISE THAT EMS AND DHEC WILL BE CONDUCTING.

OPEN FLOOR TO THE PUBLIC:

VICE CHAIRMAN TUTEN OPENED THE FLOOR TO THE PUBLIC. THERE WERE NO COMMENTS. VICE CHAIRMAN TUTEN CLOSED THE FLOOR TO THE PUBLIC.

EXECUTIVE SESSION:

COUNCILMAN TYLER MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS EMPLOYMENT MATTERS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO REGULAR SESSIONS:

COUNCILWOMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO RETURN TO REGULAR SESSION. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN TUTEN INSTRUCTED THE ADMINISTRATOR TO MEET WITH THE SHERIFF TO DISCUSS THE NEW POSITION.

COUNCILWOMAN JONES ASKED MR. MALPHRUS ABOUT THE GOLDBERG CONTRACTS AND WHO SIGNED THEM. COUNCILWOMAN JONES SAID SHE ASKED MR. MALPHRUS FOR THIS INFORMATION AT THE LAST COUNCIL MEETING. MR. MALPHRUS SAID HE DID NOT KNOW HE WAS TO HAVE THE INFORMATION FOR THIS MEETING. MR. FULGHUM SAID THAT GOLDBERG CONTRACTS WERE FOR WORK AT CYPRESS RIDGE, THE FARMERS' MARKET, THE ANNEX BUILDING AND THE COURTHOUSE. MR. FULGHUM SAID THAT MR. SAGER SIGNED THE CONTRACTS AFTER CONSULTING HIM. COUNCILWOMAN JONES SAID MR. SAGER IS NOT AUTHORIZED TO SIGN ANY CONTRACTS AND ONLY MR. FULGHUM CAN SIGN CONTRACTS WHEN AUTHORIZED BY COUNCIL.

ADJOURN:

COUNCILWOMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO ADJOURN THE MEETING. THE MEETING ENDED AT 7:15 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

FRED TUTEN
VICE CHAIRMAN

